

APPLICATION FOR PERMISSION
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. Y/FSS/18

(2nd Deferment)

<u>Applicant</u>	: Faith Luck Corporation Limited and Win Million International Limited represented Llewelyn-Davies Hong Kong Ltd.
<u>Plan</u>	: Approved Fanling/Sheung Shui Outline Zoning Plan (OZP) No. S/FSS/24
<u>Application Site</u>	: Various Lots in D.D. 51 and Adjoining Government Land, Fanling, New Territories
<u>Site Area</u>	: 14,750m ² (about) (including about 3,425m ² of Government land (about 23.2%))
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Zoning</u>	: “Village Type Development” (“V”)
<u>Proposed Amendment</u>	: To rezone the application site from “V” to “Residential (Group A)7” (“R(A)7”) and amend the Notes of the zone applicable to the site

1. Background

- 1.1 On 24.5.2021, the applicant submitted the application to rezone the application site (**Plan Z-1**) from “V” to “R(A)7” on the approved Fanling/Sheung Shui OZP No. S/FSS/24 to facilitate a proposed residential cum residential care home for the elderly development.
- 1.2 On 13.8.2021, 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 for the applicant to prepare further information (FI) to address departmental comments. Upon receipt of the applicant’s FIs on 6.9.2021 and 15.11.2021, the application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 18.11.2021, 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 for the applicant to prepare FI to address departmental comments (**Appendix I**).

3. Planning Department's View

- 3.1 The application has been deferred once for two months at the request of the applicant to allow more time to address departmental comments. Since the first deferment on 13.8.2021, the applicant submitted FIs on 6.9.2021 and 15.11.2021 to address departmental comments and responses to public comments. Nevertheless, the applicant needs more time to prepare FI to address further departmental 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 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 three months upon receipt of FI 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. The applicant should be advised that the Committee has allowed further two months for preparation of FI submission. Since this is the second deferment of the application, the applicant should be advised that the Committee has allowed a total of four months for preparation of FI submission, 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 18.11.2021 from the applicant
Plan Z-1	Location Plan

**PLANNING DEPARTMENT
NOVEMBER 2021**

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.