

RESIDENTIAL (GROUP C)2

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat	Ambulance Depot
Government Use (Police Reporting Centre, Post Office only)	Eating Place
House	Educational Institution
School	Government Refuse Collection Point
Social Welfare Facility	Government Use (not elsewhere specified)
Utility Installation for Private Project	Hospital
	Hotel
	Institutional Use (not elsewhere specified)
	Library
	Petrol Filling Station
	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
	Rural Committee/Village Office
	Shops and Services
	Training Centre

(Please see next page)

RESIDENTIAL (GROUP C)2 (cont'd)

Planning Intention

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

Remarks

- (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 1.53 amongst which is not less than 930m² (380m² for kindergarten and 550m² for elderly activity centre) for non-domestic uses and a maximum building height of 16 residential storeys (up to +59.85mPD at main roof level), excluding basement level(s), transfer plate and electrical and mechanical (E&M) floor(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 for Mai Po and Fairview Park, 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 GIC facilities, as required by the Government, may be disregarded.*
- (c) In determining the maximum plot ratio **and building heights** 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.

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)2” zone is intended primarily for medium-rise residential development where Government, Institution or Community (G/IC) uses serving the neighbourhood, if any, are permitted as of right.***

9.2.5 ***On land designated “R(C)2”, residential development is restricted to a maximum domestic plot ratio of 1.5 and non-domestic plot ratio of 0.01 (for Kindergarten) and a maximum building height of 16 residential storeys (up to +59.85mPD at main roof level) excluding basement level(s), transfer plate and E&M floor(s). A minimum building separation of 15m between residential towers should be provided. A minimum north-south building setback from the site boundary line along Kam Pok Road respectively ranged from 22m to 30m should be provided.***

Previous s.16 Applications covering the Application Site

Approved Applications

Application No.	Use(s)/Development(s)	Date of Consideration (Rural and New Town Planning Committee (RNTPC))
A/YL-MP/55	Low-density Residential Development with Ancillary Club House and Recreational Facilities	13.8.1999
A/YL-MP/110	Proposed Low Density Residential Development	17.1.2003
A/YL-MP/136	Low-Rise, Low-Density Residential Development with Ancillary Club-house and Recreation Facilities	14.1.2005
A/YL-MP/148*	Temporary Open Air Private Car Park for Exhibition of Used Cars for a Period of Three Years	23.12.2005 [revoked on 23.6.2007]
A/YL-MP/156	Proposed Houses with Ancillary Club House and Recreational Facilities	3.11.2006
A/YL-MP/170	Proposed House (Low-rise, Low-density Residential) Development, Minor Relaxation of Building Height Restriction and Filling of Ponds	7.5.2010
A/YL-MP/176*	Temporary 'Shop and Services (Sale of Household Plants, Aquarium Fish, Clothes and Agency for Car Repairing Service)' Use for a Period of Three Years	19.6.2009 [revoked on 19.12.2009]
A/YL-MP/202	Proposed House Development, Minor Relaxation of Building Height Restriction, and Filling of Pond	7.2.2014
A/YL-MP/242	Proposed House Development with Minor Relaxation of Building Height Restriction from 6m to 6.6m, Filling of Pond/Land, and Excavation of Land	27.2.2015
A/YL-MP/287	Proposed House Development with Minor Relaxation of Building Height Restriction, Filling of Pond/Land, and Excavation of Land	26.5.2020
A/YL-MP/381	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) for a Period of Three Years and Associated Filling of Pond and Land	14.2.2025
A/YL-MP/409	Proposed Temporary Warehouse and Public Vehicle Park (for Private Cars, Light Goods Vehicles, Medium Goods Vehicles, Coaches, Container Vehicles and Container Trailers Only) and Associated Filling of Pond and Land for a Period of Three Years	17.4.2026

* denotes permission revoked

Rejected Applications

Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC)	Rejection Reasons
A/YL-MP/90	Proposed Temporary Fun Kart Playground and Barbecue Site for a Period of Two Years	4.5.2001	(1) to (5)
A/YL-MP/104	Low Density Residential Development with Relaxation of Plot Ratio	1.3.2002	(6) to (9)

Rejection Reasons:

- (1) the development is not in line with the planning intention of “Residential (Group D)” (“R(D)”) zone. There is no strong justification in the submission for a departure from such planning intention, even on a temporary basis;
- (2) the development is not compatible with surrounding land uses;
- (3) the proposed car parking arrangement for the development is not satisfactory. There is no guarantee that these two sites are available for parking of vehicles throughout the term of approval;
- (4) there is no information in the submission to demonstrate that the development would not have adverse drainage and noise impacts on the surrounding areas;
- (5) the approval of the application would set an undesirable precedent for other similar applications within “R(D)” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area;
- (6) there are no strong justification and design merits in the submission to merit a relaxation of the plot ratio restriction of the “R(D)” zone for the proposed development;
- (7) the proposed development does not comply with the revised Town Planning Board Guidelines for “Applications for Development within Deep Bay Area” in that there is insufficient information in the submission to demonstrate that the development would not have negative off-site disturbance impact on the ecological value of the fish ponds and wetlands in the Deep Bay Wetland Conservation Area;
- (8) the proposed vehicular access arrangement is not desirable from road safety point of view; and
- (9) the approval of the proposed development would set an undesirable precedent for other similar applications within the “R(D)” zone. The cumulative effect of approving such similar applications with excessive development intensity would have adverse impacts on the existing and planned traffic and infrastructural provision of the area.

**Similar s.12A Applications rezoning the application sites
from the same “Residential (Group D)” (“R(D)”) zone
on the Mai Po and Fairview Park Outline Zoning Plan in the Past Five Years**

Agreed Application

Application No.	Use(s)/Development(s)	Date of Consideration (Rural and New Town Planning Committee (RNTPC))
Y/YL-MP/10	To rezone the application site from “R(D)” to “Residential (Group C) 1” (“R(C)1”) and amend the Notes of the zone applicable to the site	4.7.2025

Rejected Application

Application No.	Use(s)/Development(s)	Date of Consideration (RNTPC)	Rejection Reason
Y/YL-MP/6	To rezone the application site from “R(D)” to “R(C)1” and amend the Notes of the zone applicable to the site	5.5.2023	(1)

Rejection Reason:

- (1) there is no strong justification in the submission to justify the proposed rezoning to “R(C)1” and the proposed increase in development intensity and building height.

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 application does not imply approval of tree works such as pruning, transplanting and felling. The applicant is reminded to seek approval for any proposed tree works at the application site (the Site) 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 development at the Site (the Proposed Development) 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 Site and to intercept the overland flow from the adjacent lands;
- where walls or hoarding are erected are laid along the site boundary, adequate openings should be provided to intercept the existing overland flow passing through the Site;
- 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;
- 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 application 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;
- there are several planning applications / proposed developments in the vicinity of the Site and the sewerage system proposed under the planning application may have conflict with that proposed under other planning applications. The applicant should liaise and coordinate with EPD and other project proponents to confirm the proposed sewerage design and ascertain responsibilities of implementation and maintenance of the proposed sewerage works;
- when there are proposed land filling works for the Proposed Development, proper surface channels should be provided at the lower level and wall toe to collect the overland flow to/from adjacent areas;
- the existing public sewerage system should not be affected unless a diversion proposal has been submitted and designed to the satisfaction of his department and such agreed diversion works should be carried out by the applicant at the cost of the Proposed Development;
- his department will only take over those public drainage facilities constructed on government land (GL) and located downstream of the terminal manhole. When the proposed gravity sewers are exclusively used by the Proposed Development, those sewers shall be maintained by the applicant at his/her own cost. If the proposed sewers become public sewers that serve multiple users, the applicant shall hand over the sewer on GL to his department for maintenance;
- attention should be drawn to EPD's Professional Persons Environmental Consultative Committee Practice Notes (ProPECC PN) 1/23 on discharge from the proposed swimming pool. Swimming pool main drain, footbath main drain and swimming pool make-up tank drain should be connected to storm water drains (except in the water gathering grounds where the applicant is advised to consult Water Supplies Department) while the filtration plant backwash should be discharged to sewerage facilities; and
- the scenario 2 as mentioned in the submitted SIA, the applicant is responsible for communicating and coordinating with other developers for the upgrading details and the implementation of the proposed sewer line works closely.

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 Site, 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 Site under the BO;
- the Site 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 Site will abut on specified street(s) of not less than 4.5m wide and their permitted development intensity shall not exceed the permissible under the First Schedule of B(P)R;
- if the proposed PR is based on the assumption that gross floor area (GFA) exemption will be granted for green/amenity features and non-mandatory/non-essential plant room, etc., the pre-requisites under Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 should be complied with;
- recreation facilities may be exempted from GFA calculation under BO if they comply with the requirements under PNAP APP-42 and APP-104;
- the Elderly Activity Centre should be included in GFA calculation under BO unless exemption is granted;
- the proposed kindergarten may be subject to the issuance of a licence. Any proposed building works on the Site intended to be used for such purpose is required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
- disregarding car parking spaces, loading and unloading lay-by from GFA calculation under BO will be considered on the basis of the criteria set out in PNAP APP-2 and APP-111 during building plan submission stage; and
- detailed checking under BO 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 380m² will be provided at the application site as proposed by the applicant. The applicant should ensure the proposed KG could fulfil the SoA requirements as far as practicable;

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/overview/Operation_manual_\(Eng\)_May%202026_Version%204.3.pdf](https://www.edb.gov.hk/attachment/en/edu-system/preprimary-kindergarten/overview/Operation_manual_(Eng)_May%202026_Version%204.3.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 should be affected;
- proper licence/permit issued by FEHD is required if there are 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;
- 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. 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 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 manoeuvrability of refuse collection vehicle to refuse collection point, should be sought.

6. Electrical Safety

Comments of the Director of Electrical and Mechanical Services:

- in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the mentioned document should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the concerned site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.