

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-SSH/139
(for 3rd Deferment)

- Applicant** : Light Time Investments Limited represented by Llewelyn-Davies Hong Kong Limited
- Site** : Lots 325 S.A (Part), 325 S.B (Part), 325 S.C (Part), 496 (Part) and 497 (Part) in D.D. 209 and adjoining Government land, Sai Keng, Shap Sz Heung, New Territories
- Site Area** : About 4,640 m² (including about 4,333 m² Government land)
- Land Status** : (a) Government land (about 83.3%)
(b) Block Government Lease (demised for agricultural use) (about 16.7%)
- Plan** : Approved Shap Sz Heung Outline Zoning Plan (OZP) No. S/NE-SSH/11
- Zoning** : “Green Belt” (“GB”)
- Application** : Proposed Access Road for Government, Institution and Community uses at the adjoining “Government, Institution or Community” zone and associated Filling and Excavation of Land

1. Background

- 1.1 On 28.5.2021, the applicant submitted a planning application for proposed access road for Government, Institution and Community uses at the adjoining “Government, Institution or Community” zone and associated filling and excavation of land at the application site (the Site) (**Plan A-1**).
- 1.2 On 23.7.2021 and 12.11.2021, 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. On 16.9.2021, 24.9.2021 and 28.1.2022, the applicant submitted FIs in response to departmental and public comments. Upon receipt of the latest FI dated 28.1.2022, the application is scheduled for consideration by the Committee on 18.3.2022.

2. **Request for Deferment**

On 28.2.2022, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for another two months in order to allow time to prepare FI to address Transport Department's technical comments on the Traffic Impact Assessment (TIA) (**Appendix I**).

3. **Planning Department's Views**

- 3.1 The application has been deferred twice for totally four months at the request of the application to allow more time to address departmental comments. Since the last deferment on 12.11.2021, the applicant has submitted FIs on 29.12.2021 and 28.1.2022 including a supplementary explanatory statement on the application; amendments to the landscape proposal and reports on ecological, geotechnical and environmental assessments; and a revised TIA. The applicant has demonstrated effort in preparing FIs to address departmental and public comments.
- 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. 33A)¹ in that the applicant needs more time to prepare FI to address the 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 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. Since it is the third deferment of the application, the applicant should be advised that the Committee has allowed a total of six months for preparation of submission of FI, 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 for the Committee's consideration at the next meeting.

5. **Attachments**

Appendix I	Letter received on 28.2.2022 from the applicant's representative
Plan A-1	Location Plan

PLANNING DEPARTMENT
MARCH 2022

¹ The number of deferments to be granted as stipulated under TPB PG-No. 33A is not applicable to this application which was received before the promulgation of the revised guidelines on 24.8.2021.