

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-SLT/2
(for 2nd Deferment)

<u>Applicant</u>	Green Power Limited
<u>Site</u>	Various lots in D.D. 31, Sha Lo Tung, Tai Po, New Territories
<u>Site Area</u>	About 12,726 m ²
<u>Lease</u>	Block Government Lease (demised for agricultural use, except Lot 758D for building use)
<u>Plan</u>	Approved Sha Lo Tung Outline Zoning Plan (OZP) No. S/NE-SLT/4
<u>Zonings</u>	“Conservation Area” (“CA”) (about 9,490 m ² or 75% of the Site) and “Site of Special Scientific Interest” (“SSSI”) (about 3,236 m ² or 25% of the Site)
<u>Application</u>	Proposed Nature Reserve (including Artificial Marsh and Eco-pond) and associated filling/excavation of land

1. Background

- 1.1 On 12.2.2019, the applicant sought planning permission for proposed nature reserve (including artificial marsh and eco-pond) and associated filling and excavation of land at the application site (the Site) (**Plan A-1**). According to the applicant, the proposed nature reserve within the “CA” portion of the Site includes an eco-pond and artificial marshes. Filling of land (up to 0.5 m in height) will be carried out to repair or reconstruct earth bunds for those water retaining/ irrigation features of the previous paddy fields that are damaged or buried. Excavation of top soil (up to 0.4m in depth) will also be carried out to create depressions for water storage. For the “SSSI” portion of the Site, no filling or excavation of land is proposed.

- 1.2 On 12.4.2019, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer a decision on the application for two months, as requested by the applicant, to allow time for preparation of further information (FI) in responses to the departmental comments. On 16.5.2019, the applicant submitted FI providing response to departmental comments with a set of revised technical assessments. The application is scheduled for consideration by the Committee on 5.7.2019.

2. Request for Deferment

On 2.7.2019, the applicant wrote to the Secretary of the Board and requested the Board to further defer making a decision on the application for another two months so as to allow more time for preparation of FI providing responses to address departmental and public comments (**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 more time to address departmental comments. Since the first deferment on 12.4.2019, the applicant has submitted FI providing responses to departmental comments with a set of revised technical assessments. In view of the need to provide more information in response to the departmental comments as well as public comments received on the FI submitted, the applicant needs more time for the preparation of FI in support of the application.
- 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 and public 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. The applicant should be advised that the Committee has allowed two months for preparation of submission of FI. Since it is the second deferment of the application, the applicant should be advised that the Board 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 Email dated 2.7.2019 from the applicant
Plan A-1 Location plan

**PLANNING DEPARTMENT
JULY 2019**