

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-KTS/827
(3rd Deferment)

- Applicant** : R-riches Property Consultants Limited
- Site** : Lot 350 D.D. 109 and adjoining Government Land, Kam Tin, Yuen Long
- Site Area** : 2,789m² (including about 579.4m² of Government land (21%))
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/15
- Zoning** : “Residential (Group C)” (“R(C)”)
[Maximum plot ratio of 0.8, maximum site coverage of 40%, maximum building height of 4 storeys (12m)]
- Application** : Proposed Temporary Shop and Services and Eating Place with Ancillary Facilities for a Period of 5 years

1. Background

- 1.1 On 18.7.2019, 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 and eating place with ancillary facilities for a period of 5 years.
- 12 On 6.9.2019, 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. On 18.9.2019, the applicant submitted further information including a new Sewage Impact Assessment (SIA) to address departmental comments.
- 13 On 15.11.2019, the Committee agreed to defer a decision on the application, as requested by the applicant, to allow two months’ time for the applicant to address further departmental comments. On 14.1.2020 and 21.2.2020, the applicant submitted further information including a revised SIA, trip generation and access arrangement in response to departmental comments. The application is scheduled for consideration by the Committee on 6.3.2020.

2. Request for Deferment

On 24.2.2020, the applicant wrote to the Secretary of the Town Planning Board (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 departmental comments (**Appendix I**).

3. Planning Department's Views

3.1 The application has been deferred twice for a total of four months upon the request of the applicant to allow more time for the applicant to address the departmental comments. Since the second deferment, the applicant submitted further information including a revised SIA and traffic arrangement on 14.1.2020 and 21.2.2020 to address departmental comments. The applicant explains that more time is needed to address further comments from relevant departments.

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.

3.3 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 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 Committee's consideration. 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 further information, 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 24.2.2020 from the applicant requesting for deferment
Plan A-1	Location Plan