

APPLICATION FOR AMENDMENT OF PLAN
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. Y/NE-LK/1

(for 4th Deferment)

- Applicant** : Galaxy Rich Investment Limited represented by Aikon Development Consultancy Limited
- Plan** : Approved Luk Keng and Wo Hang Outline Zoning Plan (OZP) No. S/NE-LK/11
- Site** : Various Lots in D.D. 39 and Adjoining Government Land, Ha Wo Hang, Sha Tau Kok, New Territories
- Site Area** : About 119,602.3m² (including Government Land of about 17,581.5m²)
- Land Status** : (a) Block Government Lease (demised for agricultural use)(about 85.3% of the Site)
(b) Government land (about 14.7% of the Site)
- Zonings** : (a) “Agriculture” (“AGR”) (about 116,014.2m² or 97% of the Site)
(b) “Recreation” (“REC”) (about 3,588.1m² or 3% of the Site)
- Proposed Amendment** : Rezoning from “AGR” and “REC” to “Comprehensive Development Area” (“CDA”)
- a maximum plot ratio of 0.4
- a maximum building height of 3 storeys and 16.15m
- a maximum site coverage of 22.4%

1. Background

- 1.1 The applicant seeks planning permission to rezone the application site (the Site) from “AGR” and “REC” to “CDA” on the approved Luk Keng and Wo Hang OZP No. S/NE-LK/11 (**Plan Z-1**). The proposed “CDA” zone will be subject to a maximum plot ratio of 0.4, a maximum site coverage of 22.4% and a maximum building height of 3 storeys and 16.15m to facilitate a housing development cum nature conservation centre. On 25.8.2017, 12.1.2018 and 18.5.2018, 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 each, as requested by the applicant, to allow time for preparation of further information (FI) to address the departmental comments.

- 1.2 On 18.7.2018, 29.8.2018 and 19.10.2018, the applicant submitted FI including response-to-comments tables, various new/ revised technical assessments, revised Master Layout Plan and revised landscape proposals to respond to departmental comments on the application. The application is rescheduled for consideration by the Committee on 18.1.2019.

2. Request for Deferment

On 2.1.2019, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for another two months in order to allow time to prepare FI to address the further comments of relevant Government departments (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred thrice for a total of six months at the request of the applicant to address the departmental comments. The applicant has demonstrated efforts in preparing FI including technical assessments in support of the application.
- 3.2 Since the last deferment in May 2018, the applicant has submitted FI on 18.7.2018, 29.8.2018 and 19.10.2018 including response-to-comments tables, various new/ revised technical assessments, revised Master Layout Plan and revised landscape proposals to respond to departmental comments on the application. Nevertheless, there are still further comments from Government departments mainly on the traffic, water quality, ecological and environmental impacts arising from the proposed rezoning. More time is required by the applicant to prepare FI to address the further comments from relevant Government departments, including Transport Department, Environmental Protection Department and Agriculture, Fisheries and Conservation Department, on the application.
- 3.3 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 FI to address the departmental comments, the deferment period is not indefinite, and the deferment would not affect the interests of other relevant parties.
- 3.4 Should the Committee agree to defer a decision on the application, the application will be submitted to the Committee for consideration within three 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. The application should be advised that the Committee has allowed a further two months for preparation of submission of FI. Since it is the fourth deferment of the application, the applicant should be advised that the Committee has allowed a total of eight months including the previous deferments for the preparation of submission of FI, this is the last and no further deferment would be granted.

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 received on 2.1.2019 from the applicant's representative dated
31.12.2018
Plan Z-1 Location Plan

**PLANNING DEPARTMENT
JANUARY 2019**