

RESIDENTIAL (GROUP C) 1

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<p><i>Eating Place</i> Flat Government Use (Police Report Centre, Post Office only) House <i>Place of Recreation, Sports or Culture</i> <i>Private Club</i> <i>Public Transport Terminus or Station</i> <i>School</i> <i>Shop and Services</i> <i>Social Welfare Facility</i> Utility Installation for Private Project</p>	<p>Ambulance Depot Education Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) Library Petrol Filling Station Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Rural Committee/Village Office Training Centre</p>

Planning Intention

This zone is intended primarily for *low- to medium-rise*, low-density residential developments where commercial uses serving the residential neighbourhood *are permitted*.

Figure 4.2 Proposed Statutory Notes of “Residential (Group C)1”

RESIDENTIAL (GROUP C) 1
(cont'd)

Remarks

- (a) *On land designated “R(C)1”, 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 1.29 amongst which not less than 3,760m² for non-domestic uses** and a maximum building height in terms of number of storeys as stipulated on the Plan, excluding basement level(s), 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 interim development permission area plan, whichever is the greater.*
- (b) *In determining the maximum plot ratio for the purposes of paragraph (b) above, any floor space that is constructed or intended for use solely as Government, Institution and Community facilities, as required by the Government, may be disregarded.*
- (c) In determining the maximum plot ratio for the purposes of paragraph (a) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room, caretaker’s office and caretaker’s quarters, or 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.
- (d) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and building height restrictions stated in *paragraph (a)* above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

Figure 4.2 Proposed Statutory Notes of “Residential (Group C)” (Continued)

9. LAND-USE ZONINGS

9.2 Residential (Group C) (“R(C)”) (Total Area 159.09 ha)

- 9.2.1 This zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 9.2.2 Under this zoning, *on land designated “R(C)”*, residential developments are restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m) including car park. All commercial developments within this zone are subject to the approval of the Board under the planning permission system. Development will be in accordance with an approved planning brief to ensure that the nature and scale of new development will be in keeping with the natural landscape of Inner Deep Bay Area and that the effluent and waste disposal will have no adverse impact on the water quality of the Inner Deep Bay Area. 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.
- 9.2.3 Residential sites within this zone are located in the southern and eastern parts of the Area. They are the existing Fairview Park, Palm Springs and Royal Palms.
- 9.2.4 *“R(C)1” zone is intended primarily for low- to medium-rise, low-density residential developments where commercial uses serving the residential neighbourhood are permitted.*
- 9.2.5 *On land designated “R(C)1”, residential developments are restricted to a maximum plot ratio of 1.29 amongst which 3,760m² are for non-domestic uses and a maximum building height in terms of number of storeys as stipulated on the Plan, excluding basement level(s). To provide flexibility for building 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.*

Figure 4.3

Proposed Explanatory Statement for “Residential (Group C)1” Zone

RESIDENTIAL (GROUP C) 1

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<p><i>Eating Place</i> Flat Government Use (Police Report Centre, Post Office only) House <i>Place of Recreation, Sports or Culture</i> <i>Private Club</i> <i>Public Transport Terminus or Station</i> <i>School</i> <i>Shop and Services</i> <i>Social Welfare Facility</i> Utility Installation for Private Project</p>	<p>Ambulance Depot Education Institution Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Hotel Institutional Use (not elsewhere specified) Library Petrol Filling Station Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Rural Committee/Village Office Training Centre</p>

Planning Intention

This zone is intended primarily for *low- to medium-rise*, low-density residential developments where commercial uses serving the residential neighbourhood *are permitted*.

Figure 4.2 Proposed Statutory Notes of “Residential (Group C)1”

RESIDENTIAL (GROUP C) 1 (cont'd)

Remarks

- (a) *On land designated “R(C)1”, 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 1.25 amongst which not less than 1,500m² for non-domestic uses** and a maximum building height in terms of number of storeys as stipulated on the Plan, excluding basement level(s), 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 interim development permission area plan, whichever is the greater.*
- (b) *In determining the maximum plot ratio for the purposes of paragraph (a) above, any floor space that is constructed or intended for use solely as Government, Institution and Community facilities, as required by the Government, may be disregarded.*
- (c) In determining the maximum plot ratio for the purposes of paragraph (a) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room, caretaker’s office and caretaker’s quarters, or 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.
- (d) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and building height restrictions stated in *paragraph (a)* above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

Figure 4.2 Proposed Statutory Notes of “Residential (Group C)1” (Continued)

9. LAND-USE ZONINGS

9.2 Residential (Group C) (“R(C)”) (Total Area 159.09 ha)

9.2.1 This zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

9.2.2 Under this zoning, *on land designated “R(C)”*, residential developments are restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m) including car park. All commercial developments within this zone are subject to the approval of the Board under the planning permission system. Development will be in accordance with an approved planning brief to ensure that the nature and scale of new development will be in keeping with the natural landscape of Inner Deep Bay Area and that the effluent and waste disposal will have no adverse impact on the water quality of the Inner Deep Bay Area. 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.

9.2.3 Residential sites within this zone are located in the southern and eastern parts of the Area. They are the existing Fairview Park, Palm Springs and Royal Palms.

9.2.4 “R(C)1” zone is intended primarily for *low- to medium-rise, low-density residential developments where commercial uses serving the residential neighbourhood are permitted.*

9.2.5 *On land designated “R(C)1”, residential developments are restricted to a maximum plot ratio of 1.25 amongst which 1,500m² are for non-domestic uses and a maximum building height in terms of number of storeys as stipulated on the Plan, excluding basement level(s). To provide flexibility for building 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.*

Figure 4.3 Proposed Explanatory Statement for “Residential (Group C)1” Zone

Previous Rezoning Requests/s.12A Applications covering the Application Sites

Agreed Application

Application No.	Use(s)/Development(s)	Date of Consideration (Rural and New Town Planning Committee (RNTPC))
Y/YL-MP/3	Rezoning from “Recreation” and “Residential (Group C)” (“R(C)”) to: Option 1 – “R(C)1”; or Option 2 – “Other Specified Uses” annotated “Bike Kiosk and Eating Place” and “R(C)1”; or Option 3 – “Residential (Group D)”	13.5.2016

Rejected Application

Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC)	Rejection Reasons
Z/YL-MP/1	Request for Amendment to the Approved Mai Po and Fairview Park Outline Zoning Plan No. S/YL-MP/4 from "Residential (Group C)" and "Recreation" to "Residential (Group D)"	10.10.2003	(1) to (3)

Rejection Reason(s):

- (1) The proposed development was not in line with the planning intention of the “Recreation” (“REC”) zone, which was to designate areas for developments restricted to recreational uses. There was no strong justification in the submission to depart from the planning intention;
- (2) The proposed development covered a portion of the entire “REC” zone without taking into account the overall land use review of the entire “REC” zone in conjunction with the adjoining areas. The rezoning was piecemeal and was considered premature and should not be encouraged from land use planning point of view; and
- (3) There was insufficient information in the submission to demonstrate that there was no adverse landscaping, drainage and traffic impacts on the surrounding areas.

Previous s.16 Applications covering the Application Sites

Approved Applications

Application No.	Use(s)/Development(s)	Date of Consideration (Rural and New Town Planning Committee (RNTPC))
A/YL-MP/57	Temporary Golf Driving Range with Ancillary Facilities and Parking Area	10.9.1999
A/YL-MP/341	Proposed Temporary Light Public Housing Development for a Period of 3 Years and Associated Filling and Excavation of Land	9.6.2023

Rejected Applications

Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC)	Rejection Reason(s)
A/YL-MP/74	Temporary Golf Driving Range with Ancillary Office, Changing Room and Parking Area	1.6.2001	(1)
A/YL-MP/107	Proposed Fishing Pond cum Field Study Centre and Residential Development	23.8.2002	(2) to (5)

Rejection Reason(s):

- (1) There is insufficient information in the submission to demonstrate that the development would not pose danger to the safety of the public in the surrounding areas, particularly the school located immediately to the north of the application site.
- (2) The proposed residential development is not in line with the planning intention of the “REC” zone in that the residential development is not ancillary to the recreational use.
- (3) Insufficient information has been provided to demonstrate that the proposed development would not cause negative environmental impact to Deep Bay.
- (4) Insufficient information has been provided to demonstrate that the proposed development would not lead to traffic and environmental nuisances to the local residents.
- (5) The approval of the application would set an undesirable precedent for similar applications leading to large-scale residential developments in the areas zoned “REC”, the cumulative effects of which would lead to a loss of recreational space in this area.

Government Departments' Detailed Comments

1. Landscape

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (PlanD):

- the applicant is advised that approval of the applications does not imply approval of tree works such as crown and root pruning, transplanting and felling. The applicant is reminded to seek approval for any proposed tree works at the application sites (the Sites) from relevant government departments prior to commencement of the works.

2. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department (DSD):

- the proposed developments at the Sites (the Proposed Developments) should neither obstruct overland flow nor adversely affect any existing natural streams, village drains, ditches and the adjacent areas, etc.;
- peripheral drainage system shall be provided along the site boundary to collect the surface runoff accrued on the Sites and to intercept the overland flow from the adjacent lands;
- where walls or hoarding are erected along the site boundary, adequate openings should be provided to intercept the existing overland flow passing through the Sites;
- the drainage systems are required to be rectified/modified if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by a failure of the drainage system;
- form HBP1 should be submitted to DSD for application of technical audit or any proposed connection to DSD's drainage facilities;
- comments from the Highways Department, Transport Department and Police Road Management Office shall be sought when drainage works are proposed to be carried out within highway polygon and on carriageway;
- District Lands Office/Yuen Long, Lands Department should be consulted and consent from the relevant owners should be sought for any drainage works to be carried out outside his lot boundary before commencement of the drainage works;
- the existing drains should not be disturbed or interfered with until any necessary diversion works, which have been accepted by DSD, have been satisfactorily completed. Such diversion works should be carried out by the applicant at his/her own cost;
- from our record, there are existing private drains running through the Sites. The applicant should check with Buildings Department (BD) and/or the adjacent property owners (if they belong to adjacent property owners) regarding its status. In case these existing private drains are still functioning, they should not be disturbed or interfered

with until any necessary diversion works, which have been accepted by BD and the property owners, have been satisfactorily completed. Moreover, sufficient allowance for future maintenance of these existing private drains and sewers should be provided;

- relevant government departments and parties should be consulted and site investigation should be carried out using appropriate methods to ascertain that the existing drains proposed to be abandoned do not/will not intercept any flows. Should there be any abandoned pipes as a result of the Proposed Developments, they shall be removed or filled up at the developer's cost and to the satisfaction of DSD. For detailed requirements on the handling of abandoned pipes, please refer to DSD Technical Circular No. 1/2022 - Handling of Abandoned Pipes under DSD's purview. The location and the method of handling such abandoned pipes should be indicated on drawings for future reference;
- DSD Technical Circular No. 1/2017 Temporary Flow Diversions and Temporary Works Affecting Capacity in Stormwater Drainage Systems" should be complied with if the proposed works under the applications involve the construction of permanent or temporary works within, over or adjacent to DSD' stormwater drainage systems. In addition, all proposed works should not obstruct any overland flow and all the existing flow paths, along with runoff directed towards the existing watercourse/drain, are to be intercepted and directed to the proposed drainage system;
- all precautionary measures should be taken to prevent any disturbance, damage and pollution from the development to any parts of the existing drainage facilities in the vicinity of the lot. In the event of any damage to the existing drainage facilities, the applicant would be held responsible for the cost of all necessary repair works, compensation and any other consequences arising therefrom;
- cross sections showing the existing and proposed ground levels of the Sites, with respect to the adjacent areas should be given;
- the design, operation and maintenance of the proposed floodwater storage tank should comply with the requirements in the Stormwater Drainage Manual;
- there are several planning applications / proposed developments in the vicinity of the Sites and the sewerage system proposed under the planning applications may have conflict with that proposed under other planning applications. The applicant should liaise and coordinate with the Environmental Protection Department and other project proponents to confirm the proposed sewerage design and ascertain responsibilities of implementation and maintenance of the proposed sewerage works; and
- the applicant shall be liable for any adverse drainage and sewerage impacts due to the Proposed Developments.

3. Building Matters

Comments of the Chief Building Surveyor/New Territories West, BD:

- before any new building works are to be carried out on the Sites, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works, designated exempted works or minor works commenced under the simplified requirements under the Buildings Ordinance (BO). Otherwise they are Unauthorised Building Works (UBWs). An Authorised Person should be appointed as

the co-ordinator for the proposed building works in accordance with the BO;

- for UBW erected on the leased land, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBWs as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBWs on the Sites under the BO;
- the Sites shall be provided with means of obtaining access thereto from a street and emergency vehicular access under regulation 5 and 41D of Building (Planning) Regulations (B(P)R) respectively;
- the Sites do not abut on specified street of not less than 4.5m wide and their permitted development intensity shall be determined under regulation 19(3) of B(P)R at building plan submission stage;
- any parking spaces to be disregarded from gross floor area (GFA) calculation under the Regulation 23(3)(b) of the B(P)R shall be subject to the requirements laid down in Appendix C of Practice Notes for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-2;
- for features applied to be excluded from the calculation of the total GFA, it shall be subject to compliance with the requirements laid down in the relevant Joint Practice Notes and PNAP. For example, the requirements of building setback, building separation and site coverage of greenery as stipulated in PNAP APP-152; and
- detailed checking will be carried out at building plan submission stage.

4. Education

Comments of the Secretary for Education:

Provision of Kindergarten (KG)

- the Hong Kong Planning Standards and Guidelines (HKPSG) shall be followed on the requirement of provision of KG. That said, while KGs in Hong Kong are privately run and the provision of KG places is market driven all along, PlanD may also take into account the existing provision of KG in the Tertiary Planning Unit concerned to allow flexibility for better utilisation of the planned KG premises for alternative gainful uses to meet the more pressing demands for other community services, if needed be;

Schedule of Accommodation (SoA) and GFA for a six-classroom KG

- the "SoA for KG premises" has been revised to improve the learning environment by increasing the indoor floor area for each student by 20%. The revised recommended SoA for a six-classroom KG has come into effect from October 2017 which is recommended for reserving space in developing new KGs as far as practicable, and is available for reference in Appendix 3 of the "Operation Manual for Pre-primary Institutions" (OM). She wishes to point out that the total area for all items excluding toilet and outdoor play area as stated in the revised SoA for a six-classroom KG is 551m² in terms of Net Operational Floor Area, and she trusts that the toilet and sanitary facilities for students and staff should be adequately provided and outdoor play area should be provided whenever possible in the proposed KG. For reference, for some KG premises having marked in Government, Institution and Community (GIC) sites,

the GFA for six-classroom KG is approximate 900m² in terms of GFA. It is noted that a six-classroom KG having a GFA of 929m² will be provided at the application site under application No. Y/YL-MP/7 as proposed by the applicant;

Safety Concerns on Loading/Unloading (L/UL) Spaces for KG School Buses

- while parking and L/UL requirements for KG school buses are beyond her Bureau's purview, the applicant may refer to Table 11, Section 2 of Chapter 8 "Internal Transport Facilities" of the HKPSG for relevant requirements as necessary. The applicant is also advised to note the following safety concerns on L/UL space in respect of the KG students' use:
 - (a) designated L/UL period for KG school buses so as to avoid possible danger to KG students owing to the clash in using the space with other users; and
 - (b) the safety of KG students walking between the L/UL spaces to the KG premises should be ensured at all time;
- meanwhile, the applicant should ascertain the premises for the proposed KG can meet the various requirements laid down in:
 - (a) the Education Ordinance, Education Regulations and relevant statutory requirements; and
 - (b) "Operation Manual for Pre-primary Institutions" at https://www.edb.gov.hk/attachment/en/edu-system/preprimary-kindergarten/about-preprimary-kindergarten/Operation_Manual_eng.pdf

5. Food and Environmental Hygiene

Comments of the Director of Food and Environmental Hygiene (DFEH):

- no Food and Environmental Hygiene Department (FEHD)'s facilities, including any proposed facilities, shall be affected;
- proper licence/permit issued by FEHD is required if there is any food business/catering service/activities regulated by DFEH under the Public Health and Municipal Services Ordinance (Cap. 132) and other relevant legislation for the public. Under the Food Business Regulation (Cap.132X) (the Regulation), a food business licence is required for the operation of the relevant type of food business listed in the Regulation. For any premises intended to be used for food business (e.g. a restaurant, a food factory, a fresh provision shop), a food business licence from FEHD in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) shall be obtained. The application for licence, if acceptable by FEHD, will be referred to relevant government departments such as BD, Fire Services Department and PlanD for comment. If there is no objection from the departments concerned, a letter of requirements will be issued to the applicant for compliance and the licence will be issued upon compliance of all the requirements;
- pursuant to section 4 of the Food Business Regulation (Cap. 132X), the expression of "food business" does not include any club. As such, a club is exempted from obtaining food business licence from FEHD except for permission to sell restricted foods specified in Schedule 2 to the Food Business Regulation;
- proper licence issued by FEHD is required if related place of entertainment is involved.

Any person who desires to keep or use any place of public entertainment for example a theatre and cinema or a place, building, erection or structure, whether temporary or permanent, on one occasion or more, capable of accommodating the public presenting or carrying on public entertainment within Places of Public Entertainment Ordinance (Cap. 172) and its subsidiary legislation, such as a concert, opera, ballet, stage performance or other musical, dramatic or theatrical entertainment, cinematograph or laser projection display or an amusement ride and mechanical device which is designed for amusement, a Place of Public Entertainment Licence (or Temporary Place of Public Entertainment Licence) should be obtained from FEHD whatever the general public is admitted with or without payment;

- there should be no encroachment on the public place and no environmental nuisance should be generated to the surroundings, and its state should not be a nuisance or injurious or dangerous to health and surrounding environment. Also, for any waste generated from such activities/operation, the applicant should arrange disposal properly at their own expenses;
- a swimming pool licence must be obtained from FEHD for any artificially constructed pool used for swimming or bathing and to which the public have access (whether on payment or otherwise) or which is operated by any club, institution, association or other organization. A swimming pool licence is not required for any swimming pool which serves not more than 20 residential units and to which the public have no access;
- if FEHD is requested to take up management responsibility of new facilities (e.g. public toilets and refuse collection points), FEHD should be separately consulted. Prior consent from FEHD must be obtained and sufficient amount of recurrent cost may have to be provided to FEHD;
- if provision of cleansing service for new public roads, streets, cycle tracks, footpaths, paved areas etc., is required, FEHD should be separately consulted. Prior consent from FEHD must be obtained and sufficient amount of recurrent cost may have to be provided to FEHD; and
- if domestic waste collection service of FEHD is required in future, prior comments from FEHD on the waste collection plan, including the accessibility and maneuverability of refuse collection vehicle to refuse collection point, should be sought.

6. Geotechnical

Comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department:

- a man-made slope (Feature No. 2SE-C/FR95) adjoining the boundaries of the Sites may affect or be affected by the Proposed Developments. Presumably, details of the investigation and/or assessment of the effects of the Proposed Developments on this feature, and vice versa, should be submitted in conjunction with the future development proposal to the BA for processing.