

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM/532
(for 3rd deferment)

<u>Applicant</u>	Fill Year Ltd. and Heatex Ceramic Ltd. represented by Llewelyn-Davies Hong Kong Ltd.
<u>Site</u>	Lots 398 RP, 406 RP, 407, 408 RP, 409, 410 RP, 411 RP, 412 S.B, 412 RP, 413, 442 RP, 443 RP, 444, 445 S.A, 445 RP, 446 S.A, 446 RP, 447, 448, 449, 450, 451, 453(part), 454, 455, 456, 457, 458, 459(part), 462(part), 464 RP and 466 RP in D.D. 374 and Lots 248 RP, 249 S.A RP, 249 S.B, 250 RP, 251, 253(part), 255 RP(part) in D.D. 375 and adjoining Government land, So Kwun Wat, Area 56, Tuen Mun
<u>Site Area</u>	About 22,165m ² (including about 5,699m ² of Government land)
<u>Land Status</u>	Block Government Lease (demised for agricultural use)
<u>Plan</u>	Draft Tuen Mun Outline Zoning Plan (OZP) No. S/TM/34 (at the time of submission) Approved Tuen Mun OZP No. S/TM/35 (currently in force. The zoning and development restrictions for the Site remain unchanged)
<u>Zoning</u>	“Comprehensive Development Area (3)” (“CDA(3)”) [Restricted to a maximum plot ratio (PR) of 2.6 and a maximum building height (BH) of 79mPD]
<u>Application</u>	Proposed Comprehensive Residential Development

1. Background

- 1.1 The application site (the Site) (**Plan A-1**) was the subject of a s.12A application (No. Y/TM/16) submitted by the same applicant for rezoning the site from “CDA” to “CDA(3)” to increase the development intensity of the Site for a comprehensive residential development with PR of 2.6 and maximum BH of 79mPD. Application No. Y/TM/16 was agreed by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) on 4.9.2015.

- 1.2 On 3.11.2017, the draft Tuen Mun OZP No. S/TM/34 (the draft OZP) incorporating amendments mainly for rezoning 6 sites for housing purpose and other amendments including rezoning the Site to “CDA(3)” to reflect the Committee’s decision on the s.12A Application No. Y/TM/16 was gazetted on 3.11.2017. Adverse representations on the amendment item relating to the Site were received. After hearing the representations and comments, the Board in October 2018 decided not to uphold the representations. The draft OZP was subsequently approved by the Chief Executive in Council (CE in C) and the approved Tuen Mun OZP No. S/TM/35 was exhibited on 21.12.2018 for public inspection under section 9(5) of the Ordinance.
- 1.3 On 24.8.2018, the applicant submitted a Master Layout Plan to the Board under Section 4A(2) of the Town Planning Ordinance for planning permission for a comprehensive residential development with PR of 2.6 and maximum BH of 79mPD at the Site. The application was originally scheduled for consideration by the Committee on 19.10.2018, however, as the Site was subject to outstanding adverse representations yet to be submitted to the CE in C for consideration, the Committee agreed on 19.10.2018 to defer making a decision on the application, as recommended by the Planning Department, and that the application should be submitted for the Board’s consideration after the CE in C considered the draft OZP and the representations.
- 1.4 On 1.2.2019, the Committee of the Board decided to defer a decision on the application for two months as requested by the applicant, so as to allow sufficient time to address departmental comments. The applicant submitted further information on 8.2.2019 to reactivate the application and the application is scheduled for consideration by the Committee of the Board at this meeting.

2. **Request for Deferment**

On 12.3.2019, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for one month so as to allow time to address the departmental comments received (**Appendix I**).

3. **Planning Department’s Views**

- 3.1 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 more time is needed for the applicant to provide FI in response to departmental comments, the deferment period is not indefinite and the deferment would not affect the interest of other 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 two months upon receipt of further submission from the applicant. If the further information

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 a period of one month for preparation of submission of further information. Since it is the second deferment requested by the applicant and a total of three months have been allowed for the preparation of further information, 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. Attachment

Appendix I Letter dated 12.3.2019 from the applicant's representative requesting for deferment

Plan A-1 Location Plan

**PLANNING DEPARTMENT
MARCH 2019**