

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

APPLICATION NO. Y/ST/41
(for 3rd Deferment)

<u>Applicant</u>	: Sea View Villa Limited and Skiway Limited represented by PlanPlus Consultancy
<u>Plan</u>	: Approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/34
<u>Site</u>	: Lots 59 S.A. and 59 R.P. in D.D. 175, Sha Tin, New Territories
<u>Site Area</u>	: About 1,672.86m ²
<u>Lease</u>	: (a) New Grant No. 9209 (b) Restricted for private residential use (c) Roofed-over area restricted to a one- or two-storey building (with height not to exceed 25 feet above mean formation level of the lot) and a three-storey building (with height not to exceed 37 feet above mean formation level of the lot) (d) Not less than one private car parking space per flat
<u>Zoning</u>	: “Green Belt” (“GB”)
<u>Proposed Amendment</u>	: To rezone the application site from “GB” to “Residential (Group B)2” (“R(B)2”)

1. The Proposal

- 1.1 On 23.10.2018, the applicant seeks planning permission to rezone the application site from “GB” to “R(B)2” for residential development with a maximum plot ratio of 3.6 (**Plan Z-1**).
- 1.2 On 18.1.2019, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application for two months as requested by the applicant. The applicant subsequently submitted the revised visual impact assessment (VIA), and new environmental review (ER) and geotechnical planning review report (GPRR) on 18.3.2019 in response to the comments of concerned Government departments.
- 1.3 On 31.5.2019, the Committee agreed to defer a decision on the application for another two months as requested by the applicant so as to allow time for preparing relevant technical assessment and responses to address the comments from relevant Government department. On 31.7.2019, the applicant submitted the land contamination review report (LCRR) in response to the departmental comments. The application is scheduled for consideration by the Committee on 20.9.2019.

2. **Request for Deferment**

On 27.8.2019, 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 two months so as to allow time for preparing relevant technical assessment and responses to address the departmental comments (**Appendix I**).

3. **Planning Department's View**

3.1 The application has been deferred twice for a total of four months upon the requests of the applicant. Since the last deferment on 31.5.2019, the applicant has submitted the LCRR on 31.7.2019 to address the comments from EPD. The applicant needs more time to prepare the relevant technical assessments and clarify the concerns raised by the Government departments.

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 further information 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 would be submitted to the Committee for consideration within three months upon receipt of further submission from the applicant. If the further information 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 further two months for the preparation of submission of further information. Since this is the third deferment, the applicant should also be advised that the Committee has allowed a total of six months including the previous deferments for preparation of submission of further information 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
Plan Z-1

Letter dated 27.8.2019 from the applicant's representative
Location plan