

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-NSW/273
(for 2nd Deferment)

- Applicant** : TANG Ching Cheung Carol represented by Metro Planning & Development Company Limited
- Site** : Lot 751 (Part) in D.D. 115, Castle Peak Road – Yuen Long Section, Yuen Long
- Site Area** : 2,488m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/8
- Zoning** : “Undetermined” (“U”)
- Application** : Proposed Temporary Eating Place and Shop and Services (Convenience Store) for a Period of 3 Years

1. Background

On 22.8.2019, the applicant submitted an application for proposed temporary eating place and shop and services (convenience store) for a period of 3 years at the application site (**Plan A-1**). On 18.10.2019, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) 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 (FI) to address departmental comments.

2. Request for Deferment

On 17.12.2019, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application in order to allow two months’ time for the applicant to complete the traffic and environmental studies to address the concerns of Transport Department (TD) and Environmental Protection Department (EPD) (**Appendix I**). According to the applicant, the studies will be completed in January 2020.

3. Planning Department's Views

- 3.1 The application has been deferred once for two months at the request of the applicant to allow two months' time for preparation of FI to address departmental comments. According to the applicant, since the first deferment on 18.10.2019, they have appointed traffic and environmental consultants to conduct study. However, more time is required to complete the studies to address comments of TD and EPD.
- 3.2 The Planning Department has no objection to the request for deferment as the justification for deferment meets 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 address 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 making a decision on the application, the application will be submitted to the Committee for consideration within two months upon receipt of FI 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 to the Committee for consideration at the next meeting.

5. Attachments

Appendix I	Letter dated 17.12.2019 from the applicant's representative
Plan A-1	Location Plan