

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKLN/36

(For 2nd Deferment)

- Applicant** : Allied Treasure Development Limited represented by Top Bright Consultants Limited
- Site** : Lots 377, 380 S.A, 380 S.B, 380 S.C and 380 RP in D.D. 78 and Lot 61 S.B RP in D.D. 80, Lin Ma Hang Road, Ta Kwu Ling North, New Territories
- Site Area** : About 1,901 m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ta Kwu Ling North Outline Zoning Plan (OZP) No. S/NE-TKLN/2
- Zonings** : (i) “Village Type Development” (“V”) (about 61.3% of the Site)
(ii) “Recreation” (“REC”) (about 38.7% of the Site)
- Application** : Proposed Temporary Shop and Services (Convenience Store) with Ancillary Site Office and Public Vehicle Park (Private Car) for a Period of 3 Years

1. Background

- 1.1. On 3.8.2020, the applicant submitted a planning application for a proposed temporary shop and services with ancillary office and public vehicle park (private car) for a period of 3 years at the application site (the Site) (**Plan A-1**).
- 1.2. On 18.9.2020, 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 20.10.2020 including response-to-comments table and revised layout plan to address the comments of Transport Department (TD) and Highways Department (HyD). The application is scheduled for consideration by the Committee on 18.12.2020.

2. Request for Deferment

On 9.12.2020, 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 departmental comments (**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 18.9.2020, the applicant has submitted FI on 20.10.2020 to address the comments from TD and HyD. 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 9.12.2020 from the applicant's representative
Plan A-1	Location Plan