

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

APPLICATION NO. Y/NE-LK/1

(for 3rd 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** : Proposed Rezoning from “AGR” and “REC” to “Comprehensive Development Area” (“CDA”)

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 to facilitate a housing development cum nature conservation centre. On 25.8.2017 and 12.1.2018, 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 5.3.2018, 12.3.2018 and 13.3.2018, the applicant submitted FI including a response-to-comments table, various revised assessments, revised tree survey and preservation proposal, revised landscape drawings, revised photomontages and additional information on the development parameters to respond to departmental comments on the application. The application is rescheduled for consideration by the Committee on 1.6.2018.

2. Request for Deferment

On 3.5.2018, 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 further comments of relevant Government departments (**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 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 January 2018, the applicant has submitted FI including a response-to-comments table, various revised assessments, revised tree survey and preservation proposal, revised landscape drawings, revised photomontages, and additional information on the development parameters to respond to departmental comments on the application. Nevertheless, there are still further comments from Government departments on the open space provision, drainage issues, water quality, sewerage planning, waste management and land contamination aspects, and potential environmental impacts on the existing stream and aquatic species of conservation interest. More time is required by the applicant to prepare FI to address the further comments from relevant Government departments, including Drainage Services Department, Environmental Protection Department, Agriculture, Fisheries and Conservation Department and Urban Design and Landscape Section, Planning 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 third deferment of the application, the applicant should be advised that the Committee has allowed a total of six months for the preparation of submission of FI, no further deferment would be granted unless 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 Email dated 3.5.2018 from the applicant's representative
Plan Z-1 Location Plan

**PLANNING DEPARTMENT
MAY 2018**