

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/SK-HC/286
(for 2nd Deferment)

- Applicant:** Victoria Max Limited represented by Kenneth To & Associates Limited
- Site:** Government Land adjoining Lot 714 in D.D. 247, Tai Lam Wu, Sai Kung, New Territories
- Site Area:** About 76.22m²
- Land Status:** Government Land
- Plan:** Approved Ho Chung Outline Zoning Plan (OZP) No. S/SK-HC/11
- Zonings** “Conservation Area” (“CA”) (80.3%)
“Village Type Development” (“V”) (19.7%)
- Application:** Proposed Excavation of Land for Slope Stabilization (Soil Nail) Works to Enable the Redevelopment of a Permitted House (New Territories Exempted House (NTEH))

1. Background

- 1.1 On 9.3.2018, the applicant sought planning permission for proposed excavation of land for slope stabilization (soil nail) works at the application site (the Site) to enable the redevelopment of a permitted NTEH adjoining the Site within “V” zone (**Plan A-1**).
- 1.2 On 4.5.2018, the Rural and New Town Planning Committee (the Committee) agreed to defer making 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 the departmental comments. No FI from the applicant has been received. The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 3.7.2018, the applicant’s representative wrote to the Secretary of the Town Planning

Board (the Board) and requested the Board to defer making a decision on the application for further two months so as to allow time for preparation of FI in view of departmental comments (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred once for two months at the request of the applicant to allow time to address the departmental comments. Since the first deferment, no FI has been submitted. The applicant's representative indicates that they have already engaged an ecologist and have started conducting an ecological survey to address the comments from departments regarding the sensitive plant species within the Site (**Appendix I**). The applicant needs more time to resolve departmental comments.
- 3.2 The Planning Department has no objection to the request for deferment as the justifications for deferment meet 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 FI 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 a decision on the application, the application will be submitted to the Committee for consideration within two months upon receipt of FI 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 a maximum period of two months for preparation of submission of FI. Since it is the second deferment of the application, the applicant should be advised that the Board has allowed a total of four months for preparation of submission of FI, 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

Appendix I	Letter dated 3.7.2018 from the applicant's representative
Plan A-1	Location Plan