

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

**APPLICATION NO. A/FSS/294**  
***(for 1<sup>st</sup> Deferment)***

- Applicants** : Faith Luck Corporation Limited and Win Million International Limited represented by Llewelyn-Davies Hong Kong Limited
- Site** : Various Lots in D.D. 51 and Adjoining Government Land, Ma Sik Road, Fanling, New Territories
- Site Area** : About 13,232m<sup>2</sup> (including about 2,963m<sup>2</sup> of Government land) (about 22.4%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Fanling/Sheung Shui Outline Zoning Plan (OZP) No. S/FSS/27
- Zoning** : “Residential (Group A) 12” (“R(A)12”)
- [Restricted to a maximum plot ratio (PR) of 5.0 and maximum non-domestic PR of 0.18, and the maximum building height (BH) of 110mPD, or the PR and height of the existing building, whichever is the greater]
- Application** : Proposed Minor Relaxation of PR and BH Restrictions for Permitted Flat Development with Social Welfare Facility and Public Vehicle Park

**1. The Proposal**

- 1.1 On 2.8.2023, the applicants submitted the application to seek planning permission for proposed minor relaxation of domestic PR (from 5 to 6) and BH (from 110mPD to 132mPD) restrictions for permitted flat development with social welfare facility and public vehicle park at the application site (the Site) under the pre-amended Town Planning Ordinance (the pre-amended Ordinance)<sup>1</sup> (**Plan A-1**). The application is scheduled for consideration by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) at this meeting.
- 1.2 On 12.5.2023, the draft Fanling/Sheung Shui OZP No. S/FSS/27 (the draft OZP) was exhibited under section 5 of the pre-amended Ordinance for two months. One of the two amendment items is the rezoning of the Site from “Village Type

---

<sup>1</sup> The “pre-amended Ordinance” refers to the Town Planning Ordinance as in force immediately before 1.9.2023. Pursuant to section 29(17) of the Town Planning Ordinance currently in force (the Ordinance), the pre-amended Ordinance applies to applications made before 1.9.2023.

Development” to “R(A)12” with stipulation of PR and BH restrictions in order to take forward an agreed section 12A application (No. Y/FSS/18). During the exhibition period of the draft OZP ended on 12.7.2023, 72 representations were received. Amongst these representations, one supportive representation submitted by the applicants and two adverse representations are received relating to the “R(A)12” zone.

- 1.3 In accordance with sections 8, 29(8) and 29(9) of the Ordinance, the Board shall submit the draft OZP, together with a schedule of the representations to the Chief Executive in Council (CE in C) for approval within nine months of the expiry of the plan exhibition period, i.e. expiring on 12.4.2024.

## **2. Planning Department's Views**

- 2.1 According to the Town Planning Board Guidelines on Deferment of Decisions on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33A)<sup>2</sup>, if adverse representations are received during the exhibition period, a decision on section 16 application would be deferred if the zoning of the application is still subject to outstanding adverse representations yet to be submitted to CE in C for consideration and the substance of the representations is relevant to the subject application.
- 2.2 As the Site is subject to two adverse representations as mentioned in paragraph 1.2 above, it is recommended to defer a decision on the subject application pending the submission of the draft OZP together with the representations to CE in C and the CE in C's final decision on the representations in respect of the draft OZP.
- 2.3 Should the Committee agree to defer a decision on the application, the application will be submitted to the Committee for consideration after the CE in C's decision on the draft OZP and the relevant adverse representations has been made.

## **3. Decision Sought**

The Committee is invited to consider whether or not to defer a decision on the application as recommended by the Planning Department. Should the Committee decide not to defer the decision, the application will be submitted for consideration at the next meeting.

## **4. Attachment**

**Plan A-1**

Location Plan

**PLANNING DEPARTMENT  
SEPTEMBER 2023**

---

<sup>2</sup> Pursuant to the Board's decision on 4.8.2023, TPB PG-No. 33A applies to applications made before 1.9.2023.