

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/KTN/70
*(for 3rd Deferment)***

- Applicant** : Hilder Company Limited represented by Kenneth To and Associates Limited
- Sites** : Lots 1009 (Part), 1010 (Part), 1011 (Part), 1012 (Part), 1013 (Part), 1014 (Part), 1015 (Part) in D.D. 95 and adjoining Government Land
- Site Area** : about 4,973 m² (including about 31.6 m² of Government land)
- Land Status** : Block Government Lease (demised for agricultural use) (about 99.4%) and Government land (about 0.6 %)
- Plan** : Approved Kwu Tung North Outline Zoning Plan (OZP) No. S/KTN/2
- Zoning** : “Residential (Group B)” restricted to a maximum plot ratio (PR) of 3.5 and maximum building height (BH) of 90mPD
- Application** : Proposed Minor Relaxation of PR Restriction for Permitted Residential Development

1. Background

- 1.1 On 31.3.2020, the applicant submitted a planning application for proposed minor relaxation of PR restriction for permitted residential development at the application site (**Plan A-1**).
- 1.2 On 29.5.2020 and 18.9.2020, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application for two months, as requested by the applicant, to allow time for the applicant to prepare further information (FI) to address departmental comments. Upon receipt of the applicant’s FI on 3.11.2020, the application is scheduled for consideration by the Committee on 18.12.2020.

2. Request for Deferment

On 9.12.2020, the applicant wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to further defer the consideration of the application for another two months in order to allow time for the applicant to prepare responses to departmental comments (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred twice for a total of four months at the request of the applicant to allow time for the applicant to address departmental comments. Since the first deferment on 29.5.2020, the applicant submitted FI on 28.7.2020, 3.11.2020 and 4.12.2020 to address comments of various departments. However, there are further comments from Government departments. The applicant therefore needs more time to prepare FI to address the comments.
- 3.2 The Planning Department has no objection to the request for deferment as the justification for deferment meets the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33) in that the applicant needs more time to prepare further information in response to departmental comments, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties.
- 3.3 Should the Committee agree to defer making a decision on the application, the application will be submitted to the Committee for consideration within two months upon receipt of further information from the applicant. If the FI submitted by the applicant is not substantial and can be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The applicant should be advised that the Committee has allowed further two months for preparation of FI submission. Since it is the third deferment, the applicant should also be advised that the Committee has allowed a total of six months for preparation of FI submission, and no further deferment would be granted unless under very special circumstances.

4. Decision Sought

The Committee is invited to consider whether or not to accede to the applicant's request for deferment. If the request is not acceded to, the application will be submitted to the Committee for consideration at the next meeting.

5. Attachments

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| Appendix I | Letter of 9.12.2020 from the applicant |
| Plan A-1 | Location Plan |