



Executive Summary

(in case of discrepancy between English and Chinese versions, English version shall prevail)

This Application is submitted to seek the approval from the Town Planning Board (“**the Board**”) under section 12A of the Town Planning Ordinance (“**the Ordinance**”) for the rezoning of the Application Site from “Comprehensive Development Area” (“CDA”) and “Green Belt” (“GB”) zones to “Residential (Group A) 4” (“R(A)4”) zone on the Approved Tong Yan San Tsuen Outline Zoning Plan No. S/YL-TYST/14 (“**the Proposed Amendment**”), for the proposed residential development and social welfare facility (Residential Care Home for the Elderly) (RCHE) (“**the Proposed Development**”) at Lot Nos. 398 RP and 2188 in D.D. 121, Tai Tao Tsuen, Hung Shui Kiu, New Territories (“**the Application Site**”, “**the Site**”).

To capitalise on the rapidly ageing trend in population, as well as the societal and residential needs, the Proposed Development intends to provide new private housing supply with RCHE targeted for senior population in Yuen Long District. The Proposed Amendment is in line with the recommendation of the “CDA” review by the Rural and New Town Planning Committee (RNTPC), aiming to release the development potential for minor amendments in the future and to provide flexibility in subsequent modification of uses within the development.

With reference to the “*Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments*” as well as “*Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments – Time-limited Enhancements*”, the Applicant will seek Social Welfare Department’s support on the proposed RCHE under the Incentive Scheme, which encourages private developers to self-finance to build quality RCHE premises on their own land, and design to comply with the statutory and licensing requirements of the participation in the Incentive Scheme.

The Proposed Amendment is fully justified on the following grounds: -

- i. In response to the changes of planning context since the designation of “CDA” and “GB” zones;
- ii. Maximum development potential of scarce land resources in a strategic location;
- iii. Planning merits and various design features/concepts to provide more residential care services in territorial and district levels to meet the genuine need and to shorten the waiting time for quality RCHE places;
- iv. Fulfilment of the recommended guiding principles to provide best practice developing a Liveable, Sustainable, and Quality RCHE;
- v. Not only not incompatible in terms of land use nature, development scale and intensity with the surrounding environment; and
- vi. Technical feasible with no adverse impact.



內容摘要

(如內文與其英文版本有差異，則以英文版本為準)

本規劃申請根據《城市規劃條例》第 12A 條，申請修訂《唐人新村分區計劃大綱核准圖編號 S/YL-TYST/14》(下稱「**擬議修訂**」)，將位於新界洪水橋大道村丈量約份第 121 約地段第 398 號餘段及 2188 號 (下稱「**申請地點**」)，由「綜合發展區」及「綠化地帶」地帶改劃為「住宅(甲類)4」地帶，以作擬議住宅發展及社會福利設施(安老院舍)(下稱「**擬議發展**」)，向城市規劃委員會(下稱「**城規會**」)提出申請。

為應對人口老化趨勢及社會和居住需求，擬議發展旨在於元朗區為優先主要樂齡人士提供私人住房供應，並為長者提供優質的住宿照顧服務。擬作修訂的方案符合鄉郊及新市鎮規劃小組委員會之建議的「綜合發展區」用地檢討方案，旨在釋放地段的發展潛力，並為後續用途發展提供彈性。

有關地政總署發出的「鼓勵在新私人發展物業內提供安老院舍院址計劃」以及其於 2023 年公佈的優化計劃，申請人將向社會福利署爭取政策支持，在私人土地建設以自負盈虧方式發展高質素的安老院舍，其所有設計將符合獎勵計劃的法例及牌照要求。

擬議修訂有以下充份理據獲得支持：-

- i. 為因應「綜合發展區」及「綠化地帶」地帶劃定以來的周邊環境變化；
- ii. 釋放位於策略性位置之空置土地的發展潛力；
- iii. 提供規劃增益及各項設計特點/概念，為地區以至全港提供更多院舍照顧服務，以滿足社會需求並縮短優質安老院舍住位的輪候時間；
- iv. 落實良好作業指導原則，以發展一個宜居、可持續發展和優質的安老院舍，並應對社區當前及未來的社會、環境和經濟需求與期望；
- v. 在土地用途性質、發展規模和密度上沒有不相容；以及
- vi. 技術上可行亦不會有不利影響。

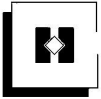
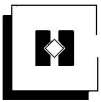


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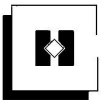


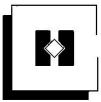
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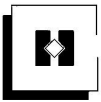
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1 INTRODUCTION

1.1 The Application

- 1.1.1 The Site was previously used for open storage and have been vacant since 2020. Upon review of the planning history and context, the Applicant would like to optimise the development potential of the Application Site by developing into residential development with a Residential Care Home for the Elderly (RCHE) to serve the Yuen Long District.
- 1.1.2 We are commissioned by the Applicant to prepare this planning assessment report on its behalf for proposing amendment (hereinafter referred to as the “**Proposed Amendment**”) to the Approved Tong Yan San Tsuen Outline Zoning Plan No. S/YL-TYST/14 (“**Approved Tong Yan San Tsuen OZP**”) under Section 12A of the Town Planning Ordinance (“**the Ordinance**”) at Lot Nos. 398 RP and 2188 in Demarcation District No. (D.D.) 121, Tai Tao Tsuen, Hung Shui Kiu, New Territories (**Figure 1**) (hereinafter referred to as the “**Application Site**”) in order to implement the development project.
- 1.1.3 The Application Site falls within an area mainly zoned as “Comprehensive Development Area” (“CDA”) (about 1,798 square meter (“**sq.m.**”), equivalent to about 84%) and partly “Green Belt” (“GB”) (about 340 sq.m., equivalent to about 16%) on the Approved Tong Yan San Tsuen OZP (**Figure 2**). The Proposed Amendment involves rezoning the Application Site to a new “Residential (Group A) 4” (“**R(A)4**”) zone and to amend the Notes of the Outline Zoning Plan (OZP) applicable to the Application Site for residential development and a social welfare facility (RCHE) (hereinafter referred to as the “**Proposed Development**”).



2 THE APPLICATION SITE AND SURROUNDINGS

2.1 Current Condition of the Site

- 2.1.1 The Application Site covers a total of about 2,138 square metres (“sq. m.”). It is currently vacant and fenced off.
- 2.1.2 The Application Site abuts Fui Sha Wai South Road. Current vehicular access to the Application Site is Castle Peak Road – Ping Shan and Hung Shui Kiu sections via Fui Sha Wai South Road and a local access road (**Figure 1**).

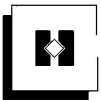


Diagram 1 Existing Condition of Application Site

- 2.1.3 **Figure 3** illustrates the location of the Application Site and its immediate vicinity.

2.2 Land Status

- 2.2.1 The Application Site falls within Lot Nos. 398 RP and 2188 in D.D. 121, Tai Tao Tsuen, Hung Shui Kiu, New Territories (“**the Lots**”) (refers to **Figure 4**). The development restrictions of the Lots are stipulated under the Block Government Lease is solely held by the Applicant.
- 2.2.2 To fulfil the requirements of the designated zoning schedule for the Application Site proposed and permitted by the Town Planning Board (“**the Board**”), the Applicant will apply for land exchange upon approval of this rezoning application. Details will be further elaborated in the later section.



2.3 Surrounding Context

2.3.1 At present, the surrounding area is intermixed with residential developments, village houses, temporary structures, schools, carparks, and open storage uses (refers to **Figure 3**): -

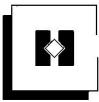
- to the immediate west of the “CDA” zone, is a high-density residential development, known as “Uptown”;
- to the north across Hung Tin Road is a Tai Tao Tsuen Substation within the “Government, Institution or Community” (“G/IC”) zone; and to the further northeast of the “Village Type Development” (“V”) zone with a low-rise residential development namely Le Regent and some open storage use;
- to the southeast across a local access road and nullah is Tai Tao Tsuen where village houses and some temporary structures are found. To the further east is Yuen Long Highway continuously connecting Yuen Long and Tuen Mun of New Territories; and
- to the further west, and south are some high-density residential developments (i.e., the Woodsville and the Woodside) in “Residential (Group B) 1” (“R(B)1”) and “R(B)2” respectively, while some temporary structures, schools and carparks are also found in “G/IC” zone nearby.

2.3.2 Planned / committed developments in the vicinity are also illustrated in **Figure 4**.

2.4 Site Accessibility

2.4.1 Currently, the Application Site is accessible to Fui Sha Wai South Road which further connects to Castle Peak Road – Ping Shan via a local access to the other parts of the territory.

2.4.2 The Application Site is well served by public transportation, including franchised buses services, green minibuses (GMB) services and Light Rail Transit (LRT) services. Bus stops on Castle Peak Road – Hung Shui Kiu is located within about 160m from the Application Site, and LRT Hung Shui Kiu Station is located within about 500m from the Application Site.



3 PLANNING CONTEXT

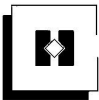
3.1 Statutory Planning Context

- 3.1.1 The Application Site falls within an area zoned as “CDA” (equivalent to about 84%) and partly zoned as “GB” (equivalent to about 16%) on the Approved Tong Yan San Tsuen Outline Zoning Plan No. S/YL-TYST/14 (refers to **Figure 2**) (also known as “**Approved Tong Yan San Tsuen OZP**”).
- 3.1.2 The planning intention of the “CDA” zone is *“intended for comprehensive development/redevelopment of the area for residential use with the provision of open space, commercial and other supporting facilities, if any. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints”*.
- 3.1.3 For the “CDA” site in the west of Hung Tin Road, the Note of the Approved Tong Yan San Tsuen OZP states that no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum gross floor area (GFA) of 69,000 sq.m. and a maximum building height of 17 storeys. The Explanatory Statement (ES) of the Approved Tong Yan San Tsuen OZP stated that *“as the areas along Castle Peak Road – Hung Shui Kiu Section, Hung Tin Road and Yuen Long Highway would be subject to traffic noise, noise mitigation measures such as the use of screening structures and the adoption of self-protective building layout would need to be implemented”*.
- 3.1.4 Noted that the approved GFA for “Uptown” (of 50,290 sq.m.) within the “CDA” zone, the remaining GFA restriction is 18,710 sq.m.. Of which, the GFA for the Proposed Development within “CDA” zone of the Approved Tong Yan San Tsuen OZP on pro-rata basis is about 8,821 sq.m., in line with the total maximum GFA of the whole subject “CDA” zone (refers to **Figure 2**).
- 3.1.5 The Notes of the Approved Tong Yan San Tsuen OZP also stipulated that the planning intention of “GB” zone is *“primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone”*. Within the area zoned as “GB”, any filling of pond or excavation of land is required for permission from the Board under Section 16 of the Town Planning Ordinance. Specifically, the ES of the Approved Tong Yan San Tsuen OZP stated that *“the “GB” zone along the north-western side of Yuen Long Highway serves as a buffer to the residential areas to its north-west”*.
- 3.1.6 It is noted that both ‘Flat’ and ‘Social Welfare Facility’ uses fall within Column 2 uses of the “CDA” and “GB” zones on the Approved Tong Yan San Tsuen OZP. In view that all development on land designated as “CDA” zone requires planning application for the approval of the Board, to



facilitate the Proposed Development and to release the development potential for minor amendments in the future, as well as to provide flexibility in subsequent modification of uses within the development without the need for submission of a revised Master Layout Plan (MLP), a rezoning application seeking the Board’s agreement on the Proposed Amendment is required (refers to **Diagrams 2 and 3**).

<u>COMPREHENSIVE DEVELOPMENT AREA</u>	
Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
	<ul style="list-style-type: none"> Eating Place Educational Institution Flat Government Refuse Collection Point Government Use (not elsewhere specified) House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Institutional Use (not elsewhere specified) Library Off-course Betting Centre Office Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Residential Institution School Shop and Services Social Welfare Facility Utility Installation for Private Project
<u>Planning Intention</u>	
<p>This zone is intended for comprehensive development/redevelopment of the area for residential use with the provision of open space, commercial and other supporting facilities, if any. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.</p>	



COMPREHENSIVE DEVELOPMENT AREA (cont'd)

Remarks

- (a) Pursuant to section 4A(2) of the Town Planning Ordinance, and except as otherwise expressly provided that it is not required by the Town Planning Board, an applicant for permission for development on land designated “Comprehensive Development Area” shall prepare a Master Layout Plan for the approval of the Town Planning Board and include therein the following information:
- (i) the area of the proposed land uses, the nature, position, dimensions, and heights of all buildings to be erected in the area;
 - (ii) the proposed total site area and gross floor areas for various uses, total number of flats and flat size, where applicable;
 - (iii) the details and extent of Government, institution or community (GIC) and recreational facilities, public transport and parking facilities, and open space to be provided within the area;
 - (iv) the alignment, widths and levels of any roads proposed to be constructed within the area;
 - (v) the landscaping and urban design proposals within the area;
 - (vi) programmes of development in detail;
 - (vii) an environmental assessment report to examine any possible environmental problems that may be caused to or by the proposed development during and after construction and the proposed mitigation measures to tackle them;
 - (viii) a drainage and sewerage impact assessment report to examine any possible drainage and sewerage problems that may be caused by the proposed development and the proposed mitigation measures to tackle them;
 - (ix) a traffic and transport impact assessment report to examine any possible traffic problems and impact on public transport service and facilities provisions that may be caused by the proposed development and the proposed mitigation measures to tackle them; and
 - (x) such other information as may be required by the Town Planning Board.
- (b) The Master Layout Plan should be supported by an explanatory statement which contains an adequate explanation of the development proposal, including such information as land tenure, relevant lease conditions, existing conditions of the site, the character of the site in relation to the surrounding areas, principles of layout design, major development parameters, design population, types of GIC facilities, and recreational and open space facilities.



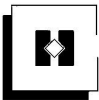
COMPREHENSIVE DEVELOPMENT AREA (cont'd)

Remarks (cont'd)

- (c) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum gross floor area and a maximum building height specified below:

<u>Location of CDAs</u>	<u>Maximum Gross Floor Area</u>	<u>Maximum Building Height</u>
"CDA" west of Hung Tin Road	69,000m ²	17 storeys
"CDA" in Tan Kwai Tsuen	9,925m ²	4 storeys over single-storey car park

- (d) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the gross floor area and building height restrictions stated in paragraph (c) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (e) In determining the maximum gross floor area for the purposes of paragraph (c) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.



<u>GREEN BELT</u>	
Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Animal Boarding Establishment
Barbecue Spot	Broadcasting, Television and/or Film Studio
Government Use (Police Reporting Centre only)	Burial Ground
Nature Reserve	Columbarium (within a Religious Institution or extension of existing Columbarium only)
Nature Trail	Crematorium (within a Religious Institution or extension of existing Crematorium only)
On-Farm Domestic Structure	Field Study/Education/Visitor Centre
Picnic Area	Firing Range
Public Convenience	Flat
Tent Camping Ground	Government Refuse Collection Point
Wild Animals Protection Area	Government Use (not elsewhere specified)
	Helicopter Landing Pad
	Holiday Camp
	House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)
	Petrol Filling Station
	Place of Recreation, Sports or Culture
	Public Transport Terminus or Station
	Public Utility Installation
	Public Vehicle Park (excluding container vehicle)
	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation
	Religious Institution
	Residential Institution
	School
	Service Reservoir
	Social Welfare Facility
	Utility Installation for Private Project



GREEN BELT (cont'd)

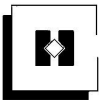
Planning Intention

The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

Remarks

- (a) Any filling of pond or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.
- (b) Any filling of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft Tong Yan San Tsuen Outline Zoning Plan No. S/YL-TYST/8 without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

Diagram 2 Extract of the Notes of the
Approved Tong Yan San Tsuen OZP No. S/YL-TYST/14
(Source: Town Planning Board, HKSAR Government)



10.1 Comprehensive Development Area (“CDA”) : Total Area : 3.32 ha

10.1.1 This zone is intended for comprehensive development/redevelopment of the area for residential use with the provision of open space, commercial and other supporting facilities, if any. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints. Although existing uses are tolerated, any development/redevelopment proposal on sites under this zoning should be submitted to the Board in the form of a Master Layout Plan (MLP) for consideration, except as otherwise expressly provided that it is not required by the Board. Pursuant to section 4A(3) of the Ordinance, a copy of the approved MLP shall be made available for public inspection in the Land Registry. The two “CDA” sites designated on the OZP are as follows:

10.1.2 “CDA” zone to the west of Hung Tin Road

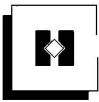
A site of about 2.30 ha at the intersection of Castle Peak Road and Hung Tin Road is zoned “CDA”. Development in the site is restricted to a total gross floor area (GFA) not exceeding 69,000m² (equivalent to a plot ratio of 3) and a maximum building height of 17 storeys. Major part of the site has been developed for residential use, known as Uptown.

10.1.3 “CDA” zone in Tan Kwai Tsuen

A site of about 1 ha to the south of Tan Kwai Tsuen was the subject of a residential development approved by the Board. Development in the site is restricted to a total GFA not exceeding 9,925m² (equivalent to a plot ratio of 1) and a maximum building height of 4 storeys over single-storey car park.

10.1.4 To provide flexibility for innovative design adopted to the characteristics of particular sites, minor relaxation of the above restrictions for the two “CDA” zones may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

10.1.5 As the areas along Castle Peak Road - Hung Shui Kiu Section, Hung Tin Road and Yuen Long Highway would be subject to traffic noise impact, noise mitigation measures such as the use of screening structures and the adoption of self-protective building layout would need to be implemented.



10.13 Green Belt (“GB”) : Total Area : 120.81 ha

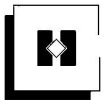
- 10.13.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. Area zoned “GB” may include foothills, lower hill slopes, spurs, isolated knolls, woodland, traditional burial ground or vegetated land which are found at the urban fringe. There is a general presumption against development within this zone. However, limited developments may be permitted with or without conditions on application to the Board, and each application will be considered on its individual merits taking into account the relevant Town Planning Board Guidelines.
- 10.13.2 The “GB” zone covers the foothills and slope of the mountain range at the south-western portion of the Area including the ex-quarry sites and areas with natural vegetation, woodlands, hill slopes and graves. It also covers the foothills and fallow agricultural land in the central part of the Area and two knolls near Ma Fung Ling Road to the south of Castle Peak Road - Ping Shan Section. The “GB” zone along the north-western side of Yuen Long Highway serves as a buffer to the residential areas to its north-west.
- 10.13.3 As filling of land/pond and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.

Diagram 3 Extract of the Explanatory Statement of the Approved Tong Yan San Tsuen OZP No. S/YL-TYST/14
(Source: Town Planning Board, HKSAR Government)

Building Height and Plot Ratio Restrictions on Surrounding Residential Developments

- 3.1.1 The Application Site is located at the north-western side of the Approved Tong Yan San Tsuen OZP nearby the planned Hung Shui Kiu/ Ha Tsuen New Development Area (HSK/ HT NDA), it is surrounded by an existing high-density private residential development (i.e., “Uptown”) with a maximum building height restriction (BHR) of 17 storeys to its immediate west¹. To its west, south and northwest across Hung Tin Road are some low-rise residential developments/village houses including the Woodside, the Woodville, Tai Tao Tsuen and Le Regent with the maximum BHR ranging between 8.23m to 21m. To the further northwest across the Castle Peak Road – Hung Shui Kiu would be a planned high-rise development

¹ According to the approved planning application No. A/YL-TYST/322 for proposed Residential cum Government, Institution or Community Development with Minor Relaxation of Maximum Building Height Restriction (Amendment to Approved Scheme), which is now known as “Uptown”, the proposed maximum no. of storey is 19 with the ground floor void and the proposed BH of 81mPD.

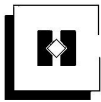


within “Residential (Group A) 4” (“R(A)4”) zone on the Approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2.

3.1.2 The Application Site is located within an area comprising low- to high-density public and private residential developments, with most of the developments with a maximum plot ratio (PR) of above 1. While there is PR restriction for “Uptown” in the “CDA” zone, the implied RP restriction under the Approved MLP is about 3.

3.1.3 Overviews of the BH and PR restrictions of surrounding context of the Application Site are shown in **Diagrams 4** and **5** respectively, which also summarized in **Table 1** below. In view of these BH and PR restrictions, the development restrictions of the Proposed Development shall be compatible with the surrounding context.

Existing Development	OZP Zoning	Site Area (in ha) (about)	Plot Ratio Restriction under OZP	Building Height Restriction under OZP		
				(in mPD)	(in meters)	(in storeys)
<i>Under the Approved Tong Yan San Tsuen OZP No. S/YL-TYST/14</i>						
Uptown	“CDA”	2.33	3.09	-	-	17
Symphony Garden	“R(A)”	0.18	5	-	36	12
Treasure Court		0.23				
Lai Hung Garden		0.10				
The Woodsville	“R(B)1”	1.64	1	-	15	4
Meadowlands		3.28				
Casa Regalia		1.11				
Osman Thus Gardens		1.03				
Tan Kwai Garden		0.41				
Arnold Gardens		0.37				
Tan Kwai Villa		0.34				
Ming Wai Court	0.11					
The Woodside	“R(B)2”	0.81	1.26	-	21	6
The Verdancy	“R(B)3”	3.33	1	-	36	12
Le Regent (estate-type NTEH development)	“V”	0.85	-	-	8.23	3
<i>Under the Approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2</i>						
Proposed Housing Site at Area 10	“R(A)2”	0.77	6	140	-	-
Eminence Terrace I		0.28				
Proposed	“R(A)4”	3.19	5	140	-	-



Existing Development	OZP Zoning	Site Area (in ha) (about)	Plot Ratio Restriction under OZP	Building Height Restriction under OZP		
				(in mPD)	(in meters)	(in storeys)
Commercial and Residential Development Site at Area 12						12
Park Nara		0.25				
High Park		0.96				
Aster Court		0.30				
Beauty Court		0.20				
Coronet Court		0.13				
Hung Fuk Estate	“R(A)5”	6.42	3.8	90	-	-
Parkview Garden	“R(B)3”	1.99	1.26	-	-	6
Casa De Oro		1.55				
Maisonette		1.07				
Sheffield Villas		0.32				
Tin Sum Villa		0.17				
<i>Under the Approved Lam Tei and Yick Yuen OZP No. S/TM-LTY Y/13</i>						
Bauhinia Garden	“R(B)2”	1.24	1.26	-	21	6

Table 1 Building Height and Plot Ratio Restrictions on Surrounding Residential Developments

(Source: Town Planning Board, HKSAR Government)

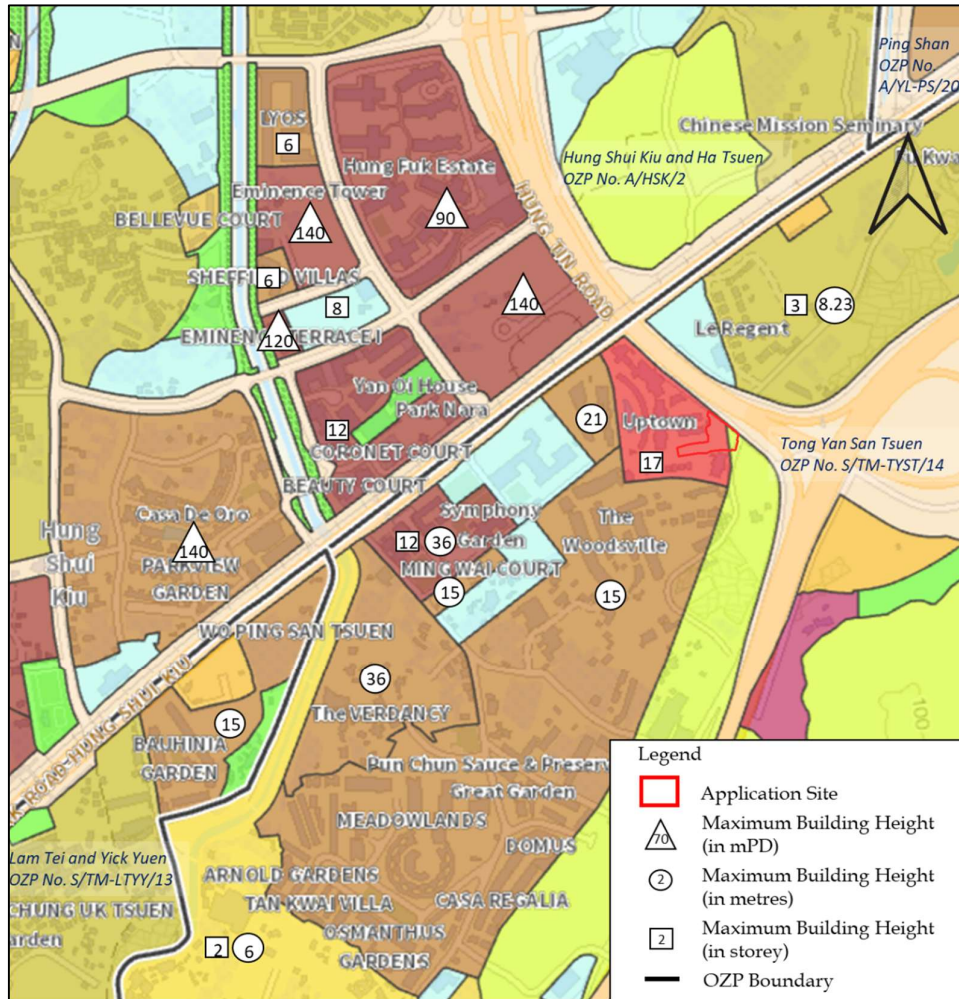
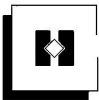


Diagram 4 Building Height Restriction on Surrounding Residential Developments
(Source: Town Planning Board, HKSAR Government)

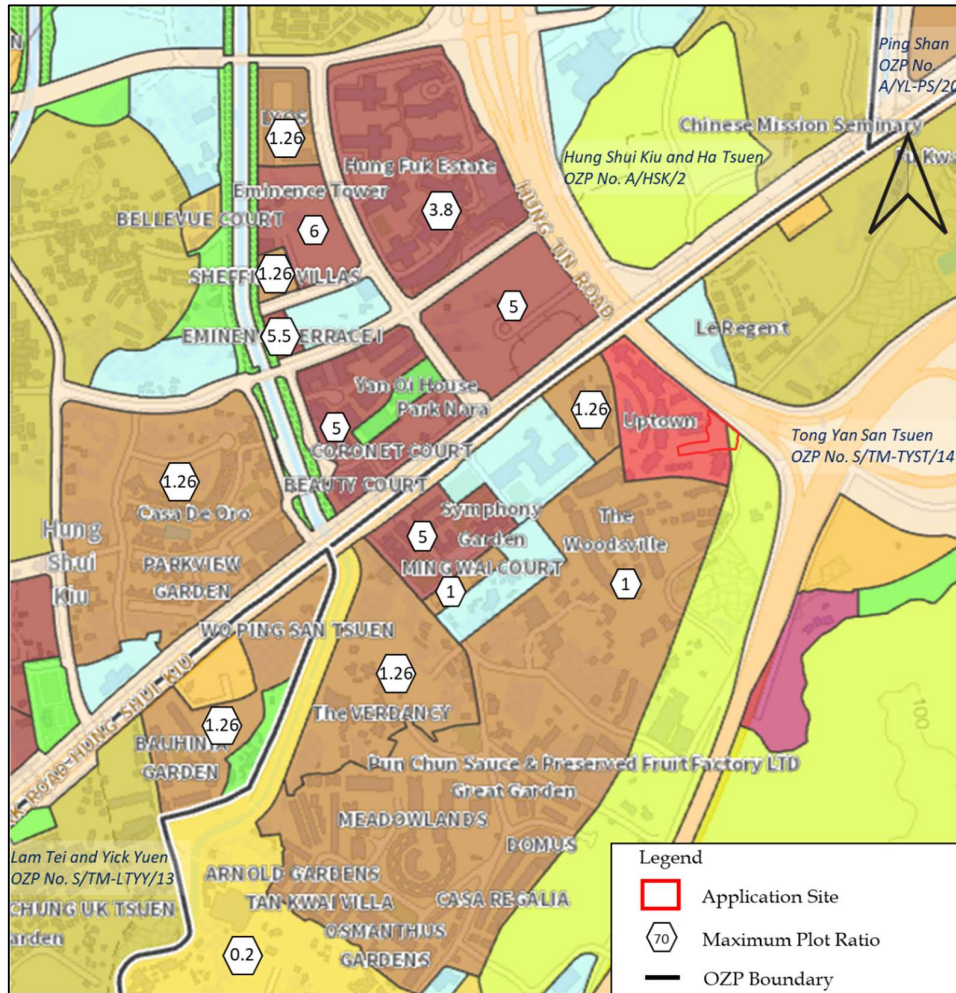
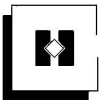
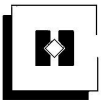


Diagram 5 Plot Ratio Restriction on Surrounding Residential Developments
(Source: Town Planning Board, HKSAR Government)

3.1.4 The Proposed Development situates in Yuen Long District and in closer to the planned HSK/ HT NDA, which is applicable to the Residential Density Zones in New Town. According to the Hong Kong Planning Standards and Guidelines (HKPSG), New Towns are divided into four Residential Density Zones: Residential Zone 1 (R1), Residential Zone 2 (R2), Residential Zone 3 (R3) and Residential Zone 4 (R4).

- “R1 covers the highest density of residential development and applies to districts well served by high capacity public transport systems such as rail station or other major transport interchange hub. The buildings often incorporate a significant component of commercial floorspace.
- R2 covers development at a medium density and applies in locations less well served by high capacity public transport systems. There is usually no commercial floorspace component.
- R3 covers the lowest density of residential development and applies to districts with very limited public transport capacity, subject to special



constraints for urban design, traffic or environmental reasons and/ or with special local character.

- *R4 may be designated where justified by severe geotechnical/ infrastructure constraints or compatibility with the adjacent rural low density developments.”*

3.1.5 In view of the Proposed Development is in close proximity to the high-capacity transport system (i.e., about 160m from the nearby bus stops, and about 500m from LRT Hung Shui Kiu Station) and no commercial floorspace component has been reserved within Proposed Development, it is considered the development density of R2 zone would be applicable to the Proposed Development to be well served by high capacity transport systems (i.e., franchised buses, GMB and LRT services).

3.2 Planning History

3.2.1 The concerned site was designated as “Unspecified Use” area on the Tong Yan San Tsuen Development Permission Area Plan (DPA) No. DPA/YL-TYST/1 which was exhibited in June 1993.

3.2.2 To prepare the first Tong Yan San Tsuen OZP², a Tong Yan San Tsuen Planning Report was conducted and suggested the followings which are relevant to the Application Site: -

- For the concerned “CDA” area: *“a site of about 2.3 ha. along Castle Peak Road west of Tin Shui Wai West Access in Hung Shui Kiu was approved by the Board in October 1995 for residential development with ancillary facilities including a kindergarten and a social centre for the elderly. To put the development under better control, the site [was proposed to zone as “CDA” zone].”; and*
- For the concerned “GB” area: *“Another “GB” zone [refers to the concerned “GB” zone] situated to the north of Yuen Long Highway serve as a buffer to the residential zones to the north.”.*

3.2.3 Since then, the Application Site has been covered with mainly “CDA” and partly “GB” zones in the first Approved Tong Yan San Tsuen OZP No. S/YL-TYST/1 and the relevant zonings remain applicable on the current Approved Tong Yan San Tsuen OZP No. S/YL-TYST/14.

3.2.4 Nonetheless, the designation of “CDA” and “GB” zones do not consider the practicability thoughtfully. The nearby “Uptown” at Lot No. 2064 in D.D. 121 is currently partly fell within both “CDA” and “GB” zones under the Approved Tong Yan San Tsuen OZP (refers to **Diagram 6**).

² TPB Paper No. 3674, Town Planning Board.

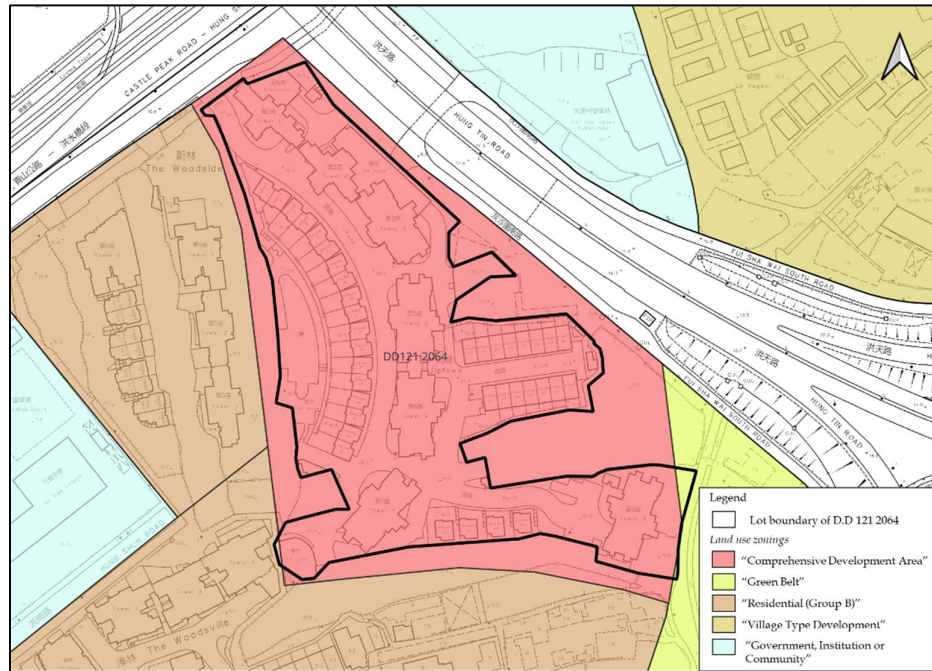
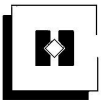


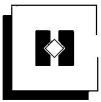
Diagram 6 Lot No. 2064 in D.D. 121 under the Approved Tong Yan San Tsuen OZP

(Source: HKMS2.0, HKSAR Government)

- 3.2.5 Subsequent to the completion of “Uptown” (a private residential development, under the approved planning application No. A/YL-TYST/322, which occupies mostly the “CDA” and partially the “GB” zones), part of the “GB” zone to the immediate south has been fenced off and become part of the residential development. The remaining parts of the “CDA” zone have been left vacant and fenced off, as well as being occupied by various temporary structures due to fragmented land ownership.
- 3.2.6 Since 2013, the biennial review on “CDA” sites by the Rural and New Town Planning Committee (RNTPC) has agreed for rezoning the whole concerned “CDA” site.

3.3 Previous Applications

- 3.3.1 Majority of the Application Site was covered by two previous s.16 planning applications (Nos. A/YL-TYST/342 and 870) (refers to **Diagram 7**). The former application involved proposed minor relaxation of maximum BHRs from 17 to 20 storeys for a comprehensive residential development scheme which was rejected/ not agreed by the RNTPC on 13 April 2007 on the grounds that the Applicant failed to demonstrate how the development scheme could integrate with the adjacent approved development in terms of design and layout; insufficient information in the submission to demonstrate no adverse environmental, visual and landscape impacts on the surrounding areas; and no strong justification to merit a relaxation of the BHR stipulated on the OZP. While, the latter



application for proposed social welfare facility (RCHE) was approved with conditions by the RNTPC on 4 May 2018 on the grounds that submission and implementation of a revised MLP taking into account of the results of technical assessments and further implementation of mitigation measure(s) (if any).

- 3.3.2 Since the approval was granted, the Applicant has been actively complying with the approval conditions and the relevant land exchange was executed in 2022. As a pre-requisite to proceed with the land exchange process, the Lot No. 398 in D.D. 121 which straddled onto “GB” and “CDA” zones has further sub-divided into Lot Nos. 398 s.A and 398 RP in D.D. 121 falling under the “GB” zone was left idle.

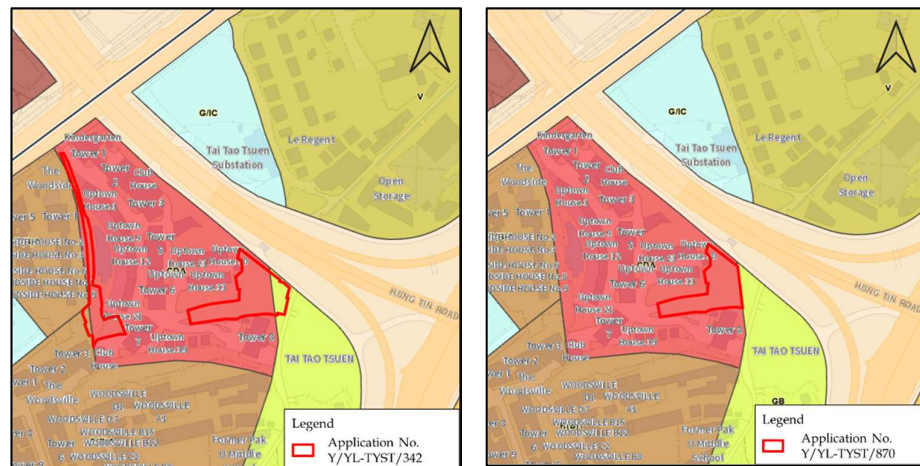
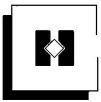


Diagram 7 Previous Applications (Nos. A/YL-TYST/342 and 870)

(Source: Town Planning Board, HKSAR Government)

- 3.3.3 Regarding the approved planning applications No. A/YL-TYST/322 of “Uptown”, public comments from the Village Representative of Tai Tao Tsuen have received, pointing out that there was a lack of proper planning on footpath and vehicular access. Additionally, the Board members also raised their concerns on the possible right of way arrangement during the 333rd RNTPC meeting on 1 September 2006.
- 3.3.4 During deliberation, some members suggested that the proposed right of way connecting the aforementioned site connecting via a new extended road connecting Hung Shun Road to be an approval condition that could be implemented through the Deed of Mutual Covenant (DMC) of development. The then officer of the Building Department (BD) noted that the aforementioned site was abutted and able to access from Castle Peak Road – Hung Shui Kiu of not less than 4.5m wide, and further suggested that such access should be permanent and completed prior to further Occupation Permit (OP) application. Of which, the Board also agreed the recommendation, and further suggested the applicant should liaise with the lot owner(s) of remaining portions of the subject “CDA” zone with an acceptable scheme on the overall design and layout including the permanent access arrangement(s).



3.4 Town Planning Board Planning Guidelines

- 3.4.1 In preparation of this Application, Town Planning Board Planning Guidelines for Designation of “Comprehensive Development Area” (“CDA”) Zones and Monitoring the Progress of “CDA” Developments (TPB PG-No. 17A) is carefully observed to ensure the Proposed Amendment respects the intention of the subject “CDA” zone.
- 3.4.2 As stated in the Guidelines, reviews of “CDA” zones (“CDA review”) are undertaken on a biennial basis by the Planning Department (PlanD) to achieve a close monitoring of the progress of development. Its considerations for rezoning the whole concerned sites are shown in **Diagrams 8a – 8g**³ below.
- 3.4.3 Moreover, it is acknowledged that flexibility can be provided through re-designation of “CDA” sites and the consideration would include the followings: -
- *“the planning intention of maintaining comprehensive control on the overall development of the area should not be undermined. For instance, if a “CDA” site is subject to environmental constraints and the layout of the development has to allow for the provision of a buffer against the environmental nuisances, the removal of the buffer will not be desirable;*
 - *in the case of mixed developments especially for a variety of uses sharing a common podium, a re-designation of different parts of the “CDA” site to various discrete land-use zonings may only be possible provided that the planning intention of each zone could be clearly reflected; and*
 - *if part of the site is excluded from the development zone and rezoned to, say “Open Space” or “Government, Institution or Community”, it should be ensured that the resultant development intensities of the site will not be higher than those permitted under the Notes of the OZP or in the Building (Planning) Regulations.”*

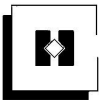
³ RNTPC Paper Nos. 4/13, 8/15, 4/17, 3/19, 5/21, 4/23 and 3/25, Town Planning Board.



Extract from RNTPC Paper No. 4/13

Site Ref. No.	Location (Site Area)	No. of Years Designated “CDA”	Justifications for Rezoning
NTW 22 (Plan 58)	Various lots in DD 121 and DD 127, Hung Shui Kiu, Yuen Long, New Territories (2.33 ha) (multiple ownership)	16	<ul style="list-style-type: none">• The site is located within the study area of the HSK NDA Planning and Engineering Study which has already commenced in August 2011 and is scheduled for completion in 2014.• The main part of the site is the subject of a planning application (No. A/YL-TYST/322) which was approved by the RNTPC on 1.9.2006.• The residential development under the approved scheme was subsequently completed with the Occupation Permit issued on 31.5.2011 and the Certificate of Compliance issued on 28.9.2011.• On 13.4.2007, a separate application (No. A/YL-TYST/342) proposed for comprehensive residential development covering some of the remaining portions of the “CDA” zone was rejected by the RNTPC. Since then, no new planning application or development proposal has been submitted. These lots are currently vacant land or being occupied for open storage use.• Since the residential development covering the major portion of the “CDA” site was completed, it would be appropriate to rezone this portion of the site to reflect the as-built conditions. However, there are some residual private lots along the western, southern and eastern edges of the “CDA” zone which are not covered by approved scheme under Application No. A/YL-TYST/322.• Although the “CDA” zone is proposed for rezoning, the zoning(s) for the residual portion of the “CDA” site, which are fragmented, small in size and elongated in shape, would need to be reviewed and worked out, taking into account the site constraints and various technical concerns.

Diagram 8a Previous Considerations on Rezoning of the Whole Concerned “CDA” under “CDA” Review
(Source: RNTPC Paper No. 4/13, Town Planning Board)



Extract from RNTPC Paper No. 8/15

Site Ref. No.	Location (Site Area)	No. of Years Designated “CDA”	Justifications for Rezoning
NTW 22 (Plan 62)	Various lots in DD 121 & 127, Castle Peak Road, Hung Shui Kiu, Yuen Long, New Territories (0.64 ha) (multiple ownership)	18	<ul style="list-style-type: none"> The main part of the site is the subject of a planning application (No. A/YL-TYST/322) which was approved by the Committee on 1.9.2006. The residential development under the approved scheme (known as “Uptown”) has been completed and all the planning conditions have been discharged. The Occupation Permit and the Certificate of Compliance were issued on 31.5.2011 and 28.9.2011 respectively. The abovementioned planning permission covers the majority of the “CDA” site. There are, however, some residual private lots on the western, southern and eastern edges of the “CDA” site that are not covered by the planning permission. These lots are currently being occupied by various temporary uses. The land use zonings for the residual portion of the “CDA” site would be reviewed pending completion of the HSK NDA Study which may affect the planning circumstance in the vicinity. PlanD will then review the entire “CDA” zone.

Diagram 8b Previous Considerations on Rezoning of the Whole Concerned “CDA” under “CDA” Review
(Source: RNTPC Paper No. 8/15, Town Planning Board)

Extract from RNTPC Paper No. 4/17

Site Ref. No.	Location (Site Area)	No. of Years Designated “CDA”	Justifications for Rezoning
NTW 22 (Plan 58)	Various lots in DD 121 & 127, Castle Peak Road, Hung Shui Kiu, Yuen Long, New Territories (0.64 ha) (multiple ownership)	20	<ul style="list-style-type: none"> The residential development at the majority of the “CDA” site (known as “Uptown”) has been completed and all the planning conditions have been discharged. The Occupation Permit and the Certificate of Compliance were issued on 31.5.2011 and 28.9.2011 respectively. The abovementioned planning permission covers the majority of the “CDA” site. There are, however, some residual private lots on the western, southern and eastern edges of the “CDA” site that are not covered by the planning permission. These lots are currently being occupied by various temporary uses. The land use zonings for the residual portion of the “CDA” site would be reviewed and proposed amendments to the OZP for the entire “CDA” zone will be submitted to the Committee for consideration in due course.

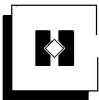
Diagram 8c Previous Considerations on Rezoning of the Whole Concerned “CDA” under “CDA” Review
(Source: RNTPC Paper No. 4/17, Town Planning Board)



Extract from RNTPC Paper No. 3/19

Site Ref. No.	Location (Site Area)	No. of Years Designated “CDA” (as at 31.3.2019)	Progress for Rezoning
NTW 22 (Plan 54)	Various lots in DD 121 & 127, Castle Peak Road, Hung Shui Kiu, Yuen Long, New Territories (Uptown) (0.64 ha) (multiple ownership)	22	<ul style="list-style-type: none">• The residential development at the majority of the “CDA” site has been completed and all planning conditions have been discharged. The OP and CC were issued on 31.5.2011 and 28.9.2011 respectively.• On 15.3.2013, the Committee agreed to rezone the “CDA” site to a residential zone to reflect the as-built condition and approved uses.• Part of the “CDA” site on the eastern edge was subject to a planning permission No. A/YL-TYST/870 which was approved by the Committee with conditions on 4.5.2018, for proposed social welfare facility (residential care home for the elderly (RCHE)). The proposed RCHE is yet to be commenced.• There are, however, some residual private lots on the western and southern edges of the “CDA” site that are not covered by the planning permission. These lots are currently being occupied by various temporary uses.• The land use zonings for the residual portion of the “CDA” site would be reviewed and proposed amendments to the OZP for the entire “CDA” zone will be submitted to the Committee for consideration in due course.

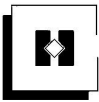
Diagram 8d Previous Considerations on Rezoning of the Whole Concerned “CDA” under “CDA” Review
(Source: RNTPC Paper No. 3/19, Town Planning Board)



Extract from RNTPC Paper No. 5/21

Site Ref. No.	Location (Site Area)	No. of Years Designated “CDA” (as at 31.3.2021)	Progress for Rezoning
NTW 22 (Plan 49)	Various lots in DD 121 & 127, Castle Peak Road, Hung Shui Kiu, Yuen Long, New Territories (Uptown) (zoned “CDA” on Tong Yan San Tsuen OZP) (2.33 ha) (multiple ownership)	24	<ul style="list-style-type: none">• The residential development at the majority of the “CDA” site has been completed and all planning conditions have been discharged. The OP and CC were issued on 31.5.2011 and 28.9.2011 respectively.• On 15.3.2013, the Committee agreed to rezone the “CDA” site to a residential zone to reflect the as-built condition and approved uses.• Part of the “CDA” site on the eastern edge is subject to an application (No. A/YL-TYST/870) for proposed social welfare facility (residential care home for the elderly (RCHE)), which was approved with conditions by the Committee on 4.5.2018 with validity until 4.5.2022. The proposed RCHE is yet to be commenced.• There are, however, some residual private lots on the eastern, western and southern edges of the “CDA” site that are not covered by the aforesaid planning permission. These lots are currently being occupied by various temporary uses.• The land use zonings for the residual portion of the “CDA” site would be reviewed and proposed amendments to the OZP for the entire “CDA” zone will be submitted to the Committee for consideration in due course.

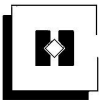
Diagram 8e Previous Considerations on Rezoning of the Whole Concerned “CDA” under “CDA” Review
(Source: RNTPC Paper No. 5/21, Town Planning Board)



Extract from RNTPC Paper No. 4/23

Site Ref. No.	Location (Zoning on OZP/ Site Area/Land Ownership)	No. of Years Designated “CDA” (as at 31.3.2023)	Progress for Rezoning
NTW 22 (Plan 47)	Various lots in DD 121 & 127, Castle Peak Road – Hung Shui Kiu, Yuen Long, New Territories (zoned “CDA” on Tong Yan San Tsuen OZP) (2.33 ha) (multiple ownership)	26	<ul style="list-style-type: none">• The residential development at the majority of the “CDA” site, known as Uptown, was completed in 2011.• On 15.3.2013, the Committee agreed to rezone the site to reflect the completed development.• The remaining part of the “CDA” site on the eastern portion is subject to a planning application (No. A/YL-TYST/870) for proposed social welfare facility (residential care home for the elderly (RCHE)) approved with conditions by the Committee in 2018. The land exchange of the proposed RCHE was executed on 13.4.2022.• There are, however, some residual private lots on the eastern, western and southern portions of the “CDA” site that are not covered by the aforesaid planning permission. These lots are currently being occupied by various temporary uses.• The land use zonings for the residual portion of the “CDA” site will be reviewed holistically and proposed amendments to the OZP for the entire “CDA” zone will be submitted to the Committee for consideration when opportunity arises.

Diagram 8f Previous Considerations on Rezoning of the Whole Concerned “CDA” under “CDA” Review
(Source: RNTPC Paper No. 4/23, Town Planning Board)



Extract from RNTPC Paper No. 3/25

Site No./ Location/ OZP/ Zoning/ Site Area/ Land Ownership/ No. of Years Designated “CDA” (as at 31.3.2025)	Progress for Rezoning
<p>1. NTW 22 (Plan 37)</p> <ul style="list-style-type: none"> • Various lots in DD 121 & 127, Castle Peak Road-Hung Shui Kiu, Yuen Long, New Territories • Tong Yan San Tsuen OZP • zoned “CDA” • 2.33 ha • multiple ownership • 28 years 	<ul style="list-style-type: none"> • In 2011, the residential development at the majority of the “CDA” site (known as Uptown) was completed. • In 2013, the Committee agreed to rezone the site to reflect the completed development. • The remaining part of the “CDA” site on the eastern portion is the subject of a s.16 application (A/YL-TYST/870) for proposed social welfare facility (RCHE) approved with conditions by the Committee in 2018. The land exchange of the proposed RCHE was executed in 2022. The construction of the RCHE development is yet to commence as the development proposal is currently being reviewed by the project proponent. • There are, however, some residual private lots on the eastern, western and southern portions of the “CDA” site that are not covered by the aforesaid planning permission. These lots are currently being occupied by various temporary uses. • The land use zonings for the residual portion of the “CDA” site will be reviewed holistically and proposed amendments to the OZP for the entire “CDA” zone will be submitted to the Committee for consideration when opportunity arises.

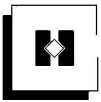
Diagram 8g Previous Considerations on Rezoning of the Whole Concerned “CDA” under “CDA” Review
(Source: RNTPC Paper No. 3/25, Town Planning Board)

3.5 Review of Sites Designated “Comprehensive Development Area”

3.5.1 Since 2013, the biennial “CDA” review by the RNTPC agreed for rezoning the whole concerned “CDA” zone upon reviewing the residual portion of the “CDA” site⁴, provided that the proposed rezoning aligns with the planning intention of maintaining comprehensive planning control for the overall development. Such rezoning shall only allow if it clearly reflects the planning intention for mixed-use developments from originally designated as the “CDA” site into various discrete land use zonings specifically, or ensures that the resulting development intensities do not exceed those permitted under the Notes of the OZP or in the Building (Planning) Regulations (B(P)R) (Cap. 123F).

3.5.2 The maximum GFA restriction of the whole concerned “CDA” zone is 69,000 sq.m.. As illustrated in **Diagrams 9 and 10**, the remaining GFA after deducting the existing residential development at the “Uptown” within the “CDA” zone is 18,710 sq.m.. This remaining GFA is expected to be

⁴ The residual portion of the “CDA” site refers to the residual private lots to the eastern, southern and western edges of the “CDA” zone.



distributed proportionally across various land parcels between the remaining “CDA” area. Nevertheless, it is noted that there are various development constraints of these peripheral sites, including sites are small in scale and irregular shape, fragmented land ownership and proximity to nearby Government land, in which impose additional regulatory and practical challenges to certain development.

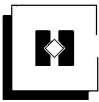
- 3.5.3 In a scenario which the development potential (i.e., remaining GFA) from these low-potential peripheral sites is optimised for the Proposed Development, a maximum PR of 4.91 is proposed as shown in **Table 2** to provide a quality RCHE with residential development which shall comply with the Buildings Ordinance (BO) (Cap. 123) (refers to **Table 7** of the Key Development Parameters of the Indicative Scheme). The Proposed Development, which is domestic in nature, has been assumed as Residential Zone 2 (R2) as summarized in above **Section 3.1.5**, while the maximum PR of 4.91 is tallied with the maximum domestic PR required for R2. Thus, it results a GFA of about 7,172 sq.m. for the Proposed development within the “CDA” zone on pro-rata basis, leaving a residual GFA of about 11,538 sq.m. for the remaining “CDA” area.



Section 12A Application for Proposed Rezoning from “Comprehensive Development Area” and “Green Belt” Zones to “Residential (Group A)4” Zone and to Amend the Notes of the Zone Applicable to the Site for Proposed Residential Development and Social Welfare Facility (Residential Care Home for the Elderly) at Lot Nos. 398 RP and 2188 in D.D. 121, Tai Tao Tsuen, Hung Shui Kiu, New Territories

Development / Zoning on the OZP / Lot Nos.		Whole “CDA” zone	Uptown (Lot No. 2064RP in D.D. 121)	Lot No. 2188 in D.D. 121	Lot No. 403 in D.D. 121 (owned under a Tso/ Tong)	Residual Area (Lots Nos. 287S.B, 287S.C, 302RP, 308RP(Part), 388RP, 392RP, 408, 415(Part), 420(Part), 422RP(Part), 423(Part), 424(Part), 2064S.A and 2064S.B in D.D. 121)	Residual Government Land
Site Description		-	Triangular in shape	Trapezium in shape	Rectangular in shape	Irregular shape and scattered around	Elongated in shape, with portion being part of the road
Current Scheme	Site Area (Gross) (about) (sq.m.)	23,282 (100%)	16,292 (70%)	1,798 (7.7%)	503 (2.1%)	3,390 (14.6%)	1,299 (5.6%)
	Maximum Achievable Gross Floor Area (about) (sq.m.)	69,000 (100%)	50,290 (72.9%)	5,329 ² (7.7%)	1,490 ² (2.1%)	10,047 ² (14.6%)	1,844 ³ (2.7%)
	Implied Plot Ratio (about)	3	3.09	2.96	2.96	2.96	1.42
Proposed Scheme	Maximum Gross Floor Area ¹ (about) (sq.m.)	69,000	50,290	7,172	1,490 ⁴	10,047 ⁴	Not consider for development due to site constraints ⁵
	Maximum Plot Ratio ¹ (about)	3	3.09	4.91	2.96 ⁴	2.96 ⁴	
Remarks: ¹ Under the Building (Planning) Regulations (Cap. 123F). ² Calculate on a pro-rata basis subject to the PR restriction under the subject “CDA” zone. ³ Calculate by deduction the maximum GFA of the “CDA” zone with the maximum achievable GFA of Uptown and the development potential in other private lots. ⁴ To retain the maximum achievable GFA on the lots within the subject “CDA” zone, however, they are mostly landlocked with diversified ownerships and not abut to a specified street, they are mostly fall within unclassified sites under Building (Planning) Regulations (Cap. 123F). Hence, the possibility for achieving a maximum PR of 3.0 is highly doubted. ⁵ Land parcels of residual Government land are elongated in shape with portion being part of the existing/ future road, it is considered as not feasible for any future development.							

Table 2 Details of Residual Land Parcels within the Subject “CDA” zone



3.5.4 This allocation ensures that the development intensities of the Application Site remain well within the maximum allowable GFA of 69,000 sq.m., as prescribed by the Notes of the OZP, thus it will not deprive the development potential of the resultant private land lots, thereby maintaining compliance with the TPB PG-No. 17A as mentioned in above **Section 3.4** and supporting the planning intention of balanced and controlled development within the “CDA” zone.

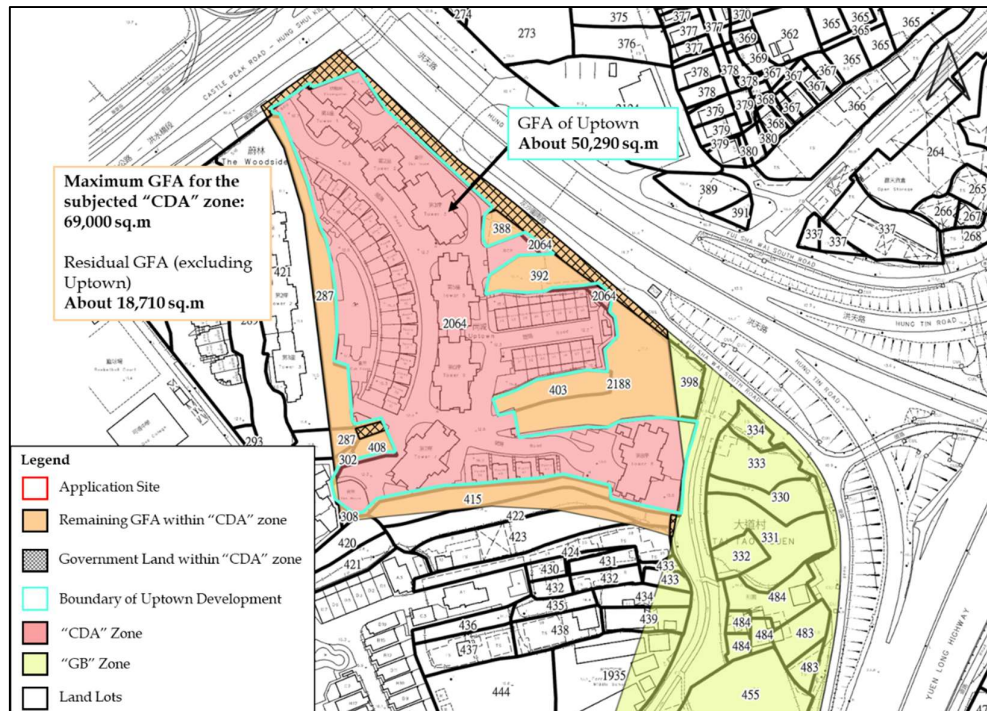


Diagram 9 Current Residual GFA Without the Proposed Development
(Source: HKMS2.0, HKSAR Government)

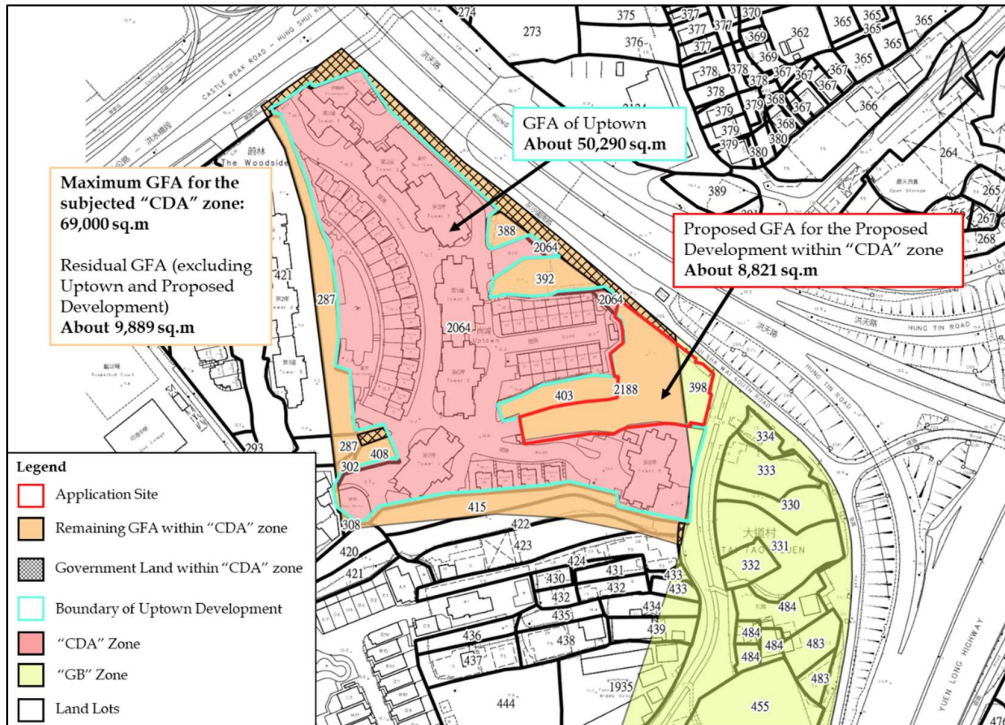
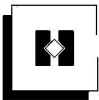
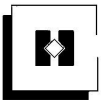


Diagram 10 Residual GFA With the Proposed Development
(Source: HKMS2.0, HKSAR Government)



Non-Statutory Planning Context

3.6 Aging Population at the District Level

3.6.1 Based on the ‘2021 Population Census’ published by the Census and Statistics Department (C&SD), there are about 158,000 population aged 60 or above, representing about 24% of the total population in the Yuen Long District.



Diagram 11 Yuen Long District Population in 2021
(Source: 2021 Population Census, Census and Statistics Department)

3.6.2 According to the ‘Projections of Population Distribution 2023-2031’ published by the PlanD, there will be a significant increase of population in the Yuen Long District, in particular the elderly population (i.e., aged 60 or above) increase from about 197,100 in 2025 to about 241,200 in 2031, reflecting a growth of about 22% over the future 6 years.

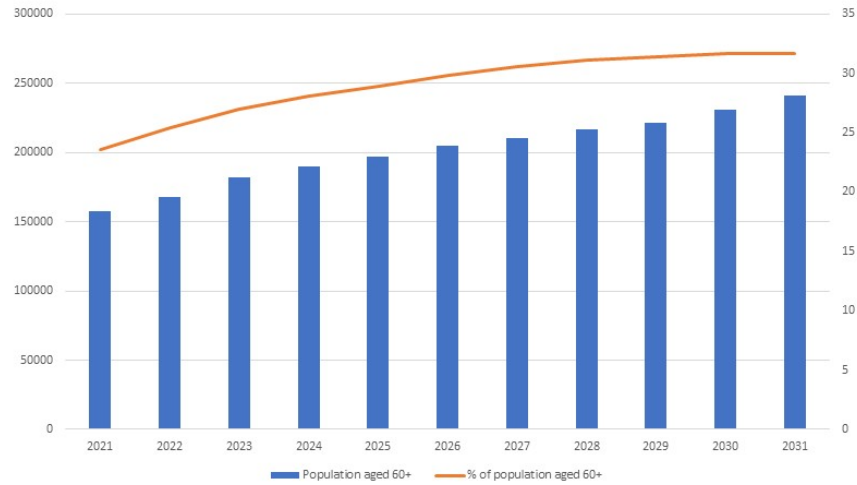
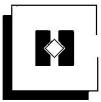


Diagram 12 Population Projection of Aged 60+ in Yuen Long District
(Source: *Projections of Population Distribution 2023-2031*, Planning Department)

3.6.3 It is anticipated that the percentage of the elderly in the total population of Yuen Long District is expected to gradually increase, demonstrating that more elderly living in the area. The demographic shift highlights an ageing population in the area, which has significant several implications on the provision of elderly care services, particularly the residential cares for the elderly.

3.7 Housing Supply Perspective

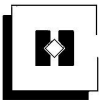
Long Term Housing Strategy

3.7.1 The Long Term Housing Strategy (LTHS) was first introduced on 16 December 2014 to set out strategic directions to gradually avert the supply-demand imbalance of housing. The Government updates the long-term housing demand projection annually and presents a rolling 10-year housing supply target to capture social, economic and market changes over time, and makes timely adjustments where necessary. According to the 2023, 2024 and 2025 Annual Progress Reports, the latest private housing supply target for the next 10-year period will be 126,000 units, including Government land sale, railway property developments and development projects undertaken by the Urban Renewal Authority (URA). The supply in the primary private residential property market for the coming three to four years is about 101,000 units.^{5,6,7}

⁵ Long Term Housing Strategy Annual Progress Report 2023 (for the 10-year period from 2024-25 to 2033-34), Housing Bureau.

⁶ Long Term Housing Strategy Annual Progress Report 2024 (for the 10-year period from 2025-26 to 2034-35), Housing Bureau.

⁷ Long Term Housing Strategy Annual Progress Report 2025 (for the 10-year period from 2026-27 to 2035-36), Housing Bureau.



3.7.2 Thus, a strong demand in private housing is envisaged in the upcoming years, with about 40% of the private housing provision will be relying on the delivery of private sector. The Proposed Amendment will provide over 450 units to contribute to the housing supply and offer wider housing choices for different age groups.

2026-27 Budget

3.7.3 The latest 2026-27 Budget highlights that the provision of private housing supply, with the average of the completed private residential units of about 17,000 units annually over a five-year period from year 2026.

Policy Address

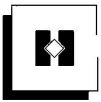
3.7.4 The Policy Address (PA) addresses the concern on housing supply which includes stabilizing supply for private housing. Relevant sections related to the Proposed Development are summarized as follows: -

- PA 2022 – “*deliver sufficient land for private housing development in the next five years to meet the projected demand in the LTHS and stabilise supply for private housing*”;
- PA 2023 - “*Make land available for the production of around 80,000 private housing units for disposal in the market through land sale or railway property developments in the next five years (2024-25 to 2028-29)*”;
- PA 2024 - “*According to the LTHS, the supply target for private housing in the coming decade is projected to be 132,000 units. The Government will make available land over the next five years to provide about 80,000 private housing units.*”; and
- PA 2025 – “*According to the LTHS, the supply target for private housing in the coming decade is projected to be 126,000 units. The Government will have sufficient land to meet the demand in the next ten years, and will roll out such land to the market in an orderly and pragmatic manner. Besides Government land sale, other sources of private housing land supply include railway property development and URA projects, as well as private development projects.*”.

Housing for the Elderly

3.7.5 The Government was first cooperated with the Hong Kong Housing Society (HKHS), and further launched the Senior Citizen Residences Scheme (SEN Scheme) in 2003 to cater for the housing need of the middle-income elderly incorporating with the concept of “housing with care” for the elderly.

3.7.6 Currently, the Hong Kong Housing Authority (HKHA) and the HKHS would offer different types of public housing subsidies to the elderly to address their housing needs, such as Flat-for-Flat Scheme for Elderly



Owners, Priority Public Rental Housing Schemes, Special Housing for the Elderly, Building Maintenance Grant Scheme for Elderly Owners, etc..

- 3.7.7 According to the latest statistics on the elderly households in public rental housing (PRH)⁸, the actual average waiting time for PRH of elderly one-person applicants were about 2.6 years, and hence only a small number of successful cases were recorded.
- 3.7.8 On the other hand, there is no designated land use category for residential development specify for senior housing in Hong Kong, pushing some seniors toward alternatives in the Greater Bay Area (GBA). Given the ageing population in the district level as summarized in above **Section 3.6**, as well as the increasing trend of out-migration with various seniors being left behind⁹, there shall be a high local demand for elderly housing needs and social supports.
- 3.7.9 The imbalance between the demand and supply of senior housing in Hong Kong underscores the urgent need for expanded private sector involvement. Thus, the private developers shall be driven by the rationale of tapping into a lucrative market of wealthier elderly seeking modern, autonomous living options to offer high-quality and tailored accommodations that prioritize integrated healthcare and community for the elderly.
- 3.7.10 Referring to the World Health Organization’s Age-friendly Cities Framework, “housing” and “community support and health services” were rated the lowest among the eight domains in Hong Kong. Meanwhile, various public policy researches have pointed out that the remaining seniors in Hong Kong prefer ageing in place rather than moving into RCHE facilities, even health care assistance is needed. In addition, the Government has established the principle of “ageing in place as the core, with institutional care as back-up” care policy for the elderly to be cared by the family with community services as supported. Hence, private sectors are expected to play a crucial role in addressing the need for senior housing in Hong Kong, so as to reduce emergency service needs and enhance better mental health for the elderly.

3.8 Short Supply of RCHE in the Territory

- 3.8.1 RCHEs can generally be classified into the following categories: subvented homes; contract homes; self-financing homes; and private homes. Hence, there is an acute demand for residential care services for the elderly within the territory. As of February 2026, there are currently about 3,100 subsidized places and 5,300 non-subsidized places from the existing RCHEs in the Yuen Long District¹⁰, whilst there also 1,700 nos. of committed places in the Areas 2, 5, 7, 24 and 25¹¹.

⁸ Legislative Council. (2022). Statistical Highlights ISSH16/2022. <https://www.legco.gov.hk/research-publications/english/2022issh16-elderly-households-in-public-rental-housing-20220413-e.pdf>

⁹ Census and Statistics Department. (2017). *Developments in demographic trends of Hong Kong and their implications for public policies*.

¹⁰ <https://www.swd.gov.hk/en/pubsvc/lr/rche/>

¹¹ LC Paper No. CB(1)368/2025(05). <https://www.legco.gov.hk/yr2025/english/panels/ws/papers/ws20250317cb1-368-5-e.pdf>

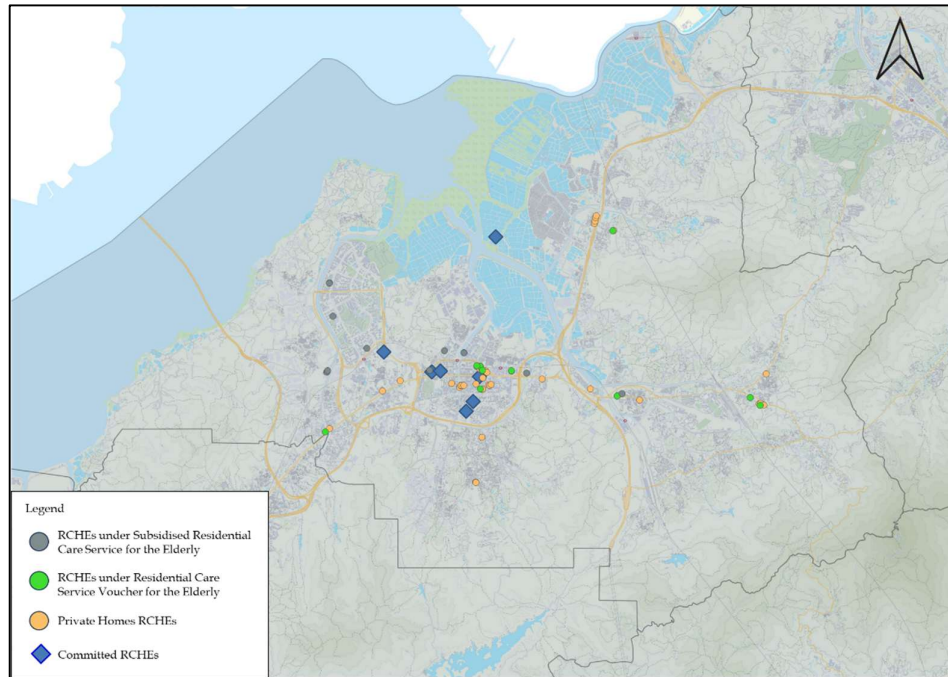
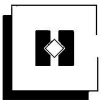


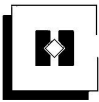
Diagram 13 Geographical Distribution of the RCHE in Yuen Long District
(Source: Elderly Information, Social Welfare Department)

- 3.8.2 According to the statistics on the residential care services as published by the Social Welfare Department (SWD), there are about 17,664 nos. of applicants waiting for subsidized care and attention places, of which the average waiting time is 8 months by the end of December 2025¹². Thus, the shortage of bedspace provision results in long waiting times for different types RCHE.
- 3.8.3 Based on the Government’s statistics published in 2022, the enrolment rates of RCHEs remain at a high level, especially the subvented/contract homes (Refers to **Table 3**). **Table 4** shows the number of applicants and average waiting time of various types of subsidised residential care services for the elderly in the Central Waiting List for subsidised long term care services.

Type of Homes for RCHEs	Enrolment Rate
Subvented and contract homes	91%
Private homes	71%
Self-financing homes	68%

Table 3 Enrolment Rate of Residential Care Homes in Hong Kong
(Source: Elderly Information, Social Welfare Department)

¹² [https://www.swd.gov.hk/storage/asset/section/1022/en/CWL/LTC%20statistics_HP-EN\(202512\).pdf](https://www.swd.gov.hk/storage/asset/section/1022/en/CWL/LTC%20statistics_HP-EN(202512).pdf)



Service Types	Average Waiting Time (in months) (Average of the previous 3 months)	No. of People Waitlisted
Subsidised care and attention (C&A) places	21	15,724
Nursing home (NH) places	26	1,940

Table 4 Number of Applicants and Respective Waiting Time for Subsidised Residential Care Service for the Elderly
(Source: Elderly Information, Social Welfare Department)

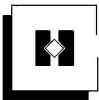
3.8.4 According to the ‘Elderly Services Programme Plan’ published by the Elderly Commission in 2024, the projected demand for residential care services (RCS) shall increase significantly in the coming years. Hence, development of the quality private RCHEs shall be considered to meet the community’s diverse needs for RCS.

Year	2025	2026	2027	2028	2029	2030	2031	2032
Demand of RCS	47,000	46,000	46,000	46,000	45,000	45,000	46,000	47,000
	<i>Percentage increase</i>						2.22%	2.17%

Table 5 Demand Project for Residential Care Places
(Source: Elderly Services Programme Plan, Elderly Commission)

3.8.5 Based on the data shown in **Table 4**, it is observed that there are currently a significant number of people waitlisted for the subsidised care and attention (C&A) places and nursing home (NH) places in the homes of RCHE. The aging population in Hong Kong, particularly in Yuen Long District, exacerbates this situation (refers to **Diagrams 11 and 12**), resulting in a greater need for RCHE services within the district. It is anticipated that the RCHE provision is critical to address both current and future shortage, to fulfil the community’s needs for elderly welfare services, to alleviate pressure on waitlists, as well as to enhance the overall quality of life for elderly residents.

3.8.6 With reference to the TPB Paper No. 11045 For Consideration by the Board on 13.02.2026, a shortfall of 1,784 bed spaces in the provision of subsidized RCHE bed spaces were observed in Yuen Long District. Noted that the growth of aging population in Yuen Long District as presented in **Diagram 11**, there is a necessary need for both subsidized and private bed spaces to cater for the needs of elderly welfare services in the future.



<u>Type of Facilities</u>	<u>HKPSG requirement</u>	<u>Requirement based on OZP planned population</u>	<u>Existing Provision</u>	<u>Planned Provision (including existing provision)</u>	<u>Surplus/ Shortfall against planned provision</u>
Residential Care Home for the Elderly (RCHE)	21.3 subsidised beds per 1,000 elderly persons aged 65 or above	8,699 beds	2,093 beds	6,915 beds	-1,784 beds

Table 6 Table of GIC Facilities Provision in Yuen Long District
(Source: TPB Paper No. 11045, Planning Department)

3.8.7 Noted the majority of the Application Site (i.e., area currently zoned as “CDA”) is subject to an approved application No. A/YL-TYST/870 for a 300-place RCHE which was approved with conditions by the RNTPC on 4 May 2018. The construction of the abovementioned approved application is yet to commence, whilst the majority of Application Site is encroached to such application. Hence, there shall be an additional need of subsidized RCHE bed spaces provision in Yuen Long District.

3.8.8 Furthermore, there are a number of planned/ committed developments found in the vicinity of the Application Site, as shown in **Figure 5**. It is anticipated that the more RCHE places shall be required to cater to the planned/committed population.

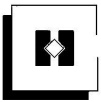
3.9 Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments

3.9.1 The Government has published the “*Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments*” (LAO Practice Note No. 4/2003) as well as “*Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments – Time-limited Enhancements*” (LAO Practice Note No. 5/2003) to encourage the provision of residential care homes for the elderly in the new private development. Eligible RCHE premises will be exempted from payment of premium under land transactions, with the incorporation of certain lease conditions to ensure timely delivery of the premises. In return, the development shall be responsible for the construction cost of the RCHE.

3.9.2 Based on the “*Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments*”, the RCHE premises are allocated to provide the maximum total GFA of not exceeding 12,000 sq.m. or 10% of the total GFA permissible under lease, whichever is greater. Thus, the Proposed RCHE, with the total GFA of about 6,961 sq.m, is well complied with the requirements of the Incentive Scheme.

3.10 In Line with the Government’s Policy on RCHE Provision

3.10.1 Under the Chief Executive’s 2023, 2024 and 2025 Policy Address (PA), the



Government has formulated cross-sectoral policies and initiatives to cater for the needs of the elderly. Over the past year, the Government has strengthened support for ageing in place and lifted the quality and quantity of RCHEs, in order to provide more residential care places for the elderly, importing care workers from outside Hong Kong, commencing the Review of Manpower for Healthcare Services in Residential Care Homes, etc..

- 3.10.2 Specifically, the Government has announced their targets to provide about 700 new subsidised residential care service places to strengthen residential care service in the whole territory, according to the latest 2025 PA.
- 3.10.3 In addition, the Finance Committee of the Legislative Council has approved the allocation of \$20 billion for the Government to purchase premises for the provision of welfare facilities in 2020. The Government Property Agency has been assisting the SWD to identify suitable non-domestic premises through different channels in the 18 districts.
- 3.10.4 In accordance with the latest 2026-27 Budget, the Government targets to enhance the overall elderly service by expanding the elderly care services market, while promoting the parallel development of both publicly-funded and market-based services.

3.11 Similar Application for Rezoning from “CDA” Zone to Residential Zoning

- 3.11.1 There is a precedent approved application (No. Y/YL-PS/6) that involve rezoning from “V” and “CDA” zones to residential zoning, which was approved/ agreed by the RNTPC on 9 June 2023 (refers to **Diagram 14**)¹³.
- 3.11.2 For the aforementioned approved application (No. Y/YL-PS/6), the intention of the “CDA” zone is to phase out the existing industrial uses by other compatible land uses, its proposed development would not be incompatible with the surrounding land uses in the long run. Overall, the proposed residential development cum RCHE and retail facilities is generally compatible with the surroundings which are predominantly residential in nature.
- 3.11.3 Although the planning context of the abovementioned approved application is different from the current application, this planning approval demonstrates the successful precedent for rezoning from “CDA” zone to residential zoning to facilitate a proposed residential development and RCHE with retail shop. Consideration of this proposed s.12a application from “CDA” zone to “R(A)4” zone for residential development and social welfare facility (RCHE) is relevant.

¹³ The approved planning application (No. Y/YL-PS/6) involves rezoning from “V” and “CDA” zones to “R(B)2” zone for proposed residential development and RCHE with retail shop.

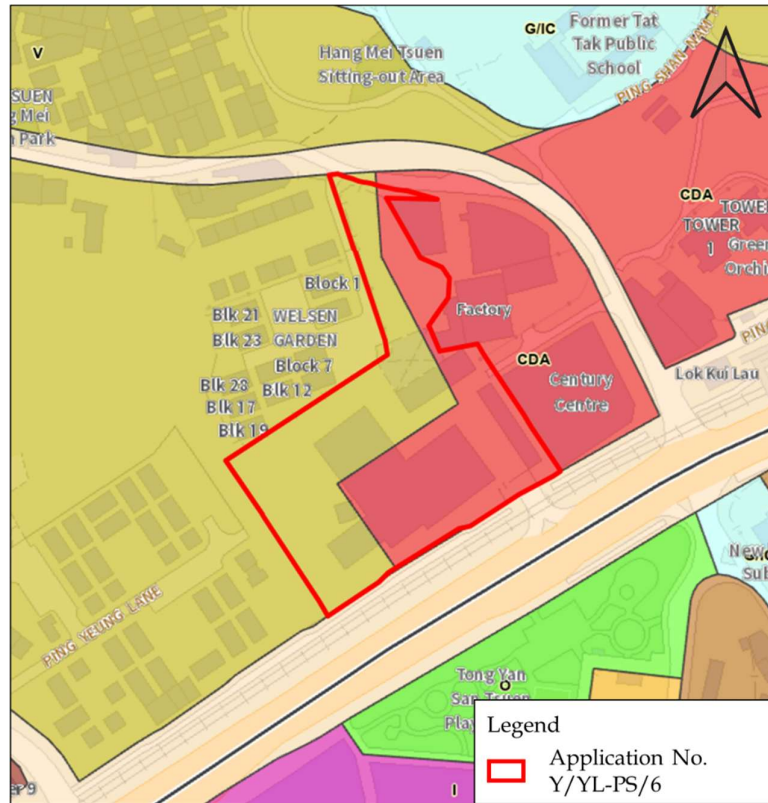
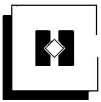


Diagram 14 Similar Application for Rezoning from “CDA” zone to Residential Zoning (No. Y/YL-PS/6)
(Source: Town Planning Board, HKSAR Government)

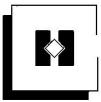
3.12 Similar Application for Rezoning from “GB” Zone to Residential Zoning

3.12.1 Apart from the similar approved application within “CDA” zone, there is a similar approved rezoning application No. Y/TW/19 that involve rezoning from “GB” zone to a residential zoning to facilitate a private residential cum RCHE development which was partially approved/partially agreed by the Metro Planning Committee (MPC) on 24 January 2025 (refers to **Diagram 15**)¹⁴.

3.12.2 This application locates at the urban fringe and southern fringe of the “GB” zone which was covered by a “GB” zone that is intended to be the buffer between the Tsuen Wan New Town and Tai Mo Shan Country Park. In consideration of no adverse government departmental comments on the planning intention, land use compatibility, development scale, and technical aspects, the application was partially approved/ partially agreed by the MPC.

3.12.3 In term of land use compatibility, both the Application Site and the approved application No. Y/TW/19 are located at the fringe of their

¹⁴ The approved planning application (No. Y/TW/19) involves rezoning from “GB” and “V” zones to “R(B)9” zone for a private residential cum RCHE development.



respective “GB” and “V” zones which are close to the surrounded high-rise residential developments and near public transport services (i.e., Mass Transit Railway (MTR) stations or LRT services). With the similar planning context for both cases, hence, the proposed development is considered not incompatible with the surrounding land uses.

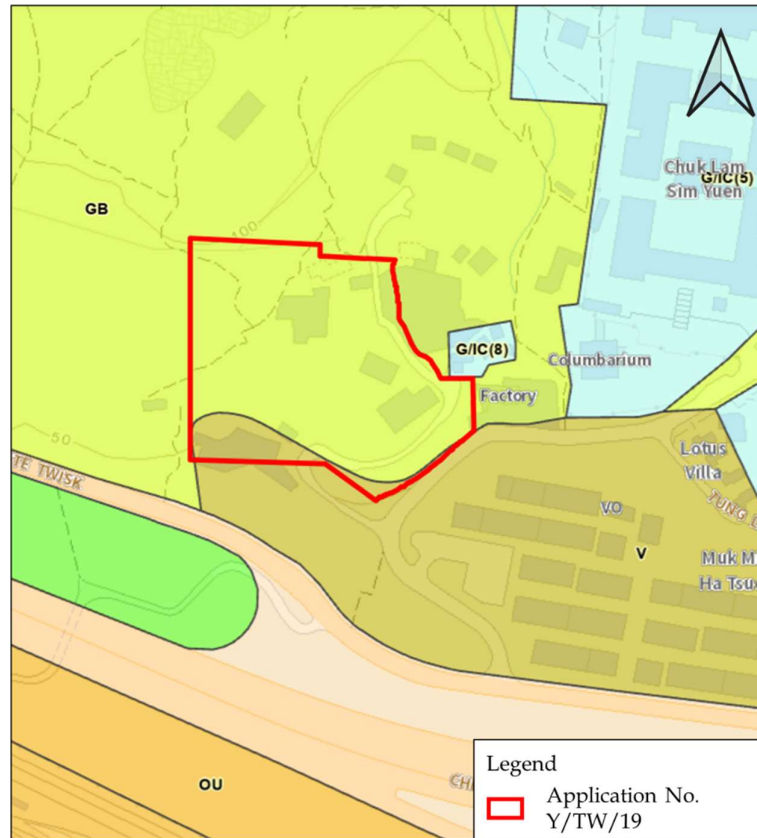
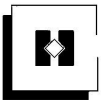


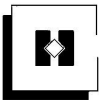
Diagram 15 Similar Application for Rezoning from “GB” zone to Residential Zoning (No. Y/TW/19)
(Source: Town Planning Board, HKSAR Government)



4 PROPOSED AMENDMENTS TO THE OUTLINE ZONING PLAN

4.1 The Proposed Amendments

- 4.1.1 To provide a tailor-made development restrictions to the Application Site, a new sub-zone of “Residential (Group A) 4” (“R(A)4”) is proposed. In view of ‘Flat’ and ‘Social Welfare Facility’ uses fall within Column 1 uses under the proposed “R(A)4” zone, further planning permission from the Board would not be required to effectuate the proposal. Relevant Proposed Amendments on the Tong Yan San Tsuen OZP are shown in **Diagrams 16 - 17** and **Figure 6**.
- 4.1.2 The development restriction of maximum building height would be 60 metres above Principal Datum (“mPD”) is compatible with the private residential development, while “Uptown” with the existing building height of +77mPD is located in the immediate west and the building height profile in the vicinity.



RESIDENTIAL (GROUP A) (cont’d)

Planning Intention

This zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

Remarks

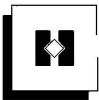
- (a) On land designated “Residential (Group A)” (“R(A)”), no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 5, a maximum site coverage of 42% and a maximum building height of 12 storeys (36m), or the plot ratio, site coverage and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater. The lowest three floors could have a maximum site coverage of 100%.
- (b) On land designated “R(A)1” and “R(A)2”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio and maximum building height specified below, or the plot ratio and height of the existing building, whichever is the greater:

<u>Sub-area</u>	<u>Maximum Plot Ratio</u>	<u>Maximum Building Height</u>
R(A)1	6.5	155mPD
R(A)2	6.5	205mPD

- (c) On land designated “R(A)3”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 7 and a maximum building height of 160mPD, or the plot ratio and height of the existing building, whichever is the greater.
- (d) *On land designated “R(A)4, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 4.91 and a maximum building height of 60mPD, or the plot ratio and height of the existing building, whichever is the greater.*
- (e) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage and building height restrictions stated in paragraphs (a) to (d) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (f) In determining the maximum plot ratio and site coverage for the purposes of paragraphs (a) to (d) above, any floor space that is constructed or intended for use solely as car park,

Diagram 16 Proposed Revision for the Notes of the Tong Yan San Tsuen OZP

(Source: Town Planning Board, HKSAR Government)



9.3 The area adjoining Castle Peak Road - Hung Shui Kiu Section is intended for higher-density development so as to complement the regional economic and civic hub function of HSK/HT NDA. Three high-density residential development clusters are also designated at the northern section of Kung Um Road, to the north of Tong Yan San Tsuen Interchange and south of Tan Kwai Tsuen for public housing development. Lower density development can be found away from the major thoroughfares in commensurate with the existing built character and infrastructural constraints, such as the Tong Yan San Tsuen area.

9.4 In designating various zones on the Plan, considerations have been given to the natural environment, physical landform, existing settlements, land status, availability of infrastructure, local development pressures, the strategic positioning of the area under Hong Kong 2030+ and the NWNT (Yuen Long District) Development Statements Study under the NWNT Development Strategy Review. Other than the above, buildings and places of historical significance in the Area should be preserved as far as possible.

10. LAND-USE ZONINGS

10.1 Comprehensive Development Area (“CDA”) : Total Area : 3.14 ha

10.1.1 This zone is intended for comprehensive development/redevelopment of the area for residential use with the provision of open space, commercial and other supporting facilities, if any. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints. Although existing uses are tolerated, any development/redevelopment proposal on sites under this zoning should be submitted to the Board in the form of a Master Layout Plan (MLP) for consideration, except as otherwise expressly provided that it is not required by the Board. Pursuant to section 4A(3) of the Ordinance, a copy of the approved MLP shall be made available for public inspection in the Land Registry. The two “CDA” sites designated on the OZP are as follows:

10.1.2 “CDA” zone to the west of Hung Tin Road

A site of about 2.15 ha at the intersection of Castle Peak Road and Hung Tin Road is zoned “CDA”. Development in the site is restricted to a total gross floor area (GFA) not exceeding 64,500 m² (equivalent to a plot ratio of 3) and a maximum building height of 17 storeys. Major part of the site has been developed for residential use, known as Uptown.

10.1.3 “CDA” zone in Tan Kwai Tsuen

A site of about 1 ha to the south of Tan Kwai Tsuen was the subject of a residential development approved by the Board. Development in



to formulate an urban form with a building height profile gradually descending from north to south across the YLS area to ensure visual harmony with the surroundings.

“Residential (Group A)4” (“R(A)4”): Total Area: 0.21 ha

- (i) *The “R(A)4” site located to the west of Fu Sha Wai South Road and Hung Tin Road and to the south west of the Tin Shui Wai West Interchange, are intended for residential development and residential care homes for the elderly. Development within this site is subject to a maximum plot ratio of 4.91 and a maximum building height of 60mPD for the “R(A)4”, or the plot ratio and height of the existing building, whichever is the greater*

10.2.5 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the above restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.

10.3 Residential (Group B) (“R(B)”) : Total Area : 58.68 ha

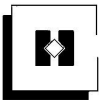
10.3.1 This zone is intended primarily for sub-urban medium-density residential developments in rural areas where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

10.3.2 As the areas along Castle Peak Road - Hung Shui Kiu Section and Yuen Long Highway would be subject to traffic noise impact, noise mitigation measures such as the use of screening structures and the adoption of self-protective building layout would need to be implemented.

10.3.3 There are three sub-areas within this zone. Development in these areas is guided by the Tong Yan San Tsuen North Layout Plan, Tong Yan San Tsuen South Layout Plan and Hung Shui Kiu Layout Plan.

(a) Residential (Group B)1 (“R(B)1”) : Total Area : 52.99 ha

Six areas are zoned “R(B)1”. One is located to the south of Castle Peak Road - Ping Shan Section which is known as Villa Sunshine and is occupied by a number of 4-storey (over single-storey car park) houses. The second one is located to the south of Castle Peak Road - Ping Shan Section at Ping Shan Lane which is occupied by a number of 3-storey houses. The third one is located to the west of Long Tin Road at Ma Fung Ling Road. Evergreen Place, Green Lodge and Jasper Court are found in this area. The fourth one is located at Tong Yan San Tsuen to the south of Yuen Long Highway. The Eldorado, Kisland Villa, Marbella Gardens and Windsor Villa along Sha Tseng Road as well as Recours La Serre, The Parkhill, Park Hillcrest and Park Villa along Tong Yan San Tsuen Road are located within this area. The fifth “R(B)1” zone covers the area



10.13 Green Belt (“GB”): Total Area : 120.78 ha

10.13.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. Area zoned “GB” may include foothills, lower hill slopes, spurs, isolated knolls, woodland, traditional burial ground or vegetated land which are found at the urban fringe. There is a general presumption against development within this zone. However, limited

Diagram 17 Proposed Revision for the Explanatory Statement of the Tong Yan San Tsuen OZP

(Source: Town Planning Board, HKSAR Government)

- 4.1.3 The following paragraph is proposed to be included in the Remarks of the Statutory Notes of the “R(A)” zone: -

“(d) On land designated “R(A)4, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 4.91 and a maximum building height of 60mPD, or the plot ratio and height of the existing building, whichever is the greater.”

- 4.1.4 The following paragraph is proposed to be included in the Explanatory Statement of the Tong Yan San Tsuen OZP: -

“10.1 Comprehensive Development Area (“CDA”): Total area 3.14 ha

[...]

10.1.2 “CDA” zone to the west of Hung Tin Road

A site of about 2.15 ha at the intersection of Castle Peak Road and Hung Tin Road is zoned “CDA”. Development in the site is restricted to a total gross floor area (GFA) not exceeding 64,500m² (equivalent to a plot ratio of 3) and a maximum building height of 17 storeys. Major part of the site has been developed for residential use, known as Uptown. + notes

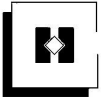
[...]

10.2.4 There are also four sub-areas which are subject to the following development restrictions:

[...]

“Residential (Group A)4” (“R(A)4”): Total Area: 0.21 ha

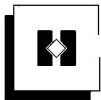
(i) The “R(A)4” site located to the west of Fu Sha Wai South Road and Hung Tin Road and to the south west of the Tin Shui Wai West Interchange, are intended for residential development and residential care homes for the elderly. Development within this site is subject to a maximum plot ratio of 4.91 and a maximum building height of 60mPD for the “R(A)4”, or the plot ratio and height of the existing building, whichever is the greater.”



[...]

10.13 Green Belt (“GB”): Total Area: 120.78 ha

- 4.1.5 With the reduction of site area under the “CDA” zone to the west of Hung Tin Road, the maximum GFA is thus reduced to not exceeding 64,500 sq.m., which is equivalent to a PR of 3.0 as similar to the current. Slight amendment is also made to **Section 10.13** of the Explanatory Statement of the Tong Yan San Tsuen OZP to reflect the reduction in the total area of adjacent “GB” zone.



5 DEVELOPMENT PROPOSAL

5.1 Indicative Development Scheme

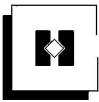
- 5.1.1 The Application Site covers an area of about 2,138 sq.m. and involves two 6-storey building blocks atop a 7-storey RCHE in the lowest G/F to 6/F.
- 5.1.2 Details of the development proposal are provided in **Table 7** and indicative architectural drawings of the Proposed Development is shown in **Appendix 1**.

Development Parameters	Proposed Scheme
Site Area (about)	2,138 sq.m.
Gross Floor Area (about)	10,489 sq.m.
- Domestic	- 3,528 sq.m.
- Non-domestic	- 6,961 sq.m.
Plot Ratio (about)	4.91
- Domestic	- 1.65
- Non-domestic	- 3.26
Site Coverage (about)	
- Domestic	- 26.6%
- Non-domestic	- 55.2%
Maximum Building Height (BH)	Not exceeding 60mPD
No. of Block	2
No. of Storeys	13
No. of Rooms for RCHE	70
No. of Beds for RCHE	450
No. of Flats under Residential Development	72
Average Flat Size (about) for Residential Development	49 sq.m.
Estimated Population	645
- Residential Development*	- 195
- RCHE	- 450
No. of Parking Spaces	
- Private Car	- 12 (7 for Residential Development (including 1 Accessible); 5 for RCHE (including 1 Accessible))
- Light Bus	- 2 for RCHE
- Motorcycle	- 2 (1 for Residential Development; 1 for RCHE)
No. of Loading/Unloading Bay (L/UL)	
- Private Car	- 1 (for RCHE)
- LGV	- 2 (for RCHE (1 shared use with MGV /HGV))
- MGV/HGV	- 1 (for Residential Development)
Open Space Provision	Not less than 645 sq.m.
Tentative Completion Year	2031

Remarks:

* Assuming person per flat of 2.7.

Table 7 Key Development Parameters of the Indicative Scheme



5.1.3 Details of the schedule of use by floors is provided in **Table 8**.

No. of Floor(s)	Indicative Uses
8 -12/F	Flats
7/F	Flats and Landscape Deck
1/F-6/F	Dormitory Floors of RCHE with Supporting Facilities
G/F	Entrance Lobby, Supporting Facilities, Electrical and Mechanical (E&M) and Parking Spaces

Table 8 Schedule of Use by Floors

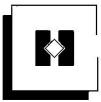
5.1.4 Subject to future operator, it is intended that the proposed flats would target to serve people who are aged 60 or above only to enjoy their retirement life with additional supportive resources, including rehabilitation services and social activities.

5.1.5 The development proposal involves a 450-places RCHE with residential development atop the RCHE podium. The proposed maximum BH would not exceed 60mPD and the proposed maximum PR shall comply with the Buildings Ordinance (BO) (Cap. 123).

5.1.6 Tentatively, the Proposed Development would have 70 nos. of RCHE rooms and 72 no. of residential units, which targets to accommodate about 645 residents in total. Additionally, not less than 645 sq.m. of open space will be provided within the Proposed Development to serve the future residents, in which would be available on the G/F and the podium at 7/F to cater for the recreational needs of the users and residents of the future development.

5.1.7 Indicative architectural drawings of the Proposed Development are attached in **Appendix 1**. The floor plans incorporating with elderly-friendly building design will be prepared in accordance with the “*Best Practices in Design and Operation of Residential Care Homes for the Elderly*” as established by the SWD in 2023 and the “*Task Force on Promoting Elderly-friendly Building Design*” by the Government in 2024 accordingly. Besides, the proposed facilities are provided based on the Schedules of Accommodation for a RCHE of 250-place on a pro-rata basis. The proposed Schedules of Accommodation of the RCHE is attached in **Appendix 2**.

5.1.8 Under the current proposal, each RCHE resident will occupy about 10.9 sq.m. floor area (i.e., 4,907.1 sq.m. / 450 persons = about 10.9 sq.m.) (refers to **Appendix 2** of the proposed Schedules of Accommodation for the RCHE), complying with the statutory minimum floor space occupied per resident under the Residential Care Homes (Elderly Persons) Regulation (Cap. 459A), the Code of Practice for Residential Care Homes (Elderly Persons), and the Residential Care Homes Legislation (Miscellaneous Amendments) Ordinance 2023 (Ordinance No. 12 of 2023), or any further



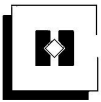
amendment.

5.2 Operation Arrangement

- 5.2.1 Upon completion, the proposed residential development atop is intended to sell or/and lease units to seniors at the highest priority.
- 5.2.2 The Proposed Development would be self-financed and self-funded from construction to operation. The Applicant shall bear the construction and operation cost of the Proposed Development, such that there shall be no financial implications, both capital and recurrent, to the Government.
- 5.2.3 For the proposed residential development, a full range of security services, including the provision of 24-hour guarding protection and monitoring, security system design, installation and maintenance would be considered. For instance, Care-On-Call services would be accommodated within each flat to be connected to 24-hour EasyHome® Service with the service of home caring. According to the Building Management Ordinance (BMO) (Cap. 344), the formation of Owners’ Corporation (OC) and Management Committee (MC) shall also be considered in the later stage to facilitate the property management and discharge owners’ responsibilities.
- 5.2.4 For the proposed RCHE premise, the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459) and the Residential Care Homes (Elderly Persons) Regulation (Cap. 459A), as well as the Code of Practice for Residential Care Homes (Elderly Persons) will be complied with.
- 5.2.5 In accordance with the Code of Practice for Residential Care Homes (Elderly Persons), regular visits by a registered medical practitioner to the residents for health checking, medical consultation or follow-up treatment, once to twice per week.
- 5.2.6 There is currently a few of RCHE providing services specifically for cognitive impaired seniors. Subject to the future operator, the proposed RCHE premise may target for elderly with cognitive impairment.
- 5.2.7 Subject to the further decision of the Applicant in the future, it is tentatively to appoint experienced property management service provider and RCHE operator to be responsible for the daily operation of the proposed residential development and RCHE respectively.

5.3 Proposed Access Arrangement

- 5.3.1 Referring to the planning history in **Section 3.3**, it is noted that two proposed access arrangements have been suggested by the then Board for the decision of previous planning applications No. A/YL-TYST/342, including (i) a new extended road connecting Hung Shun Road; and (ii) extension of Castle Peak Road – Hung Shui Kiu.
- 5.3.2 Noted that the proposed vehicular access is located at the northern side of the Project Site, connecting to the Fui Sha Wai South Road. To minimize the potential traffic implication on Fui Sha Wai South Road (which is



currently a single carriageway), alternative vehicular access located at southern side of the Project Site has been investigated (also known as the recommendation (i) a new extended road connecting Hung Shun Road). Constraints including closer location to the existing residential developments with possible traffic noise impacts generated, possible downstream blocking and/or illegal parking along kerbside, and etc.. Specifically, development traffic would traverse the affected private lots that are not solely held by the Applicant. Liaison with the affected lot owner(s) are required. Thus, implementation of such access arrangement is considered not feasible.

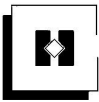
- 5.3.3 Assessment on Fui Sha Wai South Road was conducted, with results indicate that the carriageway will operate within capacity even with the development in place. In addition, to further enhance the connectivity of the Application Site while to enhance vehicular safety for the adjacent Fui Sha Wai South Road, a 55m long carriageway section connecting Castle Peak Road - Hung Shui Kiu to Fui Sha Wai South Road is proposed and will further be discussed in below **Sections 5.3.7 to 5.3.9** and also demonstrated in **Diagram 18** accordingly. With the proposed widening work in place, the Traffic Impact Assessment (**Appendix 3**) also confirmed that the proposed access arrangement is appropriate in traffic point of view.

Proposed Vehicular cum Pedestrian Access to the Application Site

- 5.3.4 The proposed vehicular cum pedestrian access for the Proposed Development will be located at Fu Sha Wai South Road. Physical segregation between the residential and RCHE portions will be provided via internal separate pedestrian access.
- 5.3.5 In view of a Tso/Tong land (i.e., Lot 403 in D.D. 121) is sandwiched between the existing residential development, “Uptown”, in nearby Lot 2046RP in D.D. 121 and the Application Site (refer to **Figure 4**), sufficient space for emergency vehicular assess is reserved to the concerned Tso/Tong land. This is similar to the previous approved applications as well as the approved MLP under the “CDA” zone.
- 5.3.6 Hence, 2 pedestrian entrances and 1 RCHE entrance are proposed within the Application Site, while pedestrians shall enter and leave the Site via Fui Sha Wai South Road via the vehicular access.

Proposed Extension Section from Castle Peak Road - Hung Shui Kiu and Road Improvement Works to Fui Sha Wai South Road (Diagram 18)

- 5.3.7 To facilitate the vehicular connectivity of the Application Site from Castle Peak Road - Hung Shui Kiu, a 55m long carriageway section connecting Castle Peak Road - Hung Shui Kiu to Fui Sha Wai South Road is proposed with junction improvement works at Castle Peak Road - Hung Shui Kiu / Hung Tin Road. The proposed extension also consists of a 3.5m-width single carriageway with footpaths on both sides of the carriageway.
- 5.3.8 The proposed local widening works on the existing Fui Sha Wai South



Road, is currently a single-lane access road serving 2-way traffic, is also proposed to alleviate the growing traffic along the access route. The proposed road improvement work is anticipated to be a standard single-2 carriage way connected with the eastern part of the Fui Sha Wai South Road and the proposed extension section from Castle Peak Road – Hung Shui Kiu.

5.3.9 Similar local widening works were previously approved under the previous approved application. The current proposal is to further upgrade the sub-standard section of Fu Sha Wai South Road to benefit the surrounding villagers.

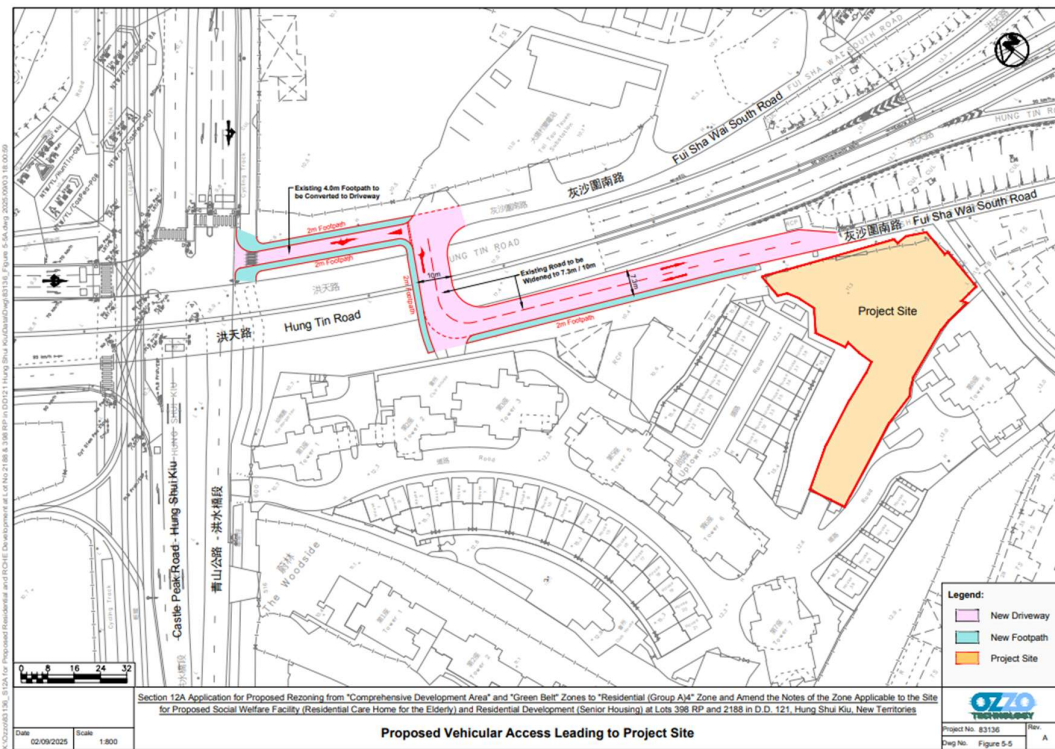
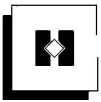


Diagram 18 Proposed Vehicular Access Leading to the Application Site
(Source: Appendix 3 of Traffic Impact Assessment)



5.4 Tentative Development Timeline

5.4.1 It is expected to obtain agreement for this Proposed Development in year 2026 and complete the land exchange in years 2027/28, before the deadline of the Incentive Scheme. It is estimated to take about 3 years to construct. The Proposed Development is expected to be completed in year 2031 tentatively.

5.5 Emergency Arrangement

5.5.1 The nearest public hospital is the Tin Shui Wai Hospital at Tin Shui Wai New Town. In case of accidents and emergency services required, the Proposed Development is just around a 10-minute drive from the Tin Shui Wai Hospital. Also, the Application Site is located in a close distance to Pok Oi Hospital within a 15-minute driving distance.

5.5.2 The Tin Shui Wai Fire Station and Yuen Long Fire Station are just within 10- and 15-minute driving distance from the Application Site respectively, in which to ensure adequate response times and rescue services from the Fire Services Department (FSD).

5.6 Proposed Land Exchange and Application of Incentive Scheme

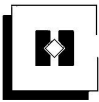
5.6.1 Upon the approval of this planning application, the Applicant will apply for a land exchange to modify the lot boundary as well as the lease covenants. Details of the land exchange application shall be submitted to the Lands Department (LandsD) upon approval of this planning application.

5.6.2 The Applicant intends to apply for the *“Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments – Time Limited Enhancement”* (LAO Practice Note No. 5/2023).

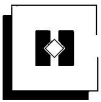
5.7 Comparison of Major Development Parameters of the Captioned Application and the Previously Approved Planning Application (No. A/YL-TYST/870)

5.7.1 Compared with the approved scheme under the previous s.16 planning application for sole RCHE (No. A/YL-TYST/870), the proposed amendment of plan mainly involves amendment on site boundary and increase in site area, GFA, PR, BH and site coverage (SC). To achieve a higher development intensity, the GFA and BH of the building have been increased correspondingly to provide additional beds and units (with + 150 beds and + 72 units) for the Proposed Development under this s.12a planning application. Also, a larger floor space per RCHE residents is proposed (i.e., 6,961 sq.m.) as compared to the average floor space of 10.9 sq.m. per RCHE residents under the abovementioned approved application.

5.7.2 Comparison of major development parameters of the current application and the previously approved planning application (No. A/YL-TYST/870) are summarized at **Table 9**.



Development / Development Parameters	Previous Approved Application (No. A/YL-TYST/870) (a)	Captioned Application (b)	Difference (%) (b) - (a)
Zoning on the OZP	“CDA”	Proposed rezoning from “CDA” and “GB” to “R(A)4”	-
Proposed Uses	Proposed Social Welfare Facility (RCHE)	Residential Development and Proposed Social Welfare Facility (RCHE)	+ Residential Use
Site Area (Gross) (about) (sq.m.)	1,795	2,138	+343 (+19.43%)
Proposed GFA (about) (sq.m.)			
- RCHE portion	5,313	6,961	+1,648 (+31.02%)
- Residential portion	-	3,528	+3,528 (+100%)
Proposed PR (about)			
- RCHE portion	2.96	3.26	+0.3 (+10.14%)
- Residential portion	-	1.65	+1.65 (+100%)
Proposed Total Site Coverage (about) (%)	52%	55.2%	+3.2% (+6.15%)
No. of Block	1	2	+1
Building Height	7 storeys (34.8mPD)	13 storeys (Not exceeding 60mPD)	+ 6 storeys (+85.71%) +25.2mPD (+72.42%)
No. of Beds/Units			
- RCHE portion	300 beds	450 beds	+150 beds (+50%)
- Residential portion	-	72 units	+72 units (+100%)
No. of Parking Spaces			
- Private Car	3	12	+9 (+300%)
- Light Bus	1	2	+1 (+100%)
- Motorcycle	0	2	+2 (+200%)
- L/UL Bay	1	4	+3 (+300%)
- Taxi/Private Car Pick-up/Drop-off Spaces	1	0	-1 (-100%)



Development / Development Parameters	Previous Approved Application (No. A/YL-TYST/870) (a)	Captioned Application (b)	Difference (%) (b) - (a)
Open Space Provision (sq.m.)	About 300	Not less than 645	+345 (+115%)
Greenery Provision (about) (sq.m.)	-	About 477.75	+477.75 (+100%)

Table 9 Comparison of the Captioned Application and the Previous Approved Application (No. A/YL-TYST/870)
(Source: Town Planning Board, HKSAR Government)

5.7.3 After reviewing the development context, the captioned Application shall optimize land with the integration of diverse facilities into mixed compact development, with higher development intensity incorporating with the GFA and BH of the building. Hence, additional beds and units (with + 150 beds and + 72 units) are provided for the Proposed Development under this s.12a planning application.

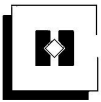
5.8 Design Concepts and Merits (Figure 7)

Provision of 5m-Building Setbacks

5.8.1 To enhance air quality in the neighbourhood, a building setback of 5m from the Site boundary is provided from the site boundary to the nearby residential developments (i.e., “Uptown”) abutting Fui Sha Wai Road South, which helps to provide more natural light and ventilation to the existing buildings, as well to minimize air and traffic noise impacts from the surroundings. Design of building setback would be considered in compliance with the requirements under the B(P)R (Cap. 123F) and the Sustainable Building Design Guidelines (SBD Guidelines) (PNAP APP-152) to ensure the adequate air and visual permeability.

Street-level Landscaping

5.8.2 With the intention of enhancing the connectivity as well as improving the street scape environment at pedestrian level, the street-level landscaping is proposed to create a landscape and visual buffer along the site boundary. It helps to facilitate a seamless transition between the Proposed Development and the adjacent natural and built environment. To maintain a visual relief and bring improvement to the pedestrian environment, proper landscaping with solid fence wall will be provided with planting beds with evergreen trees and shrubs, details of landscaping features are summarized in the Landscape Proposal in **Appendix 7**, in order. Provision of street-level landscaping will be managed and maintained by the future owners of the Proposed Development.



Building Disposition with Separation

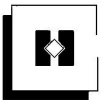
- 5.8.3 About 25m building separation between two residential blocks is proposed to reduce the building bulkiness of its podium for a better natural ventilation and visual permeability of the Proposed Development. The provision of building void not only can effectively improve visual openness of podium, but also to enhance air circulation at the pedestrian level and allow fresh air flow into the central courtyard. In addition, the provision of building separation prioritizes urban design feature of visual openness, to ensure that the Proposed Development could be integrated harmoniously with the surrounding townscape while minimizing any sense of enclosure. Design of building separation would be considered in complying with the requirements under the B(P)R (Cap. 123F) and SBD Guidelines (PNAP APP-152).

Ensuring Compatibility to the Surrounding

- 5.8.4 Noting that the Application Site is surrounded by various land uses, intermixed with residential developments, village houses, temporary structures, schools, carparks and open storage uses as described in **Section 2.3**. The scale and design of the Proposed Developments, including but not limited to the PR and BH, are compatible to the surrounding existing and planned developments. Street-level landscaping will be provided along the Application Site to ensure compatibility to the surrounding environment, as well as to create a tranquil and pleasant environment for the future users and visitors. Appropriate landscape design and ample planting will be incorporated with the local open space provision of not less than 645 sq.m. on the landscaping area at ground floor and 7/F of the Proposed Developments to enhance the visual amenity of the area, as well as to serve both future occupants of the RCHE and residential units.
- 5.8.5 Noted that the local open space provision of about 300 sq.m. was proposed under previous approved application (No. A/YL-TYST/870). Compare to the indicative architectural drawings of the Proposed Development (**Appendix 1**) and the captioned approved application, a significant improvement scheme is identified with more open space provision shall be provided within the Site.

Creation of Age-friendly Environment

- 5.8.6 To create age-friendly environment within the Proposed Development, design elements and amenities such as elderly-friendly equipment/facilities (i.e., sitting garden, fitness equipment for the elderly) on the ground floor and landscape deck at 7/F. Thus, a more pleasing environment could be created to encourage the users and visitors of the RCHE and residential units to promote cohesion and interaction amongst, as well as live healthily and comfortably within the community.
- 5.8.7 The design of the hard landscape elements has been developed in accordance with the Elderly-Friendly Design Guidelines of “Design



Manual Barrier Free Access 2008 (2025 Edition)” published by the BD. This ensures that materials, finishes, and layouts are optimized for accessibility, safety, and ease of use for elderly users.

Maximise Greenery Provision throughout the entire Proposed Development

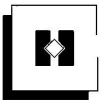
- 5.8.8 A total of 17 nos. of new trees are proposed throughout the Application Site to enhance the local biodiversity of existing environment. Compare to the existing condition, new ornamental tree and shrub plantings are proposed along the Application Site to soften the built form and maximize the greenery.
- 5.8.9 The Proposed Development seeks to provide abundance of greenery with a total of about 477.75 sq.m. and a greenery ratio of about 22.35%, in which will be over 20% greenery requirement (equivalent to about 427.6 sq.m.) set out in the SBD Guideline (PNAP APP-152). All proposed greenery would be easily accessible and visible by the users and visitors. In addition, the proposed plantings at the amenity would create a tranquil and pleasant environment for enjoyment of future residents.

Incorporation of Elderly-friendly Building Design

- 5.8.10 The design prioritises will be based upon the use of passive techniques such as natural ventilation, daylighting, and thermal mass to minimise the building's environmental impact while creating a comfortable and inviting interior. To ensure safe mobility and accessibility of the built environment, a wider canopy from barrier-free building entrance incorporating with landscaping plantations will be provided to create an age-friendly environment.
- 5.8.11 Age-friendly features such as non-slip surfaces, appropriate bench heights, and clear, unobstructed pathways have been incorporated to create an inclusive environment that promotes comfort and convenience for all users, particularly the elderly of the RCHE and residential units.
- 5.8.12 Other elderly-friendly building design will be prepared in accordance with the “*Best Practices in Design and Operation of Residential Care Homes for the Elderly*” as established by the SWD in 2023 and the “*Task Force on Promoting Elderly-friendly Building Design*” by the Government in 2024 and the ‘Elderly-Friendly Building Certificate’ under the BEAM Plus framework announced in 2025 accordingly.

Provision of Active and Passive Activities

- 5.8.13 According to the Indicative Development Scheme and Landscape Proposal shown in **Appendices 1 and 7**, not less than 645 sq.m. communal open space would be provided in serving about 645 future occupants at the Proposed Development. Landscape Areas are proposed on the ground floor and landscape deck at 7/F to provide enjoyment of the users and visitors for both future RCHE and residential units. In addition, the communal open spaces are equipped with outdoor furniture, such as seating and fitness equipment, to enhance comfort and encourage social



interactions among occupants. As suggested in the “*Study on Active Design for Healthier Lifestyle – Feasibility Study*” and the “*Study on Reimagining Public Spaces in Hong Kong – Feasibility Study*” commissioned by the PlanD that were completed in 2023, the creation of active shared spaces for elderly could ensure both needs and foster a sense of community among different users.

- 5.8.14 To ensure the safety of elderly residents, both mandatory and non-mandatory design requirements, including but not limited to the barrier-free design requirements under the B(P)R (Cap. 123F), Elderly-friendly Design Guidelines published by the Architectural Services Department (ArchSD) will be followed.

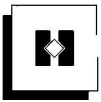
Promotion of Integrated and Interactive Neighbourhood

- 5.8.15 The Proposed Development features a design element that facilitates integrations and interactions among the future users and visitors of the RCHE and residential units through the landscape areas on the ground floor and landscape deck at 7/F. The inclusion of shared open spaces incorporated with landscaping are provided, including a sitting garden and a gathering courtyard on the ground floor, as well as a yoga area, terrace garden, fitness equipment zones and a viewing platform at 7/F. It offers a variety of recreational and relaxation options, so as to encourage social interaction and alleviate feelings of isolation among occupants. Such improvement would not affect to the character of the nearby residential development (i.e., “*Uptown*”) within the “*CDA*” zone, indeed, would enhance the overall neighbourhood to be integrated and interactive among with the Proposed Development.

- 5.8.16 The landscape deck at 7/F provides a viewing platform space for the future residents to enjoy the view of Kung Um Shan (of about 297m) to the southeast in order to promote the elderly’s well-being. The open-sided void areas also allow cross view corridor to mountain backdrop to enhance visual permeability and the visual linkage of the building and surrounding environment. To maximize the greening opportunities within the Application Site, a diverse selection of plants would be incorporated with the outdoor furniture and recreational facilities to create attractive green spaces.

Maximise Provision of Open Space

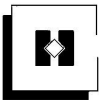
- 5.8.17 To promote a high-quality living environment, the Proposed Development shall maximise of open space provision to enhance well-being and social interaction among the future users and visitors. A variety of landscape open spaces are proposed at the ground floor and landscape deck at 7/F, such as a sitting garden, a gathering courtyard, fitness equipment zones and a viewing platform, to cater to the mobility and recreational needs of elderly. Green features are incorporated to enhance the overall aesthetic and ecological quality of the surrounding urban fabric. The open spaces are universally accessible, with barrier-free pathways and rest areas tailored to support seniors’ safety and comfort.



- 5.8.18 Design requirements, including the barrier-free design requirements under the B(P)R (Cap. 123F), Elderly-friendly Design Guidelines published by the ArchSD.

Compliance with Licensing Requirements

- 5.8.19 The proposed RCHE will meet all the statutory requirements under the Residential Care Homes (Elderly Persons) Ordinance (Cap. 459), the Residential Care Homes (Elderly Persons) Regulation (Cap. 459A) and its regulations, the Code of Practice for Residential Care Homes (Elderly Persons) as well as other related statutory requirements.
- 5.8.20 It is noted that the proposed RCHE for residents’ dormitory will be situated at a height of not more than 24m 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, as pursuant to the requirements as set out in Para 5.3.1 of Code of Practice for Residential Care Homes (Elderly Persons).
- 5.8.21 Under the current proposal, each resident will occupy about 10.9 sq.m. floor area (i.e., 4,907.1 sq.m. / 450 persons = about 10.9 sq.m.) (Refers to **Appendix 2** of the Proposed Schedules of Accommodation for the RCHE), complying with the statutory minimum floor space occupied per resident under the Residential Care Homes (Elderly Persons) Regulation (Cap. 459A), the Code of Practice for Residential Care Homes (Elderly Persons), and the Residential Care Homes Legislation (Miscellaneous Amendments) Ordinance 2023 (the Amendment Ordinance), or any further amendment.
- 5.8.22 Proposed facilities and services are provided with respect to the “Best Practices in Design and Operation of Residential Care Home for the Elderly” developed by the SWD. Hence, design details of the proposed RCHE are still subject to refinement at the General Building Plan (GBP) stage. Upon the granting of approval from the Board, the Applicant would submit an application to the Licensing Office of Residential Care Homes for the Elderly (LORCHE) of SWD for the proposed RCHE.



6 TECHNICAL FEASIBILITY

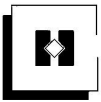
6.1 Traffic Considerations

Traffic Arrangement

- 6.1.1 The current vehicular cum pedestrian access for the Application Site is located at Fui Sha Wai South Road. To enhance the pedestrian connectivity and allow separation of pedestrian for the RCHE portion, two pedestrian entrances and one RCHE entrance are proposed within the Application Site.
- 6.1.2 To alleviate the potential traffic growth along the access route, local widening works on the existing Fui Sha Wai South Road is proposed from a single-lane access road to be a standard single-2 carriageway connecting with the eastern part of Fui Sha Wai South Road. In addition, there’s a proposed extension of 55m long carriageway along the Castle Peak Road – Hung Shui Kiu of a 3.5m wide single carriageway with footpaths on both sides of the carriageway. Further details of proposed road improvement works under this Proposed Development are shown in the Traffic Impact Assessment (**Appendix 3**).
- 6.1.3 It is proposed to have 12 nos. of carparking spaces (including 2 accessible parking); 2 nos. of motorcycle parking spaces; 2 nos. of light bus parking spaces; 1 no. of lay-by for taxi and private cars; 1 no. of loading and unloading space for private car; and 3 no. of loading and unloading spaces (1 no. for Light Goods Vehicle (LGV); 1 no. for Medium/Heavy Goods Vehicles (M/HGV); and 1 no. for “shared-use” for coaches/buses and M/HGV). The internal transport facilities will be provided at G/F of the Proposed Development.
- 6.1.4 In addition to the vehicular access, future residents and visitors may also take advantage of the availability of public transport system namely franchised bus, GMB and LRT services, which are in close proximity to the Application Site, to/from the Proposed Development and to travel across the territory.
- 6.1.5 Swept path analysis has been conducted and indicates no unsatisfactory result.

Vehicular Flow Generation

- 6.1.6 Junction and link capacity assessments have been conducted to take into account of the traffic impacts 3 years after completion of the Proposed Development (i.e., year 2034). All concerned road links and key junctions will be operated within capacity, and performed satisfactorily during AM and PM peak hours on a normal weekday, to accommodate the expected traffic growth and additional traffic generated by the Proposed Development. Also, some planned traffic improvement works by the Civil Engineering and Development Department (CEDD) and the Highways Department (HyD) are identified within the assessment area in



accordance with the future Yuen Long South Development and Yuen Long Highway Widening Works respectively. With the adequate junction and link capacity, no adverse traffic impact on the existing road network is anticipated.

Pedestrian Flow Generation

- 6.1.7 The Level of Services (LOS) assessment of the existing public footpaths connecting the Application Site and in the vicinity of the Application Site has been conducted. The results show that the existing footpaths have sufficient capacity to accommodate the expected pedestrian growth and additional pedestrians generated by the Proposed Development.

Public Transport Capacity

- 6.1.8 Assessment on public transport demand has been conducted and indicated that there would be of sufficient public transport spare capacities of about 11,063 and 9,128 passengers for weekday AM and PM peaks respectively, to cope with the additional public transport demand from the Application Site. Average growth rate of the existing bus services and the public transport demand of about +2.03% per annum from 2025 to 2031 to +0.5% per annum from 2031 to 2034 are identified. Hence, the capacity of the existing bus services and the public transport would be capable to cope with the additional road-based demand associated to the Proposed Development.

6.2 Environmental Considerations

- 6.2.1 An Environmental Assessment has been conducted (**Appendix 4**). Upon review, it is anticipated no adverse air quality impact, noise impact, water quality impact, waste management impact and land contamination impact will be caused by the Proposed Development.

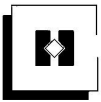
Air Quality Impact Consideration

- 6.2.2 Noting that the Application Site abuts Fui Sha Wai South Road, and closer to Castle Peak Road - Hung Shui Kiu via Fui Sha Wai South Road and a local access as described in **Section 2.1**. Adequate buffer distance between the air pollution sources and the Site boundary shall be required, and hence no air sensitive uses (i.e., openable windows, fresh air intakes of mechanical ventilation and recreational uses in the open area) shall be located within the buffer zone. No adverse vehicular emission impact associated with air quality shall be required.

- 6.2.3 With the implementation of the good practice and control measures as suggested in the Environmental Assessment, adverse construction dust impacts on the air sensitive receivers (ASRs) and construction plant emission are not anticipated. Construction dust impacts are therefore not insurmountable.

Noise Impact Consideration

- 6.2.4 With the implementation of mitigation measures including architectural



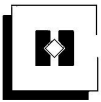
fins, acoustic windows (baffle type) and fixed/lockable/maintenance windows design, full compliance of the HKPSG recommended criterion of 70db(A) for L₁₀ (1-hour) for domestic premises would be achieved at all noise sensitive receivers (NSRs). Therefore, the Proposed Development will not be subjected to adverse traffic noise impact.

- 6.2.5 Railway noise due to Light Rail tracks to the Application Site has been assessed, noise impact is expected to be insignificant in view of the separation distance. Additionally, noise generated from the future and the future Smart and Green Mass Transit System (SGMTS) (previously known as Green Transit System (GTS))¹⁵ is expected to be minimal due to sufficient separation distance incorporating with the proposed noise mitigation measures into the SGMTS design. All predicted rail noise levels at the representative NSRs for the Proposed Development would comply with the relevant noise criteria stipulated in the HKPSG and hence no migration measure is required. Therefore, it is anticipated that the Proposed Development will not be subjected to adverse railway noise impact.
- 6.2.6 On-site assessment for the existing fixed noise sources from the Tai Tao Tsuen Substation has been conducted, and hence no significant noise emitted. No adverse fixed noise impacts arising from the operation of Tai Tao Tsuen Substation is anticipated.
- 6.2.7 With reference to the Environmental Protection Department (EPD)’s recommended pollution control clauses for construction contracts and the implementation of mitigation measures and good site practices as suggested in the ProPECC PN 1/24 “*Minimizing Noise from Construction Activities*”, the construction noise impact of the Proposed Development is anticipated to be minimized.
- 6.2.8 During the operation phase, the Mechanical and Electrical (M&E) equipment would be installed in plant rooms and be enclosed with louvres installed at the openings. Also, quiet air conditioning system will be selected as far as practicable, and outdoor air conditioning units will be located away from the nearest NSRs to minimise noise impact on the NSRs closest to the Proposed Development. No adverse noise impact from the planned fixed noise sources is anticipated.

Water Quality Impact Consideration

- 6.2.9 During the construction phase, sewage generated by filling activities, construction vehicles, equipment and construction workers would be the major potential source of water quality impacts. With the implementation of mitigation measures and good site practices, adverse water quality impacts from in construction phase are not anticipated.
- 6.2.10 During the operation phase, sewage and grey water generated from toilets, showers, sinks and kitchens will be collected and discharged into the

¹⁵ <https://www.hskhtgts.hk/en/greentrans-hsk/index.htm>



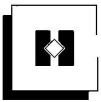
public sewerage system. With the provision and maintenance of silt/sand traps in the drainage systems, no adverse water quality due to runoff is expected, thus no adverse water quality impact from operation of the Proposed Development is anticipated.

Waste Management Impact Consideration

- 6.2.11 During the construction phase, inert and non-inert construction and demolition (C&D) materials would be generated prior to site clearance, excavation, re-profile works and superstructure. Inert C&D materials should be re-used on-site as far as practicable and delivered to public fill reception facilities (i.e., Fill Bank at Tuen Mun Area 38 and Fill Bank at Tseung Kwan O Area 137), whilst non-inert C&D materials and all general refuse should be recycled as far as practical and landfill disposal to the nearest disposal facility (i.e., West New Territories (WENT) Landfill) should only be adopted as the last resort. Further details on the waste disposal to public landfill would be agreed with relevant authorities.
- 6.2.12 Development of a waste management plan (WMP) and implementation of good site practices would be provided to reduce the waste generation as far as practicable. No adverse impacts related to the management, handling and transportation of waste during construction phase is anticipated.
- 6.2.13 During the operation phase, municipal solid waste will be the main concern with regard to waste generation. Possible chemical waste should be segregated from other wastes, and would be stored safely in sharp box before transferring to a disposal site. Licensed collectors would collect and transport the chemical waste to the designated waste treatment facility (i.e., Chemical Waste Treatment Centre (CWTC) in Tsing Yi) for proposer disposal on a monthly basis. Domestic waste will be collected on a daily basis in by registered waste collectors and will be disposed of at public landfill managed by the EPD. Besides, food waste will be collected separately for proper disposal (i.e., off-site treatment at Organic Resources Recovery Centre (ORRC)) for or on-site treatment with food waste composting machines, etc.. No adverse waste impacts from handling, transportation or disposal are anticipated.
- 6.2.14 With the implementation of the recommended mitigation measures and waste management plan, adverse waste impacts generated during the construction and operation phases of the of the Proposed Development are not anticipated.

Land Contamination Impact Consideration

- 6.2.15 Site appraisals including desktop research of historical records and the site walkover have been conducted, in which no past and existing potential sources of land contamination were identified. Hence, no adverse impact from the land contamination impact is anticipated and site investigation is considered not necessary.



6.3 Sewerage Considerations

6.3.1 A Sewage Impact Assessment (**Appendix 5**) has been carried out to examine the existing sewerage conditions of the subject Site. With the implementation of the proposed sewerage works, an internal sewerage system will convey into a new terminal sewerage manhole connecting to the existing 400mm diameter branch sewer drain, no adverse sewerage impact is anticipated from the Application Site. The existing sewer system will still have spare capacity to receive the sewerage flow generated from other developments in the area when necessary. Detailed design of the proposed sewerage connecting works and the internal sewerage system will be submitted to the Building Authority (BA), for approval prior to commencement of the construction works.

6.4 Drainage Considerations

6.4.1 A Drainage Submission has been conducted (**Appendix 6**). A new stormwater drainage has been proposed to collect the surface channels and building drains of the Proposed Development, connecting to a new terminal manhole and further discharge via a newly constructed 450mm diameter drain (of which the existing 300 millimeter (mm) diameter discharge pipe would be abandoned) to the existing 2000mm x 2000mm channel. The proposed drainage work would neither alter the existing drainage patterns nor obstruct the flow paths of the area. With the implementation of proposed drainage works, no adverse drainage impact arising from the Proposed Development is anticipated. Detailed design of the proposed drainage connecting works will be submitted to the BA for approval at the later stage.

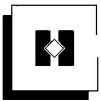
6.5 Landscape Design Considerations

6.5.1 The Landscape Proposal has been conducted (**Appendix 7**) to identify the existing condition and compensatory planting proposal. Also, a Landscape Master Plan indicates that all available areas within the Site have been utilized for greenery and tree planting, in respond to site conditions, building form and function.

Compensatory Planting Proposal

6.5.2 Based on the Landscape Proposal, the planting proposal has clearly identified the proposed location, with 17 nos. of standard trees with average Diameter at Breast Height (DBH) with approximately 75mm are proposed to be planted to compensate the loss of 2 nos. of existing trees recorded within the Application Site. All new trees within the Application Site boundary will all be managed and maintained by the Applicant.

6.5.3 The proposed planting regime will provide approximately 1 : 8.5 compensation ratio in terms of quantity of the loss of 2 existing trees in accordance with *Processing of Tree Preservation and Removal Proposals for Building Development in Private Projects - Compliance with Tree Preservation Clause under Lease* (Guidance Notes of LAO PN No. 6/2023).



- 6.5.4 The proposed trees are mostly native species that are available in local nurseries at heavy standard size. The selection of plant combination enriches the colour complexity and visual gradation of the Proposed Development. Tree planting is proposed in the planting strips along the Site boundary, to create a landscape and visual buffer to the new building, as well as to provide segregation between the Application Site and the surrounding environment. Additionally, soft landscape works, including shrubs planting and groundcover, will also be planted at G/F and landscape deck at the 7/F for enjoyment of the residents.

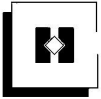
Landscape Proposal

- 6.5.5 The Landscape Master Plan indicates that all available areas within the Site have been utilized for tree planting, in respond to site conditions, building form and function.
- 6.5.6 Not less than 645 sq.m. open space is provided within the Proposed Defvelopment. The Proposed Development will also provide about 477.75 sq.m. greenery area and a greenery ratio of about 22.35%, in accordance with the requirement of PNAP APP-152 for provision of a minimum 20% greenery area. All proposed greenery would be easily accessible and visible by the users and visitors.
- 6.5.7 Recreational facilities are proposed at the ground floor and 7/F podium garden to cater to the recreational needs of the occupants of the RCHE and residential units. The communal open spaces are equipped with outdoor furniture, such as seating and fitness equipment, to enhance comfort and promote social interaction among users. In addition, the viewing deck at 7/F will help to foster interaction among future residents while offering a scenic vantage point.
- 6.5.8 To create an inclusive environment for elderly users, elderly-friendly design consideration has been developed in accordance with the Elderly-Friendly Design Guidelines of “*Design Manual Barrier Free Access 2008 (2025 Edition)*” published by the BD.

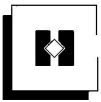
6.6 Visual Consideration

Visual Appraisal

- 6.6.1 As demonstrated in the Visual Appraisal in **Appendix 8**, the Proposed Development is designed to be compatible with the surrounding low-to-high-rise residential developments in the neighbourhood. To ensure compatibility and enhance the visual quality of the area, the indicative architectural drawing as shown in **Appendix 1** will incorporate thoughtful design features, including strategically planned building layouts to maximize visual permeability, optimised building disposition and massing, as well as the integrated landscape design that enhances visual quality of Yuen Long District. These elements aim to create a cohesive and visually pleasing environment that complements the existing urban fabric.
- 6.6.2 Hence, the Visual Appraisal has confirmed that the Proposed



Development will create minimal to negligible visual impact to the surroundings and is considered not incompatible with the surrounding residential neighbourhood.



7 PLANNING ASSESSMENTS AND MERITS

7.1 Change in Planning Context Since the Designation of “CDA” and “GB” Zones

7.1.1 This rezoning application on the Proposed Development aims to release the development potential for minor amendments in the future, and to provide flexibility in subsequent modification of uses within the development without the need for submission of a revised MLP.

“CDA” zone

7.1.2 Since the Approved Tong Yan San Tsuen DPA Plan No. S/YL-TYST/1 which was gazetted on 18 June 1996, the “CDA” zone has covered the Application Site and is still remaining on the Approved Tong Yan San Tsuen OZP No. S/YL-TYST/14. The planning intention of the “CDA” zone is intended for comprehensive development/redevelopment of the area for residential use with the provision of open space, commercial and other supporting facilities. There is no planning brief prepared for the concerned “CDA” area.

7.1.3 Subsequent to the completion of “Uptown” (a private residential development, under the approved planning application No. A/YL-TYST/322) on 1 September 2006, of which occupies majority of the “CDA” zone, the remaining parts of the “CDA” zone have been left vacant and fenced off, as well as being occupied by various temporary structures due to fragmented land ownership. Since 2013, the biennial review on “CDA” sites by the RNTPC has agreed for rezoning the whole concerned “CDA” site¹⁶.

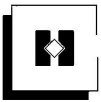
7.1.4 Hence, the Proposed Amendments aim to foster a comprehensive development for proposed residential development and RCHE dedicated for senior housing is in line with the recommendation of the “CDA” review by the RNTPC.

“GB” zone

7.1.5 For the “GB” area in the Application Site, the planning intention of “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. According to the ES of the Approved Tong Yan San Tsuen OZP, the whole concerned “GB” zone along the north-western side of Yuen Long Highway covers a land area of about 137,439 sq.m. is intended to serve as a buffer between the Yuen Long Highway and the residential areas to its north-west.

7.1.6 It should be noted that the subject “GB” site is located at the northwest fringe of the whole “GB” zone and is separated by a local access road and nullah from the whole concerned “GB” zone (**Diagram 19**). The “GB” zone

¹⁶ RNTPC Paper Nos. 4/13, 8/15, 4/17, 3/19, 5/21, 4/23 and 3/25, Town Planning Board.



in the immediate south is fenced off and is constituted as part of the existing residential development, known as “Uptown”, under the approved planning application No. A/YL-TYST/322 (**Diagram 20**). The Proposed Development intends to rationalize the site boundary to include the remaining “GB” stripe for providing a comprehensive development to serve the elderly population. To maintain the intention of “GB” zone, tree planting is proposed on the periphery of the Application Site to create a landscape and visual buffer between the Proposed Development and the surrounding environment.



Diagram 19 Existing Condition of the Current “GB” zone under the Approved Tong Yan San Tsuen OZP
No. S/YL-TYST/14

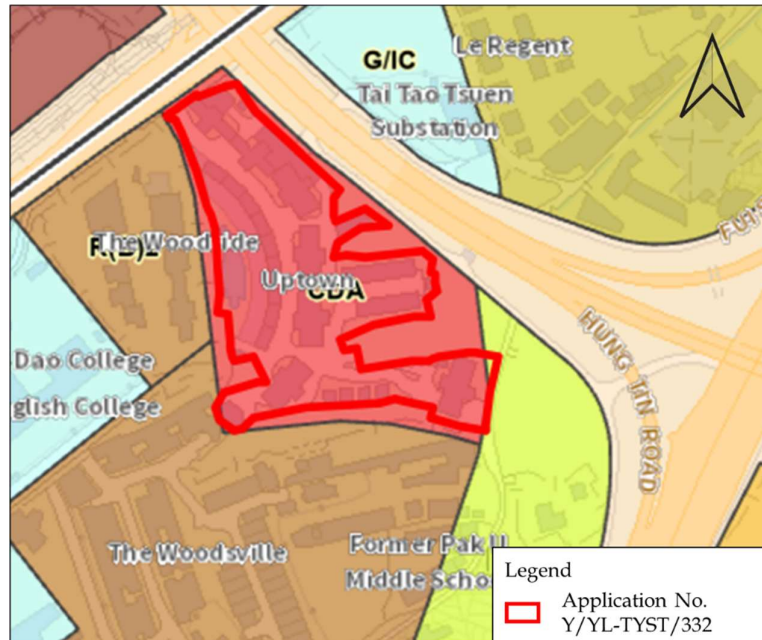
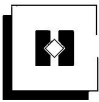


Diagram 20 Approved Planning Application No. Y/YL-TYST/322
 (“Uptown”)

(Source: Town Planning Board, HKSAR Government)

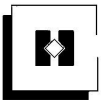
7.1.7 Moreover, the proposed rezoning of the “GB” zone is considered small in scale, only accounted for approximately 0.25% of the whole concerned “GB” zone, hence, the planning intention of the “GB” zone is not expected to be undermined.

7.2 Optimise Existing Land Resource to Meet Societal and Residential Demand

7.2.1 Majority of the Application Site (i.e., area currently zoned as “CDA”) is subject to an approved application (No. A/YL-TYST/870) for the proposed RCHE use. Considering that the Application Site is situated in a strategic location and sandwiched between the HSK/HT NDA and YLS Development, that is well served by existing public transportation facilities (i.e., franchised buses, GMB and LRT services) and the future Smart and Green Mass Transit System (SGMTS) (previously known as Green Transit System (GTS)) is expected to pass by the Application Site connecting the planned HSK/HT NDA to the planned YLS Development, this parcel of land is accessible to community and retail facilities which is considered an appropriate location for a retirement community¹⁷.

7.2.2 The previously approved application No. A/YL-TYST/870 for sole RCHE only include portion of “CDA” area has left the immediate “GB” site idle is considered not maximizing the existing land resources. In order to maximize the development potential of land, site boundary of the

¹⁷ <https://www.hskhtgts.hk/en/greentrans-hsk/index.htm>



Proposed Development follows the road alignment which includes partial of land zoned as “GB”. Considering the “GB” zone in the immediate south is part of the residential development of “Uptown”, it is considered appropriate to include the concerned “GB” zone as Proposed Development for tree planting in the periphery of the Application Site for strengthening the buffer between the Yuen Long Highway and the proposed residential development and RCHE.

7.2.3 With consideration of the rapid growth in the elderly population, the proposed RCHE will increase 150 nos. of bed spaces and an additional of 6-storey residential development with 72 units specifically targeted for seniors within the Application Site to meet urgent needs of the aging population growth in the short term while fostering the “aging in place” concept by providing an age-friendly community to help seniors live safely, enjoy good health and stay socially involved.

7.3 Echo with the Policy Address for Stabilising the Supply for Private Housing

7.3.1 The Government has adopted multi-pronged approach to increase housing supply, which include stabilising the supply for private housing. As stated in the 2023, 2024 and 2025 LTHS Annual Progress Reports, it is expected the latest private housing supply target will be contributed from Government land sale, railway property developments and private-led development projects and development projects undertaken by the URA (with the total of about 126,000 units). It is noted in the period of 2023 and 2024, there are not less than six tenders relevant to private residential developments from land sale programme, URA projects and MTR Corporation (MTRC) projects were rejected/not awarded, which suggests at least 3,520 flats will not be delivered on schedule as suggested in the 2023 and 2024 Annual Progress Reports of the LTHS. Referring to the latest 2025 Annual Progress Report of the LTHS, the supply in the primary private residential property market for the coming three to four years is about 101,000 units.

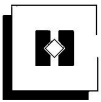
7.3.2 The Proposed Development, which could provide about 72 units in the near future, can release the existing responds to the Policy Address as an initiative from a private developer to stabilize the supply for private housing.

7.4 Providing Alternative Housing Options to the Elderly

7.4.1 As the ageing trend in population is continued to growth coupled with the longer life expectancy, with an average age of 85.8, seniors are expected to live about another 20 to 25 years after they reach the age of retirement¹⁸. During this retirement living period, seniors are more prone to certain health problems, which require various levels of health care and rehabilitation support to live safely and comfortably¹⁹. This demographic

¹⁸<https://www.worlddeconomics.com/Processors/Demographics-Countries-LifeExpectancy.aspx?Country=Hong%20Kong>

¹⁹ <https://www.statistics.gov.hk/pub/B11302402009XXXXB0100.pdf>



shift strains the existing health care and social services system in Hong Kong.

7.4.2 Currently, the traditional housing in Hong Kong is lacking of caregiving support and elderly-friendly community may not be ideal for supporting the health and wellness needs of the elderly population.

7.4.3 Acknowledging that the elderly population in Hong Kong is diverse, with varying health care needs and financial capabilities that not all elderly individuals require intensive care and full-time medical assistance. The market for senior housing development is therefore emerging to address the need for senior housing in Hong Kong as presented in above **Section 3.7**.

7.4.4 In response to aforementioned circumstances, the Applicant is proposed to deliver a composite development with the combination of residential development and RCHE, specifically targeted for senior housing, to cater for the diverse needs and preference of the elderly population that suit their needs and budgets, and at the same time creating an elderly-friendly environment with ample of passive and active recreational facilities and social activities to ensure the elderly remain physically and socially active.

7.5 Delivering An Elderly-Friendly Community for Retirement

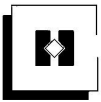
7.5.1 In view of the close proximity between the proposed residential development and RCHE targeted for senior population, synergy will be created between the residents of the senior housing and users of RCHE. Taking the advantages of this composite development, creation of elderly-friendly community would therefore be formulated to enhance comfort and encourage social interactions among future occupants of the residential units and RCHE.

7.5.2 The proposed RCHE targets to serve people who are aged 60 or above with health care-related and rehabilitation facilities and occasional community activities to the residents. Future residents of the proposed RCHE can enjoy the shared facilities of the Proposed Development (i.e., open spaces provision at the G/F and landscape deck at 7/F respectively) to promote cohesion and interaction amongst, as well as live healthily and comfortably within the community.

7.5.3 While the residential development atop will set priority to serve people who are aged 60 or above to enjoy their retirement life with additional supportive resources. With the rehabilitation services provided on the G/F of the proposed RCHE, future residents of the proposed residential development can benefit from having immediate access to health care services within their door step.

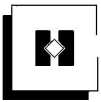
7.6 Echoes with Policy Address to Lift the Quantity and Quality of RCHE

7.6.1 RCHE in Hong Kong have been criticized for their substandard living standards compared to major cities internationally, particularly in terms of living space. There has been ongoing public discussion about increasing



the minimum area per resident in RCHEs. The Residential Care Homes Legislation (Miscellaneous Amendments) Ordinance 2023 (the Amendment Ordinance) was gazetted on 16 June 2023, which raised the minimum area of floor space per resident from 6.5 sq.m. to 9.5 sq.m..

- 7.6.2 In response to the growing demand for additional floor space to provide quality RCHE services and to meet the eligibility criteria outlined in “*Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments – Time-limited Enhancements*” (LAO Practice Note No. 5/2003) regarding the GFA calculation for RCHE premises, the Applicant has been exploring various development and/or redevelopment proposals concerning building footprint and design.
- 7.6.3 It is noted that the proposed RCHE for residents’ dormitory will be situated at a height of not more than 24m 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, as pursuant to the requirements as set out in Para 5.3.1 of Code of Practice for Residential Care Homes (Elderly Persons), to support a quantity and quality RCHE in promoting community well-being.
- 7.6.4 Referring to above **Sections 3.6 to 3.8**, there is a pressing need to prioritise the provision of RCHE given the change in sociodemographic characteristics and the growing elderly population in Hong Kong, particularly at the Yuen Long District. The incentive scheme serves as a concrete basis for planning for elderly care services, the approval of this Application could help to facilitate the RCHE provision to address the imminent demand.
- 7.6.5 The Applicant is committed to providing a quality living environment for the elderly and promote community well-being at the subject Site. The Proposed Development with provision of about 450 nos. of RCHE bed spaces is aligned with the Government’s Incentive Scheme to increase the provision of the much-needed residential care facilities.
- 7.6.6 There is currently a few of RCHE providing services specifically for cognitive impaired seniors. Subject to the future operator, the proposed RCHE premise may target for elderly with cognitive impairment.
- 7.6.7 A minimum floor space of about 10.9 sq.m. per resident is proposed, in which the statutory minimum floor space per resident of 8 or 9.5 sq.m. shall also be complied with. The Proposed Development will comply with the prevailing and forthcoming revision to the spatial requirement for RCHE, upon approval of this Application, the Applicant will revise the development plan in accordance with market demand and incorporate the views of relevant Government Bureaux/Departments.
- 7.7 Address the Pressing Needs of RCHE Bed Places in Yuen Long District**
- 7.7.1 Regarding the foreseeable trend of an aging population and the growing pressure on public healthcare services for the elderly, together with planned/committed population in Yuen Long District, the average



waiting time for RCHE is expected to remain high in the coming years²⁰. The Proposed Development aims to increase the number of bed spaces in Yuen Long District and enhance local availability, allowing seniors to age in a familiar environment with their existing social networks. Besides, due to the more stringent spatial requirement on the bed spaces, a reduction in the number of RCHE beds is anticipated. Thus, the Proposed Development with additional beds would help to relieve such pressure.

7.7.2 According to above **Section 3.8**, there is a deficit of 1,784 bed spaces in Yuen Long District²¹. The Proposed Development which providing 450 nos. of bed spaces (equivalent to about 25.22% of the deficit), while not in the form of subsidized beds, will help to meet the growing demand for elderly care services in the area. Provision of RCHE bed places would enhance community well-being by enabling seniors to age in a supportive environment close to their existing families and social networks. It would also help prevent the need for elderly individuals to move to adjacent deficit areas due to the insufficient provision of RCHE bed spaces in Yuen Long District. Therefore, the Proposed Development would be beneficial to the aging population in Yuen Long.

7.8 In line with the TPB Planning Guidelines for “CDA” Sites

7.8.1 Consideration have been taken into account on the criteria for re-designation of “CDA” sites to maintain comprehensive control on the overall development of the area so as to realising the planning intention. For instance, the designation of “CDA” zone acting as a buffer against environmental nuisance, development intensities of the proposed development will not be higher than those permitted under the Notes of the OZP or in the B(P)R (Cap. 123F).

7.8.2 As mentioned in the ES of the Approved Tong Yan San Tsuen OZP, the concerned “CDA” site is subject to substantial traffic noise issue. Such issue has been carefully reviewed and relevant noise mitigation measures such including architectural fins, acoustic windows (baffle type) and fixed/lockable/maintenance window design should be adopted, to fully comply with the HKPSG recommended criterion of 70db(A) for L₁₀ (1-hour) for domestic premises would be achieved at all NSRs. All noise-sensitive rooms will include windows designed for natural ventilation, compliant with the B(P)R (Cap. 123F).

7.8.3 The Proposed Development does not fall within the any identified air paths, while there is no significant air ventilation adverse impact on the pedestrian wind environment is anticipated. Thus, no Air Ventilation Assessment (AVA) is required.

7.8.4 It is noteworthy that upon rezoning, the development potential of the resultant private land lots will not be deprived, which each parcel of lots could theoretically achieve a maximum plot ratio of 2.96 as shown in

²⁰https://www.districtcouncils.gov.hk/tm/doc/2024_2027/en/committee_meetings_minutes/SWHC/swhc_5th_minutes_20241024_en.pdf

²¹ TPB Paper No. 10728 For Consideration by the Town Planning Board on 31.3.2021, Town Planning Board.

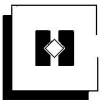


Table 2, as similar to the current restrictions under the “CDA” zone. Having said that, there are various development constraints of these peripheral sites, including sites are small in scale and irregular shape, fragmented land ownership and proximity to nearby Government land, in which impose additional regulatory and practical challenges to certain development.

7.9 Supported by Previous Planning Approvals and Agreement of Similar Applications

7.9.1 The Application Site is a subject of a s.16 Application for Proposed RCHE which was approved with conditions by the RNTPC on 4 May 2018. It is established that the Application Site was considered appropriate to deliver residential care services to the elderly.

7.9.2 There are similar approved rezoning applications (Nos. Y/YL-PS/6 and Y/TW/19) from “CDA” and/or “GB” zones to residential zoning approved by the RNTPC in 9 June 2023 and 24 January 2025 respectively. While the planning application No. Y/YL-PS/6 involves rezoning from “V” and “CDA” zones to “R(B)2” zone for a residential development and RCHE with retail shop, another approved planning application No. Y/TW/19 which proposed rezoning from “GB” and “V” zones to “R(B)9” zone for a private residential cum RCHE development. Hence, with the support of these precedent successful similar applications, there is no adverse planning implications is likely to be anticipated.

7.10 No Interfacing Issue with the Proposed Smart and Green Mass Transit System²²

7.10.1 Based on the preliminary findings and recommendations of the “*Feasibility Study on Green Transit System in Hung Shui Kiu/Ha Tsuen New Development Area and Adjacent Areas*” by the CEDD, it is expected that the proposed tentative alignment of SGMTS will run along Hung Tin Road, an elevated district distributor, and hence no interfacing issue between the proposed SGMTS and the Application Site is anticipated.

²² The “Smart and Green Mass Transit System” (“SGMTS”) is previously known as “Green Transit System” (“GTS”).

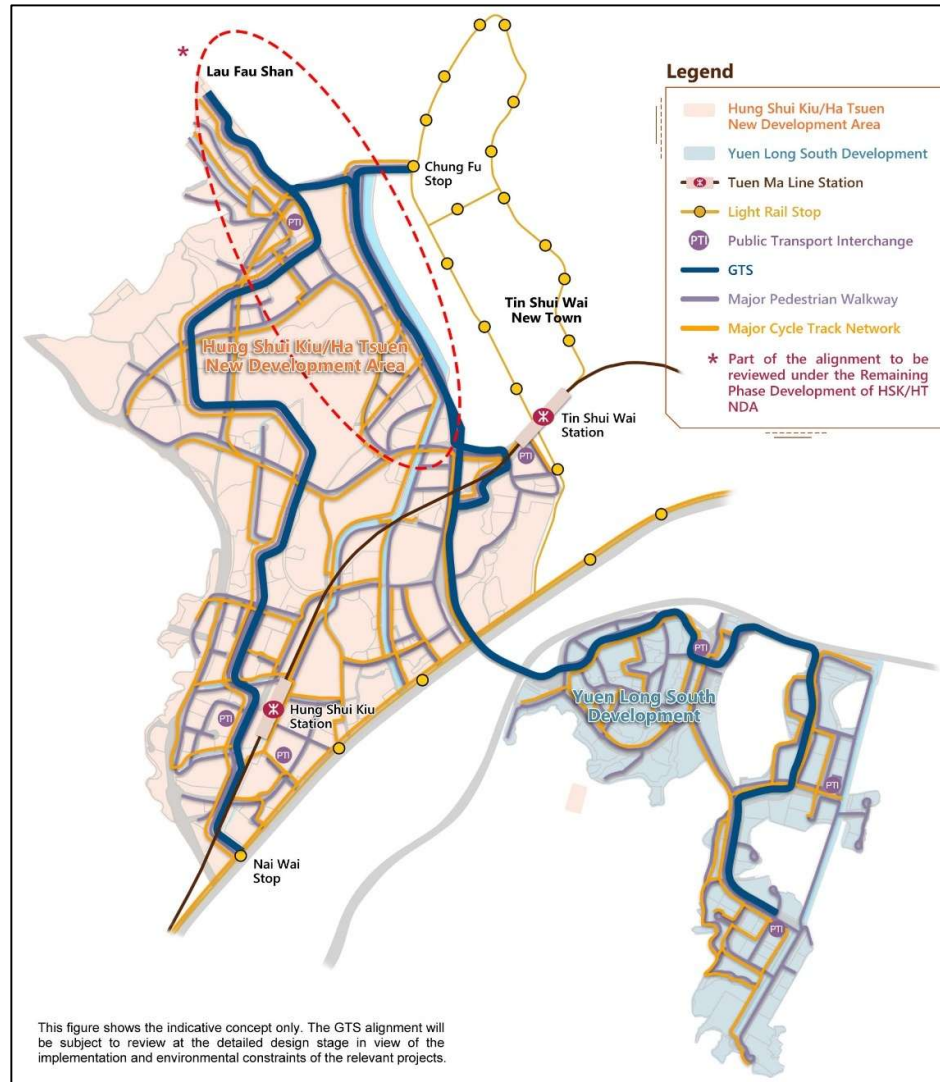
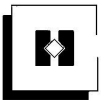
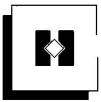


Diagram 21 Proposed Green Transit System Alignment
(Source: Feasibility Study on Green Transit System in Hung Shui Kiu/Ha Tsuen New Development Area and Adjacent Areas)

7.11 Development Not Incompatible with Surrounding Environment

- 7.11.1 While it is proposed to rezone the Application Site to “R(A)4” zone for proposed residential development and RCHE, it complies with the original planning intention of the “CDA” zone for comprehensive development of the area for residential use with the provision of supporting facility (i.e., RCHE).
- 7.11.2 In terms of BH, the Proposed Development is surrounded by a high-rise residential development namely “Uptown” with the BHR up 17 storeys to its immediate west; some low-rise residential developments/village houses including the Woodside, the Woodville, Tai Tao Tsuen and Le Regent, etc. with BHR ranging from ranging between 8.23m to 21m (Diagram 4). To the further northwest across the Castle Peak Road – Hung



Shui Kiu is a planned high-rise development within “R(A)2” and “R(A)4” zones on the Approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2 and the BHR is expected to be 140mPD. The proposed BH of not exceeding 60mPD is compatible with the surrounding context.

7.11.3 In terms of PR, although the PR restriction of the nearby low-rise residential developments/village houses including the Woodside, the Woodsville, and Le Regent, etc. are ranging from 1 to 1.26, it is noted that these development falls within area zoned as “R(B)” or “V”, hence lower development density is expected. In a wider context, to the further northwest across the Castle Peak Road – Hung Shui Kiu is a planned high-rise development within “R(A)4” zone on the Approved Hung Shui Kiu and Ha Tsuen OZP, the PR restriction is expected to be 5. Hence, the proposed PR of 4.91 is considered not incompatible with the surrounding residential developments. It is also considered not incompatible with the maximum plot ratio as set for Residential Zone 2 under the Hong Kong Planning Standards and Guidelines.

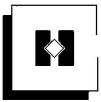
7.11.4 In view of the above, the Proposed Development has proven to be compatible with the surrounding land use and development density.

7.12 Technical Feasibility Demonstrated and No Insurmountable Impacts are Anticipated

7.12.1 Technical assessments on traffic, environment, sewerage, drainage and landscape, visual aspects are prepared or undergoing. The preliminary results show that the construction and operation of the Proposed Development is technically feasibility, and will not have adverse impacts.

7.12.2 Apart from that, the Proposed Development also included the following merits from design perspective which intends to enhance the facilities and living environment of the area: -

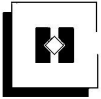
- Provision of 5m-building setbacks from the Application Site boundary to the nearby residential developments (i.e., “Uptown”) abutting Fui Sha Wai Road South is provided to provide more natural light and ventilation to the existing buildings, as well to minimize air and traffic noise impacts from the surroundings;
- Street-level landscaping is proposed to create a landscape and visual buffer along the site boundary;
- About 25m building separation between two towers is proposed to reduce the building bulkiness of its podium for a better natural ventilation and visual permeability of the Proposed Development;
- Greenery provision has been maximized to provide an additional of 17 nos. of trees are proposed along the Site to enhance the local biodiversity of existing environment and to soften the built form, as well as to ensure compatibility to the surrounding environment;



- Creation of age-friendly environment with design elements and amenities such as elderly-friendly equipment/ facilities (i.e., sitting garden, fitness equipment for the elderly) on the ground floor and landscape deck at 7/F. Elderly-friendly building design will be incorporated with the relevant statutory and non-statutory requirements; and
- Not less than 645 sq.m. communal open space would be provided in serving about 645 future occupants at the Proposed Development with both active and passive activities provision within the proposed open space to promote integrated and interactive neighbourhood.

7.12.3 In term of visual impact, the photomontages presented in the Visual Appraisal in **Appendix 8** has demonstrated that with and without the Proposed Development, the visually sensitive receivers (VSRs) at most vantage points (VPs) will experience minimal visual change. This is primarily due to the transient nature of road users and pedestrians, coupled with the significant screening of the Application Site by planned and existing infrastructure, roadside vegetation, and surrounding residential developments. As a result, the visual impact of the Proposed Development is predominantly considered minimal to negligible across the assessed VPs.

7.12.4 Only one VP is identified as experiencing a slightly adverse visual change to the existing built environment due to the Proposed Development, though this impact remains limited in scope and does not significantly alter the overall visual character of the area.



8 CONCLUSION

- 8.1.1 In view of the above, we respectfully request the Board Members to give favourable consideration on this rezoning application.