

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

APPLICATION NO. A/NE-TKLN/14

(For 2nd Deferment)

- Applicant** : Mr. LI Kin Hoi represented by Metro Planning and Development Company Limited
- Site** : Lots 777 (Part) and 969 (Part) in D.D. 78, Ta Kwu Ling North, New Territories
- Site Area** : 2,640 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Filling of Ponds for Permitted Agricultural Use

1. Background

- 1.1 The applicant seeks planning permission for proposed filling of ponds for permitted agricultural use at the application site (**Plan A-1**).
- 1.2 On 21.12.2018, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer making a decision on the application for two months, as requested by the applicant, to allow time for preparation of further information (FI) to address the departmental comments. On 19.2.2019, the applicant submitted FI including a Response-to-Comments table and revised drainage plan to address the comments of the Drainage Services Department (DSD). The application is scheduled for consideration by the Committee on 12.4.2019.

2. Request for Deferment

On 8.4.2019, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for two months in order to allow time to prepare FI to address the comments of DSD and Lands Department (LandsD) (**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 last deferment on 21.12.2018, the applicant submitted FI on 19.2.2019 and 21.2.2019 to address the comments of Government departments. Nevertheless, the applicant needs more time to prepare FI to address the further comments of DSD and LandsD.
- 3.2 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 address the 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 further submission 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. Since it is the second deferment of the application, 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 for the Committee's consideration at the next meeting.

5. Attachments

Appendix I	Letter dated 8.4.2019 from the applicant's representative
Plan A-1	Location Plan

**PLANNING DEPARTMENT
APRIL 2019**