

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-FTA/238

(for 2nd Deferment)

- Applicant** : Dragon Ace Investment Limited represented by R-riches Property Consultants Limited
- Site** : Lots 408 S.A RP (Part), 408 S.B RP (Part), 409, 410, 411, 412, 413, 414, 416, 417 RP, 418 S.A, 418 S.B, 423, 424, 425 RP and 436 (Part) in D.D. 89 and Adjoining Government Land (GL), Fu Tei Au, Sheung Shui, New Territories
- Site Area** : About 15,724m² (Includes GL of about 374m², or 2.4% of the Site)
- Lease** : Block Government Lease (demised for agricultural use) (about 97.6% of the Site)
- Plans** :
- Draft Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/17 (at the time of submission)
- Approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/18 (currently in force)
- Zonings^{1&2}** :
- “Agriculture” (“AGR”) (about 73% of the Site)
- “Government, Institution or Community” (“G/IC”) (about 11.8% of the Site)
- an area shown as ‘Road’ (about 13.8% of the Site)
- Application** : Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) with Ancillary Facilities for a Period of Three Years and Associated Filling of Land

1. Background

- 1.1 On 22.12.2023, the applicant sought planning permission for a proposed temporary warehouse (excluding dangerous goods godown) with ancillary facilities for a period of three years and associated filling of land at the application site (**Plan A-1**).
- 1.2 On 16.2.2024, 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

¹ A small portion of land (i.e. about 227.9m² or 1.4% of the total site area) falls within an area zoned “Open Storage” (“OS”) on the OZP, which is regarded as minor boundary adjustment and not included in the planning assessment.

² There is no change to the “AGR” and “G/IC” zones, as well as an area shown as ‘Road’ under the current OZP No. S/NE-FTA/18.

months, as requested by applicant, to allow time to prepare further information (FI) to address departmental comments.

- 1.3 On 26.2.2024, the applicant submitted FI to address departmental comments. The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 22.3.2024, the applicant 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 The Planning Department has no objection to the request for the second deferment as the justification for deferment meets the criteria 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. 33B) in that the applicant needs more time to prepare FI to address further 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 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 the 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 to the Committee for consideration at the next meeting.

5. Attachments

Appendix I
Plan A-1

Letter dated 22.3.2024 from the applicant's representative
Location Plan