

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K15/119
(for 3rd Deferment)

- Applicant** : Charm Smart Development Limited, Glory Mission Development Limited, Hoover (China) Limited and Lucken Limited represented by Planning Team Limited
- Site** : Yau Tong Inland Lots (YTILs) 4 s.B and 9, Yau Tong Marine Lot (YTML) 57 and adjoining Government Land, Tung Yuen Street, Yau Tong, Kowloon
- Site Area** : About 12,430 m² (including about 681m² (about 5.5%) of Government Land)
- Lease** : YTIL 4B
Restricted to industrial and/or godown purposes excluding offensive trade with a GFA restriction of 43,503m²
- YTIL 9
Restricted to industrial and/or godown purposes with a building height (BH) restriction of 100ft Principal Datum (PD)
- YTML 57
Restricted to industrial and/or godown purposes with a BH restriction of 100ft PD
- Plan** : Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan (OZP) No. S/K15/25 (currently in force)
- Draft Cha Kwo Ling, Yau Tong, Lei Yue Mun OZP No. S/K15/24 (in force at time of submission)
- [Zoning and development restrictions of the site remain unchanged on current OZP.]
- Zoning** : “Comprehensive Development Area (3)” (CDA(3)) and ‘Road’
- [Subject to maximum BHs of 80 metres above Principal Datum (mPD) for waterfront portion and 100 mPD for the rest of the “CDA(3)” zone]
- Application** : Proposed Flat (Comprehensive Residential Development)

1. **Background**

On 13.12.2016, the applicant submitted an application to seek planning permission to use the application site (**Plan A-1**) for 'Proposed Flat (Comprehensive Residential Development)' use. On 3.2.2017, the Metro Planning Committee (the Committee) agreed to defer a decision on the application for two months, as requested by the applicant, to allow time for the applicant to prepare further information (FI) to address the comments from relevant government departments. On 30.3.2017 and 31.3.2017, the applicant submitted FI. On 26.5.2017, the Committee agreed to defer decision on the application for two months, as requested by the applicant, to allow time for the applicant to prepare FI to address the comments from relevant government departments. Subsequently, FIs were submitted by the applicant on 26.7.2017, 13.9.2017, 25.10.2017 and 15.11.2017. The application is scheduled for consideration by the Committee on 12.1.2018.

2. **Request for Deferment**

On 4.1.2018, the applicant's agent 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 FI to address the comments of Environmental Protection Department, Transport Department and Leisure and Cultural Services Department. (**Appendix I (a)**) On 5.1.2018, the applicant's agent submitted a clarification letter clarifying the requested deferment period. (**Appendix I (b)**)

3. **Planning Department's Views**

- 3.1 The application has been deferred twice for four months in total at the request of the applicant to allow more time to address the departmental comments. Since the second deferment, the applicant has submitted FIs including responses to departmental comments, new and revised technical assessments, urban design proposal and revised Master Layout Plan to address departmental comments. However, further comments on the submitted information were received from the Environmental Protection Department, Transport Department and Leisure and Cultural Services Department, and the applicant needs more time to prepare FI to address the air, noise and other concerns.
- 3.2 The Planning Department has no objection to the request for 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. 33) in that the applicant needs more time to prepare FI in response to departmental comments, the deferment period is not indefinite and the deferment would not affect the interest of other relevant parties.
- 3.3 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 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 six months for preparation of submission of FI, and 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 (a) Letter dated 4.1.2018 from the applicant's agent

Appendix I (b) Clarification letter dated 5.1.2018 from the applicant's agent

Plan A-1 Location Plan

**PLANNING DEPARTMENT
JANUARY 2018**