

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATIONS NO. A/NE-TK/764
(for 2nd Deferment)

- Applicant** : Ms. So Kim Fung represented by Toco Planning Consultants Limited
- Site** : Lot 327 S.B (Part) in D.D. 28 and adjoining government land, Lung Mei, Tai Po
- Site Area** : About 166.3m² (including about 93.9m² of government land)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19
- Zoning** : “Village Type Development” (“V”)
- Application** : Temporary Eating Place (Extension and Outside Seating Accommodation (OSA) of a Restaurant) for a Period of 3 Years

1. Background

- 1.1 On 26.9.2022, the applicant submitted the current application to seek planning permission for temporary eating place (extension and OSA of a restaurant) at the subject site (**Plan A-1**).
- 1.2 On 25.11.2022, 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 and public comments.
- 1.3 On 19.1.2023, the applicant submitted FI to address departmental and public comments.

2. Request for Deferment

On 6.3.2023, 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 comments of the Lands Department (**Appendix I**).

3. Planning Department's Views

- 3.1 The 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 to prepare FI to address outstanding issues.
- 3.2 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 could 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 the submission of FI. 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 to the Committee for consideration at the next meeting.

5. Attachments

Appendix I
Plan A-1

Letter dated 6.3.2023 from the applicant's representative
Location Plan

PLANNING DEPARTMENT
MARCH 2023