

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/632
(3rd Deferment)

<u>Applicant</u>	:	Lotti Construction Materials Limited represented by Metro Planning and Development Company Limited
<u>Site</u>	:	Lots 431 (Part), 432 (Part), 433 S.B (Part) and 1739 RP (Part) in D.D. 107 and Adjoining Government Land, Fung Kat Heung, Yuen Long
<u>Site Area</u>	:	About 1,944m ² (including Government land of about 520m ²)
<u>Lease</u>	:	Block Government Lease (demised for agricultural use)
<u>Plan</u>	:	Approved Kam Tin North Outline Zoning Plan (OZP) No. S/YL-KTN/9
<u>Zoning</u>	:	“Other Specified Uses” annotated “Railway Reserve”
<u>Application</u>	:	Temporary Open Storage of Construction Machinery, Construction Materials and Ancillary Parking of Medium/Heavy Goods Vehicles and Container Trailers/Tractors for a Period of 3 Years

1. Background

- 1.1 On 11.9.2018, the applicant submitted the subject application to seek planning permission to use the application site (the Site) (**Plan A-1**) for temporary open storage of construction machinery, construction materials and ancillary parking of medium/heavy goods vehicles and container trailers/tractors for a period of 3 years.
- 1.2 On 2.11.2018, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application, as requested by the applicant, to allow two months’ time for the applicant to prepare further information (FI) to address comments of Transport Department (TD). Since the first deferment, the applicant has submitted FI including a traffic impact assessment (TIA) and responses on traffic arrangement to address TD’s comments.
- 1.3 On 22.2.2019, the Committee agreed to further defer a decision on the application, as requested by the applicant, to allow another two months’ time for preparation of FI to address TD’s comments. On 11.4.2019, the applicant submitted FI including responses on traffic arrangement with a revised swept

path analysis to address TD's comments. The application is scheduled for the Committee's consideration on 31.5.2019.

2. Request for Deferment

On 23.5.2019, the applicant's representative wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to further defer making a decision on the application so as to allow additional two months' time for preparation of FI to address TD's 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 more time to prepare FI to address TD's comments. Since the second deferment on 22.2.2019, the applicant submitted FI on 11.4.2019 including responses on traffic arrangement with a revised swept path analysis to address TD's comments. Nevertheless, the applicant explains that he needs more time to address TD's 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 prepare FI in response to departmental 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 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 Committee's consideration. The applicant should be advised that the Committee has allowed a further two months for the applicant to prepare the submission of FI. Since this is the third deferment, the applicant should also 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 for the Committee's consideration at the next meeting.

5. Attachments

Appendix I Letter dated 23.5.2019 from the applicant's representative requesting for deferment

Plan A-1 Location Plan

**PLANNING DEPARTMENT
MAY 2019**