

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKLN/50

(for 2nd Deferment)

<u>Applicant</u>	: Mr. YE Jie represented by Metro Planning & Development Company Limited
<u>Site</u>	: Lot 77 in D.D.82, Lin Ma Hang Road, New Territories
<u>Site Area</u>	: About 320m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Ta Kwu Ling North Outline Zoning Plan No. S/NE-TKLN/2
<u>Zoning</u>	: “Recreation” (“REC”)
<u>Application</u>	: Proposed Temporary Shop and Services (Convenience Store) for a Period of Three Years

1. Background

- 1.1 On 16.11.2022, the applicant submitted the current application to seek planning permission for a proposed temporary shop and services (convenience store) for a period of three years at the application site (the Site) (**Plan A-1**).
- 1.2 On 13.1.2023, 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 to prepare further information (FI) to address departmental comments.
- 1.3 On 24.2.2023, the applicant submitted FI to address departmental comments.

2. Request for Deferment

On 12.4.2023, the applicant’s representative wrote to the Secretary of the Board to request for deferred consideration of the application for two months in order to allow time to prepare FI to

address further departmental comments (**Appendix I**).

3. Planning Department's Views

- 3.1 Planning Department has no objection to the request for the second 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. 33A) in that the deferment would allow the applicant more time to prepare FI in response to departmental comments, the deferment period is not indefinite, and the deferment would not affect the interests of other relevant parties.
- 3.2 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 applicants. 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 total of four months for preparation of FI submission. The second deferment should be the last deferment and no further deferment would be granted unless under very special circumstances and supported with strong justifications.

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	Email received on 12.4.2023 from the applicant's representative
Plan A-1	Location Plan

**PLANNING DEPARTMENT
APRIL 2023**