

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/KTN/72
(for 2nd Deferment)

<u>Applicant</u>	Mr. HUI Muk Fai represented by Man Chi Consultants and Construction Limited
<u>Site</u>	Government Land in D.D. 95, Kwu Tung North, New Territories
<u>Site Area</u>	2,117.8 m ²
<u>Lease</u>	Government land
<u>Plan</u>	Approved Kwu Tung North Outline Zoning Plan (OZP) No. S/KTN/2
<u>Zoning</u>	“Other Specified Uses” annotated “Business and Technology Park” (“OU(BTP)”) (about 63%); and an area shown as ‘Road’ (about 37%)
<u>Application</u>	Temporary Shop and Services and Open Storage (for Storage and Sale of Construction Materials, including Ancillary Office and Staff Accommodation) for a Period of 3 Years

1. Background

- 1.1 On 1.9.2020, the applicant submitted a planning application for temporary shop and services and open storage (for storage and sale of construction materials, including ancillary office and staff accommodation) for a period of 3 years at the application site (**Plan A-1**).
- 1.2 On 23.10.2020, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application for two months, as requested by the applicant, to allow time for the applicant to prepare further information (FI) to address departmental comments. Upon receipt of the applicant’s FI on 2.12.2020, the application is scheduled for consideration by the Committee on 22.1.2021.

2. Request for Deferment

On 6.1.2021, the applicant wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer the consideration of the application in order to allow two months’ time for the applicant to prepare further information to address the public comment (**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 time to address departmental comments. Since the first deferment on 23.10.2020, the applicant submitted FI on 2.12.2020. On 6.1.2021, the applicant wrote to the Board to request for a deferment of 2 months to allow more time to prepare FI to address the public comments.
- 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 further information in response to public comment, 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 information 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 two months for preparation of submission of further information. Since it is the second deferment, the applicant should also be advised that the Committee has allowed a total of four months for preparation of FI submission, 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. Attachment

- Appendix I** Letter dated 6.1.2021 from the applicant
- Plan A-1** Location Plan