

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-SSH/117
(for 2nd Deferment)

- Applicant** : Instinct Investment Limited represented by R-riches Property Consultants Limited
- Site** : Lots 572 to 591 in D.D. 209, Kei Ling Ha Lo Wai, Shap Sz Heung, New Territories
- Site Area** : About 3,536 m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Shap Sz Heung Outline Zoning Plan (OZP) No. S/NE-SSH/11
- Zoning** : “Coastal Protection Area” (“CPA”)
- Application** : Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a period of 3 years

1. Background

- 1.1 The applicant seeks planning permission for temporary place of recreation, sports or culture (hobby farm) for a period of 3 years at the application site (the Site) (**Plan A-1**).
- 1.2 On 15.6.2018, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer a decision on the application for two months, as requested by the applicant, to allow time for preparation of further information (FI) to address departmental comments. The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 19.9.2018, the applicant’s representative wrote to the Secretary of the Board requesting the Board to further defer making a decision on the application for two months to allow time to address the outstanding departmental concerns (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred once for two months at the request of the applicant. Subsequent to the first deferment on 15.6.2018, the applicant on 14.8.2018 has submitted FI including a response-to-comment table and a drainage proposal. However, some of the departmental concerns, mainly on the drainage, nature conservation and landscape aspects, remain unresolved. The current request for the second deferment is necessary for the applicant to have more time to address these outstanding departmental concerns.
- 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 more time is required for applicant to address 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 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. Attachment

Appendix I Letter dated 19.9.2018 from the applicant's representative
Plan A-1 Location plan