

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-NSW/270
(for 2nd Deferment)

- Applicant** : Rich Valley Limited represented by Kenneth To and Associates Limited
- Site** : Lots 3719 S.C RP and 3681 in D.D. 104 and Adjoining Government Land (GL), Kam Pok Road, Nam Sang Wai, Yuen Long
- Site Area** : About 10,825.9 m² (including GL of about 71 m² (0.7%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/8
- Zoning** : “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”) and “Residential (Group D)” (“R(D)”)
- Application** : Proposed House cum Wetland Restoration Area (for Aquaculture Research and Teaching), Field Study/Education/Visitor Centre and Excavation of Land with Minor Relaxation of Plot Ratio and Building Height Restrictions (for “R(D)” Zone only)

1. Background

- 1.1 On 11.4.2019, the applicant submitted an application for proposed house cum wetland restoration area (for aquaculture research and teaching), field study/education/visitor centre and excavation of land with minor relaxation of plot ratio and building height restrictions (for “R(D)” zone only) at the application site (**Plan A-1**). On 31.5.2019, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer a decision on the application, as requested by the applicant, to allow two months’ time for the applicant to prepare further information (FI) to address departmental comments.
- 1.2 On 31.7.2019, 9.9.2019 and 21.10.2019, the applicant submitted FIs, including revised environmental assessment, drainage impact assessment, revised ecological impact assessment, revised wetland restoration proposal, revised visual impact assessment and revised section plan, to address departmental comments. The application is scheduled for consideration by the Committee on 13.12.2019.

2. **Request for Deferment**

On 26.11.2019, the applicant's agent wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the application in order to allow two months' time for the applicant to prepare FI, including revised ecological impact assessment and wetland restoration proposal, to address comments of relevant Government departments (**Appendix I**).

3. **Planning Department's Views**

- 3.1 The application has been deferred once for two months at the request of the applicant to allow 2 months' time for preparation of FI to address departmental comments. Since the first deferment on 31.5.2019, the applicant submitted FIs on 31.7.2019, 9.9.2019 and 21.10.2019 in response to departmental comments. However, the applicant needs more time to prepare FI to address comments from relevant Government departments.
- 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. 33) in that the applicant needs more time to prepare FI in response to 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 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 second deferment of the application, the applicant should be advised that the Committee has allowed a total of four 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 to the Committee for consideration at the next meeting.

5. **Attachments**

Appendix I	Letter dated 26.11.2019 from the applicant's agent
Plan A-1	Location Plan