

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/SK-SKT/20
(for 3rd Deferment)

- Applicant:** Albury Garden Investment Limited represented by Townland Consultants Limited
- Site:** Lot 1140 in D.D. 215, 1A Chui Tong Road, Sai Kung
- Site Area:** About 3,163 m²
- Land Status:** New Grant No. 9329 restricted for non-industrial (excluding residential, hotel, service apartment, petrol filling station and godown) purposes
- Plan:** Approved Sai Kung Town Outline Zoning Plan (OZP) No. S/SK-SKT/6
- Zoning:** “Other Specified Use” annotated “Commercial Development (with Multi-storey Vehicle Park)”
[restricted to a maximum gross floor area (GFA) of 23,722m², of which not less than 17,396m² shall be provided for ‘Public Vehicle Park’, and a maximum building height (BH) of 10 storeys (excluding basements)]
- Application:** Proposed Temporary Minor Relaxation of GFA Restrictions for a Period of 3 Years to Enable the Permitted Shop and Services Use

1. Background

- 1.1 On 9.5.2018, the applicant sought planning permission for temporary minor relaxation of GFA restrictions for a period of 3 years to enable the permitted shop and services use at the application site (the Site) (**Plan A-1**).
- 1.2 On 6.7.2018 and 21.9.2018, 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 address the departmental comments. The applicant submitted Further Information (FI) on 3.8.2018 and 3.10.2018. The application is scheduled for consideration by the Committee at this meeting.

2. **Request for Deferment**

On 31.10.2018, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for further two months so as to allow time for addressing departmental comments (**Appendix I**).

3. **Planning Department's Views**

- 3.1 The application has been deferred twice for two months each at the request of the applicant to allow time to address the departmental comments. Since the last deferment, the applicant has submitted FI including responses to comments with supplementary information on parking provisions. The applicant needs more time to resolve the departmental comments received.
- 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 address the comments from relevant government departments, 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 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. The applicant should be advised that the Committee has allowed a maximum period of two months for preparation of submission of FI. 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 to the Committee for consideration at the next meeting.

5. **Attachments**

Appendix I	Letter dated 31.10.2018 from the applicant's representative
Plan A-1	Location Plan

**PLANNING DEPARTMENT
NOVEMBER 2018**