

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/NE-TKLN/14

(For 3rd Deferment)

- Applicant** : Mr. LI Kin Hoi represented by Metro Planning and Development Company Limited
- Site** : Lots 777 (Part) and 969 (Part) in D.D. 78, Ta Kwu Ling North, New Territories
- Site Area** : 2,640 m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2
- Zoning** : “Agriculture” (“AGR”)
- Application** : Proposed Filling of Ponds for Permitted Agricultural Use

1. Background

The applicant seeks planning permission for proposed filling of ponds for permitted agricultural use at the application site (**Plan A-1**). On 21.12.2018 and 12.4.2019, 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 each, as requested by the applicant, to allow time for the applicant to prepare further information (FI) to address departmental comments. The applicant submitted FI on 27.5.2019. The application is scheduled for consideration by the Committee on 19.7.2019.

2. Request for Deferment

On 27.6.2019, a letter from the applicant’s representative to the Secretary of the Board was received requesting the Board to defer making a decision on the application for another two months in order to allow more time to prepare FI to address the comments of Drainage Services Department (DSD) (**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 more time to address departmental comments. The applicant has demonstrated efforts in preparing FI including revised drainage proposals in support of the application.
- 3.2 Since the last deferment in April 2019, the applicant's representative submitted a responses-to-comments table and revised drainage proposals to address the comments of Lands Department and DSD. Nevertheless, there are still further comments on the drainage impact arising from the proposed pond filling works. More time is required by the applicant to prepare FI to address the further departmental comments from DSD on the application.
- 3.3 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 prepare FI to address the departmental comments, the deferment period is not indefinite, and the deferment would not affect the interests of other relevant parties.
- 3.4 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 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 third deferment of the application, the applicant should be advised that the Board 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 for the Committee's consideration at the next meeting.

5. Attachments

Appendix I	Letter received on 27.6.2019 from the applicant's representative
Plan A-1	Location Plan