

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTN/689
(3rd Deferment)

- Applicant** : Grand Access Inc. Limited represented by Metro Planning & Development Company Limited
- Site** : Lots 1640 (Part), 1644 (Part), 1645 S.A (Part), 1645 RP (Part) and 1647 (Part) in D.D. 107, Fung Kat Heung, Yuen Long
- Site Area** : About 3,630 m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin North Outline Zoning Plan No. S/YL-KTN/9
- Zoning** : “Agriculture”
- Application** : Proposed Temporary Shop and Services (Sale of Truck Mounted Crane and Miniature Excavator) for a Period of 3 Years

1. Background

- 1.1 On 22.10.2019, the applicant submitted the subject application to seek planning permission to use the application site (the Site) (**Plan A-1**) for proposed temporary shop and services (sale of truck mounted crane and miniature excavator) for a period of 3 years.
- 1.2 On 13.12.2019, 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 to address departmental comments. Subsequently, the applicant submitted further information to address departmental comments on 11.2.2020, 12.3.2020 and 19.3.2020.
- 1.3 On 26.5.2020, the Committee agreed to defer a decision on the application, as requested by the applicant, to allow two months’ time to address further comments from concerned departments. Subsequently, on 24.7.2020 and 31.8.2020, the applicant submitted further information including revised drainage proposal to address departmental comments. The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 7.9.2020, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application so as to allow two months' time for preparation of further information in response to further comments of the Drainage Services Department (**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. Since the last deferment on 26.5.2020, the applicant submitted further information on 24.7.2020 and 31.8.2020 including revised drainage proposal to address departmental comments. The applicant explains that more time is needed to address further departmental 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 further information in response to departmental comments, the deferment period is not indefinite and the deferment would not affect the interests of other relevant 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. Since it is the third deferment of the application, the applicant should be advised that the Committee has allowed a total of six months for preparation of submission of further information as requested by the applicant, 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 7.9.2020 from the applicant's representative requesting for deferment

Plan A-1 Location Plan

**PLANNING DEPARTMENT
SEPTEMBER 2020**