

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKL/621

(For 3rd Deferment)

- Applicants** : Mr. LEUNG Kin Chung and Ms. YEUNG Kam Lai represented by Mr. PANG Chun Sing, George
- Site** : Lots 1504 S.B, 1505, 1506, 1509 RP and 1510 RP in D.D. 76 and adjoining Government Land, Sha Tau Kok Road – Ma Mei Ha, Ta Kwu Ling, New Territories
- Site Area** : About 2,980m² (including about 153m² of Government land)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP) No. S/NE-TKL/14
- Zoning** : “Agriculture” (“AGR”)
- Application** : Temporary Open Storage of Construction Materials for a Period of 3 Years

1. Background

- 1.1 The applicants seek planning permission for temporary open storage of construction materials for a period of three years (**Plan A-1**). On 16.8.2019 and 13.12.2019, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer making a decision on the application for two months each, as requested by the applicants, to allow time for preparation of further information (FI) to address the departmental comments.
- 1.2 On 13.2.2020, the applicants’ representative submitted a written justifications to address the comments of the Transport Department (TD). The application is scheduled for consideration by the Committee on 3.4.2020. In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 3.4.2020 for consideration of the application has been rescheduled, and the Board has agreed to defer consideration of the application. The application is now scheduled for consideration by the Committee at this meeting.

2. **Request for Deferment**

On 7.4.2020, the applicants' representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for another two months in order to allow time to prepare further information (FI) to address the departmental 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 applicants to allow time to address the departmental comments. The applicants has demonstrated efforts in preparing FI including technical assessments in support of the application.
- 3.2 Since the last deferment in December 2019, the applicants submitted written justifications to address TD's comments. Nevertheless, there are still further comments on the potential traffic impacts arising from the development. As such, the applicants need more time to prepare FI including traffic management measures to address further comments from TD.
- 3.3 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 to address the departmental comments, the deferment period is not indefinite, and the deferment would not affect the interests of other relevant parties.
- 3.4 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 the Committee's consideration. Since it is the third deferment of the application, the applicant should be advised that the Board 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 applicants' 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 7.4.2020 from the applicants' representative
Plan A-1	Location Plan