

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-FTA/225

(for 2nd Deferment)

<u>Applicant</u>	: ESA Warehouse & Transport (HK) Company represented by Allgain Land Administrators (Hong Kong) Limited
<u>Site</u>	: Lots 558 RP (Part), 559 RP (Part), 561 RP (Part), 562 S.F (Part), 563 (Part), 564 S.B (Part), 565 (Part), 567 (Part) and 568 (Part) in D.D. 89, Man Kam To Road, Sha Ling, Sheung Shui, New Territories
<u>Site Area</u>	: About 7,710m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use) <ul style="list-style-type: none">- Lot 562 S.F is a mixed lot (i.e. house and agricultural use)- Part of Lot 565 is covered by a Building Licence No. BL824/55 for house purpose
<u>Plan</u>	: Draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/17 currently in force ¹
<u>Zoning</u>	: “Agriculture” (“AGR”)
<u>Application</u>	: Proposed Temporary Logistics Centre for a Period of Three Years and Associated Filling of Land

1. Background

- 1.1 On 26.4.2023, the applicant sought planning permission for proposed temporary logistics centre for a period of three years and associated filling of land at the application site (the Site) (**Plan A-1**).
- 1.2 On 23.6.2023, 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, as requested by the applicant, to allow time to prepare further information (FI) to address departmental comments.
- 1.3 On 23.8.2023, 28.8.2023 and 27.9.2023, the applicant submitted FIs to address departmental comments. The application is scheduled for consideration by the Committee at this meeting.

¹ The Site falls within an area zoned “AGR” on the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/16 at the time of submission. There is no change to the “AGR” zone under the current OZP No. S/NE-FTA/17.

2. Request for Deferment

On 6.10.2023, 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 address further departmental comments (**Appendix I**).

3. Planning Department's Views

3.1 Planning Department has no objection to the request for the second 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. 33A)² in that the deferment would allow the applicant more time to prepare FI to address outstanding issues.

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 FI from the applicant. If the FI submitted by the applicant is not substantial and could 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 total of four months for preparation of submission of FI. The second deferment should be the last deferment and no further deferment would be granted unless under very special circumstances and supported with strong justifications.

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
Plan A-1

Email dated 6.10.2023 from the applicant's representative
Location Plan

PLANNING DEPARTMENT
OCTOBER 2023

² The TPB PG-No. 33A is applicable to this application as it was received before the promulgation of the revised guidelines on 1.9.2023.