

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K12/42
(for 1st Deferment)

- Applicant** : Best Power (Asia) Limited and Jumbo Power Enterprises Limited represented by Ove Arup & Partners Hong Kong Limited
- Site** : 35 Clear Water Bay Road, Ngau Chi Wan
- Site Area** : 22,373m² (about)
- Lease** : (a) Lot Nos. 1904, 1905, 1906 s.A, 1906 RP, 1907 s.C and 1907 RP in Survey District No. 2 and some adjoining Government land
(b) Lot Nos. 1907 s.C and 1907RP are new grant lots subject to maximum height restriction of 2 storeys
- Plan** : Approved Ngau Chi Wan Outline Zoning Plan No. S/K12/16
- Zoning** : “Comprehensive Development Area” (“CDA”)
[Maximum plot ratio of 7.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic]
- Application** : Proposed Flat, Shop and Services, Eating Place, School (Kindergarten), Social Welfare Facility (Residential Care Home for the Elderly) and Public Vehicle Park (Light Goods Vehicle)

1. Background

On 20.1.2021, the applicant submitted an application to seek planning permission under s.16 of the Town Planning Ordinance (the Ordinance) for proposed flat, shop and services, eating place, school (kindergarten), social welfare facility (residential care home for the elderly) and public vehicle park (light goods vehicle) at the application site (the Site) (**Plan A-1**). The application is scheduled for consideration by the Metro Planning Committee (the Committee) of the Town Planning Board (the Board) at this meeting.

2. Request for Deferment

On 25.2.2021, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for a period of two months in order to allow more time for preparation of further information (FI) to address the comments from various government departments (**Appendix I**).

3. Planning Department's Views

- 3.1 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 Ordinance (TPB PG-No. 33) in that the applicant needs more time to prepare FI to address departmental comments, the proposed deferment period is not indefinite and the deferment would not affect the interest 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 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 two 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. Attachment

Appendix I Letter dated 25.2.2021 from the applicant's representative requesting for deferment

Plan A-1 Location plan

**PLANNING DEPARTMENT
MARCH 2021**