

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/SK-TMT/70
(for 4th Deferment)

<u>Applicants</u>	: Mr. Yuen Yu Ming, Ms. Mak Chui Ping and Well Leading Limited
<u>Site</u>	: Lots 416 S.A, 416 S.B and 416 RP in D.D. 216, Long Keng Village, Sai Kung, New Territories
<u>Site Area</u>	: 2,231m ² (about)
<u>Lease</u>	: Old Schedule Agricultural Lots held under Block Government Lease
<u>Plan</u>	: Approved Tai Mong Tsai and Tsam Chuk Wan Outline Zoning Plan No. S/SK-TMT/4
<u>Zoning</u>	: “Green Belt”
<u>Application</u>	: Proposed Filling and Excavation of Land for Permitted Agricultural Use

1. Background

- 1.1 On 5.2.2021, the applicants sought planning permission for proposed filling and excavation of land for permitted agricultural use on the application site (**Plan A-1**).
- 1.2 On 26.3.2021, 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 each for two months, as requested by the applicants, so as to allow time for the applicants to prepare further information (FI) in response to departmental comments. No FI has been submitted by the applicants since the last deferment. The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 10.1.2022, the applicants wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for two months so as to allow more time to

further consult the Water Supplies Department (WSD) to resolve issues and prepare FI to address their comments (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred three times for a total of six months at the request of the applicants to address departmental comments. Since the last deferment, the applicants have liaised with WSD and proposed mitigation measures concerning the water quality aspect of the proposal. The applicants have indicated that more time is needed to further consult WSD and prepare FI to address their comments.
- 3.2 The Planning Department has no objection to the request for deferment as the justification for deferment meets 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. 33A¹) in that the applicants need more time to prepare FI to address 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 making a decision on the application, the application will be submitted to the Committee for consideration within two months upon receipt of FI from the applicants. If the FI submitted by the applicants 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 applicants should be advised that the Committee has allowed further two months for preparation of submission of FI. Since it is the fourth deferment of the application and the Committee has allowed a total of eight months for preparation of submission of FI, this is the last deferment and no further deferment would be granted.

4. Decision Sought

The Committee is invited to consider whether or not to accede to the applicants' 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

Email dated 10.1.2022 from one of the applicants (Ms. Mak Chui Ping)

Plan A-1

Location Plan

**PLANNING DEPARTMENT
JANUARY 2022**

¹ The number of deferments to be granted 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.