

**APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. A/ST/935
(for 2nd Deferment)

<u>Applicant</u>	NG Sin Yee represented by WONG Chi Wing
<u>Premises</u>	G/F of Podium B (Portion), Julimount Garden, 1-5 Hin Tai Street, Sha Tin, N.T.
<u>Floor Area</u>	453.08m ² (about)
<u>Lease</u>	(a) STTL 167 R.P. (New Grant No. 11663) (b) modified by two Modification Letters dated 28.9.1985 and 7.5.1986 (c) restricted to be used as “supermarket and/or retail shops”
<u>Plan</u>	Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/33
<u>Zoning</u>	“Residential (Group B)” (“R(B)”)
<u>Application</u>	Proposed School (Kindergarten/Nursery)

1. The Proposal

- 1.1 On 8.9.2017, the applicant seeks planning permission for a proposed kindergarten cum nursery at the application premises which falls within an area zoned “R(B)” on the draft Sha Tin OZP No. S/ST/33 (**Plans A-1 and A-2**).
- 1.2 On 27.10.2017, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application for two months as requested by the applicant to allow time to prepare further information (FI) to address the comments raised by Transport Department (TD). On 27.12.2017, the applicant submitted FI including a traffic impact assessment (TIA). The application is rescheduled for consideration by the Committee on 9.2.2018.

2. Request for Deferment

On 25.1.2018, the applicant’s representative wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the application for two months so as to allow time for preparation of supporting documents to address the outstanding comments of TD on the TIA (**Appendix I**).

3. Planning Department's View

- 3.1 The application has been deferred once for two months at the request of the applicant to allow more time to prepare FI to address the comments raised by TD. Since the first deferment on 27.10.2017, the applicant has submitted FI including a TIA to address TD's comment. However, the applicant needs more time to prepare supporting documents to address TD's outstanding comments on the TIA.
- 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 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. The applicant should be advised that the Committee has allowed a period of two months for preparation of submission of FI. Since it is the second deferment of the application and the Committee has allowed a total of four months including the previous deferment for preparation of submission of FI, 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 25.1.2018 from the applicant's representative
Plan A-1	Location plan
Plan A-2	Site plan

**PLANNING DEPARTMENT
FEBRUARY 2018**