

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKLN/35

(For 2nd Deferment)

- Applicant** : Ho Nam Kai Tso represented by Man Chi Consultants and Construction Limited
- Site** : Lot 356 (Part) in D.D. 78, Tsung Yuen Ha, Ta Kwu Ling North, New Territories
- Site Area** : About 1,116.05 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** : “Village Type Development” (“V”)
- Application** : Proposed Temporary Eating Place, Shop and Services with Ancillary Office/Store Room and Car Park for a Period of 3 Years

1. Background

- 1.1. The applicant seeks planning permission for a proposed temporary eating place, shop and services with ancillary office/store room and car park for a period of 3 years at the application site (the Site) (**Plan A-1**).
- 1.2. On 10.7.2020, 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. The applicant submitted FI on 19.8.2020 including Traffic Impact Assessment and Drainage Impact Assessment to address the comments of Transport Department (TD) and Drainage Services Department (DSD). The application is scheduled for consideration by the Committee on 9.10.2020.

2. Request for Deferment

On 16.9.2020, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for two months in order to allow time to prepare FI to address the comments from TD (**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 10.7.2020, the applicant has submitted FI on 19.8.2020 to address the comments from TD and DSD. Nevertheless, the applicant needs more time to prepare FI to address further comments from TD.
- 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 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 second deferment of the application, 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 received on 16.9.2020 from the applicant's representative
Plan A-1	Location Plan

**PLANNING DEPARTMENT
OCTOBER 2020**