

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/SK-HC/316
(for 3rd Deferment)

- Applicant** : Smart Benefit Corporation Limited represented by Kenneth To and Associates Limited
- Site** : Various Lots in D.D. 210 and adjoining Government Land, Ho Chung, Sai Kung
- Site Area** : About 6,054m²
- Lease** : (a) Private Land (about 5,400.8m² or 89%)
- Old Schedule Agricultural Lot held under Block Government Lease
(b) Government Land (about 653.2m² or 11%)
- Plan** : Approved Ho Chung Outline Zoning Plan (OZP) No. S/SK-HC/11
- Zoning** : “Residential (Group E)” (“R(E)”)
- restricted to a maximum plot ratio (PR) of 0.4, a maximum building height (BH) of 9m with 2 storeys over 1 storey of carport
- Application** : Proposed Houses and Minor Relaxation of BH Restriction

1. Background

- 1.1 On 20.4.2020, the applicant sought planning permission for proposed houses and minor relaxation of BH restriction at the application site (**Plan A-1**).
- 1.2 On 12.6.2020, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer a decision on the application for 2 months, as requested by the applicant, so as to allow time for the applicant to prepare further information (FI) in response to departmental comments. Subsequently, the applicant submitted FI on 12.8.2020.
- 1.3 On 18.9.2020, the applicant’s representative wrote to the Secretary of the Board requesting the Committee to defer making a decision on the application for another two months so as to allow sufficient time for preparation of submission of FI to address departmental comments received. On 9.10.2020, the Committee agreed to defer making a decision on the application as requested by the applicant pending the submission of FI. After the second deferment, the applicant submitted FI on 25.11.2020 and 27.11.2020 respectively which includes a revised Sewerage

and Drainage Impact Assessment (SDIA), a revised Environmental Assessment (EA), and Supplementary Information to the Traffic Impact Assessment (TIA).

2. Request for Deferment

On 18.1.2021, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for further two months so as to allow sufficient time for preparation of FI to address the departmental comments (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred twice for a total of four months at the request of the applicant to allow time for preparation of FI to address departmental comments. Since the second deferment on 9.10.2020, the applicant has submitted a revised SDIA, a revised EA, and Supplementary Information to the TIA. The applicant has indicated that more time is needed for preparation of FI to address the 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. 33) in that the applicant needs more time to address the comments from relevant government departments, 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 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. 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 to the Committee for consideration at the next meeting.

5. Attachments

Appendix I

Letter of 18.1.2021 from the applicant's representative

Plan A-1

Location Plan

**PLANNING DEPARTMENT
JANUARY 2021**