

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/67
(for 2nd Deferment)

<u>Applicant</u>	:	Pronto Star Limited represented by PlanArch Consultants Limited
<u>Site</u>	:	Lot 793 in D.D. 124, Lots 70, 71, 72, 73, 74, 75, 76, 77, 215 RP and 216 in D.D. 127, Ping Shan, Yuen Long, New Territories
<u>Site Area</u>	:	About 3,091 m ²
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan (OZP) No. S/HSK/2 (currently in force) [Draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1 at the time of submission]
<u>Zoning</u>	:	“Government, Institution or Community” (“G/IC”) (about 2,637m ² or 85.32%) ¹ [restricted to a maximum building height (BH) of 80 mPD/8 storeys] and area shown as ‘Road’ (14.68%)
<u>Application</u>	:	Proposed Social Welfare Facility (Private Elderly Home) and Residential Institution (Senior Citizen Housing)

1. Background

- 1.1 On 11.4.2018, the applicant sought planning permission for proposed social welfare facility (private elderly home) and residential institution (senior citizen housing) at the application site (the Site). The Site falls within an area partly zoned “G/IC” and partly shown as ‘Road’ on the approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2 (**Plan A-1**).
- 1.2 According to the Notes of the OZP, ‘Social Welfare Facility’ is a Column 1 use in “G/IC” zone which is always permitted, whereas ‘Residential Institution’ is a Column 2 use requires planning permission from the Town Planning Board (the Board). Both uses also require planning permission from the Board in area shown

¹ The northern portion of the Site (“G/IC” in HSK Planning Area 20) falls within a site reserved for a planned hospital and specialist clinic/ polyclinic; and the southern portion of the Site (“G/IC” in HSK Planning Area 21) falls within a site reserved for a primary school and a secondary school.

as 'Road'.

- 1.3 On 1.6.2018, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer a decision on the application, considering that the zoning of the Site was the subject of adverse representations of the draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1². After the gazettal of the approved Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/2 on 26.10.2018, the application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 20.12.2018, 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 address departmental comments (**Appendix I**).

3. Planning Department's Views

- 3.1 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 (FI) in response to departmental comments, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties.
- 3.2 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. The applicant should be advised that the Committee has allowed two months for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

² On 26.5.2017, the draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). Upon expiry of the exhibition period, a total of 117 valid representations have been received, including the one submitted by the applicant. The applicant submitted a representation and proposed to rezone part of the Site to "G/IC(1)" for private elderly home cum senior citizen housing use. The hearings of the representations and comments were held on 30.1.2018, 1.2.2018 and 7.2.2018. On 25.5.2018, after giving consideration to the representations and comments, the Board decided not to propose any amendment to the draft OZP to meet the representations under section 6(B)8 of the Ordinance.

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. Attachment

Appendix I	Letter dated 20.12.2018 from the applicant's representative
Plan A-1	Location plan

**PLANNING DEPARTMENT
JANUARY 2019**