

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM-LTYT/446
(for 2nd Deferment)

- Applicant** : Sunny Gainer Investment Limited represented by R-riches Property Consultants Limited
- Site** : Lots 812 S.A RP (Part), 812 S.B RP and 813 RP in D.D. 130, Fuk Hang Tsuen Road, Lam Tei, Tuen Mun, New Territories
- Site Area** : 1,621 m² (about)
- Land Status** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTYT/12
- Zoning** : “Residential (Group C)”
[Restricted to a maximum plot ratio of 0.4 and a maximum building height of 3 storeys (9m)]
- Application** : Temporary Shop and Services with Ancillary Office for a Period of 3 Years

1. Background

- 1.1 On 19.12.2022, the applicant sought planning permission for temporary shop and services with ancillary office for a period of three years at the application site (the Site) (**Plan A-1**).
- 1.2 On 17.2.2023, 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 The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

The representative of the applicant submitted FIs in response to departmental comments on 3.3.2023 and 21.3.2023. On 3.4.2023, 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 for preparation of FI to address departmental comments (**Appendix I**).

3. Planning Department's Views

- 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, 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 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 submission of FI, 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	Letter of 3.4.2023 from the applicant's representative
Plan A-1	Location Plan

**PLANNING DEPARTMENT
APRIL 2023**