

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKLN/23

(For 3rd Deferment)

- Applicant** : Bliss Achieve Limited represented by Man Chi Consultants and Construction Limited
- Site** : Lots 35 RP, 36, 42 RP, 43, 44, 45 RP, 59 RP and 64 S.B RP in D.D. 80, Lin Ma Hang Road, Pak Fu Shan, New Territories
- Site Area** : About 5,147 m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2
- Zoning** : “Recreation” (“REC”)
- Application** : Proposed Temporary Place of Recreation, Sports or Culture (Parent-Child Play Area), Eating Place, Shop and Services with Ancillary Car Park for a Period of 5 Years

1. Background

- 1.1 The applicant seeks planning permission to use the application site for proposed temporary place of recreation, sports or culture (parent-child play area), eating place, shop and services with ancillary car park for a period of five years (**Plan A-1**).
- 1.2 On 1.11.2019 and 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 each, as requested by the applicant, to allow time for the applicant to prepare further information (FI) to address departmental comments. The applicant submitted FI on 28.4.2020. The application is scheduled for consideration by the Committee on 26.6.2020.

2. Request for Deferment

On 8.6.2020, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for another two months in order to allow more time to prepare FI to address the comments from Transport 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. The applicant has demonstrated efforts in preparing FI including technical assessment in support of the application. Since the last deferment in March 2020, the applicant's representative submitted FI on 28.4.2020 including a response-to-comment table and a revised Traffic Impact Assessment to address the comments of TD. Nevertheless, there are still further comments on the potential traffic impacts arising from the proposed development. More time is required by the applicant to prepare FI to address the further departmental comments from TD on the application.
- 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. 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 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
Plan A-1

Letter dated 8.6.2020 from the applicant's representative
Location Plan

PLANNING DEPARTMENT
JUNE 2020