

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-LYT/723

(For 2nd Deferment)

- Applicant** : Shun Yu Development Consultant Limited represented by R-riches Property Consultants Limited
- Site** : Lot 926 (Part) in D.D. 83, Lung Ma Road, Fanling, New Territories
- Site Area** : About 498 m²
- Lease** : (a) Block Government Lease (demised for agricultural use); and
(b) Modification of Tenancy No. 34966 for erection of temporary structures for the purpose of dwelling and kitchen for Lot 926 in D.D. 83
- Plan** : Approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan (OZP) No. S/NE-LYT/17
- Zoning** : “Agriculture” (“AGR”)
- Application** : Temporary Eating Place (Canteen) for a Period of 3 Years

1. Background

- 1.1 The applicant seeks planning permission for a temporary eating place (canteen) for a period of three years at the application site (**Plan A-1**).
- 1.2 On 6.3.2020, 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, as requested by the applicant, to allow time for the applicant to prepare further information (FI) to address the departmental comments. On 6.5.2020, the applicant submitted FI involving response to departmental comments of Transport Department (TD) and Environmental Protection Department (EPD). The application is scheduled for consideration by the Committee on 26.6.2020.

2. Request for Deferment

On 17.6.2020, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for two months in order to allow time to prepare FI to address the comments from EPD (**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 more time to address the departmental comments. Since the last deferment on 6.3.2020, the applicant's representative submitted FI to address the comments from TD and EPD on 6.5.2020. Nevertheless, the applicant needs more time to prepare FI to address the further comments from EPD.
- 3.2 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.
- 3.3 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 the Committee's consideration. The applicant should be advised that the Committee has allowed a total of four 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 17.6.2020 from the applicant's representative
Plan A-1	Location Plan

**PLANNING DEPARTMENT
JUNE 2020**