

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/ST/1031

(for 2nd Deferment)

<u>Applicant</u>	: Tao Heung Management Limited represented by Aikon Development Consultancy Limited
<u>Premises</u>	: Portion of Ground Floor of an Existing Building known as Tao Miao Institute, No.13 Au Pui Wan Street, Fo Tan, Sha Tin, New Territories
<u>Floor Area</u>	About 710m ²
<u>Lease</u>	: (a) Lot No. 750RP in D.D. 176 and the Extension thereto (New Grant No. 9455) (b) Restricted to industrial purposes excluding offensive trade (c) Special Waiver Letter issued in 2012: Educational Institution for providing post-secondary educational courses and programmes in relation to the catering industry
<u>Plan</u>	: Approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/38
<u>Zoning</u>	: “Industrial”
<u>Application</u>	: Eating Place (Restaurant)

1. Background

- 1.1 On 20.8.2024, the applicant submitted the current application to seek planning permission for eating place (restaurant) use at the subject premises (**Plan A-1**).
- 1.2 On 4.10.2024, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer making a decision on the applications for two months, as requested by the applicant, to allow time for preparation of further information (FI) to address departmental comments.
- 1.3 On 8.11.2024 and 4.12.2024, the applicant submitted two sets of FIs to address departmental comments. The application is scheduled for consideration by the Committee at this meeting.

2. **Request for Deferment**

On 3.1.2025, 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 more time for preparation of FI to address departmental comments (**Appendix I**).

3. **Planning Department's View**

3.1 The Planning Department has no objection to the request for the second deferment as the justification for deferment meets the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33B) 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 3.1.2025 from the applicant's representative
Location plan

PLANNING DEPARTMENT
JANUARY 2025