

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/KC/484
(for 3rd Deferment)

- Applicant** : EDS V (HK) Limited represented by Llewelyn-Davies Hong Kong Limited
- Site** : 57-61 Ta Chuen Ping Street, Kwai Chung
(Remaining Portion of Section E of Lot No. 277 in D.D. 444 and the Extension thereto)
- Site Area** : About 2,261m²
- Lease** : (a) held under New Grant No. 3491 as varied by an Extension Letter dated 28.7.1964 and a Modification Letter dated 24.12.1964
(b) to be expired on 30.6.2047
(c) for industrial purposes only
(d) no building shall be erected on the Lot except a factory, ancillary offices and such quarters as may be required for watchmen or caretakers
- Plan** : Draft Kwai Chung Outline Zoning Plan No. S/KC/29
- Zoning** : “Other Specified Uses” annotated “Business” (“OU(B)”)
(a) maximum plot ratio (PR) of 9.5
(b) maximum building height of 130 metres above Principal Datum
(c) a minimum 3.5m wide non-building area from the lot boundary abutting Ta Chuen Ping Street
- Application** : Proposed Minor Relaxation of PR Restriction for Permitted Information Technology and Telecommunications Industries (Data Centre)

1. Background

- 1.1 On 23.9.2021, the applicant submitted the current application to seek planning permission for proposed minor relaxation of PR restriction for permitted

information technology and telecommunications industries (data centre) at the subject site (**Plan A-1**).

- 1.2 On 12.11.2021, the Metro Planning Committee (the Committee) agreed to defer making a decision on the application as requested by the applicant, to allow more time to address comments from relevant Government departments. On 26.11.2021, the applicant submitted further information including revised Traffic Impact Assessment and Sewerage Impact Assessment, updated floor plan and development schedules to address departmental comments and public comments.
- 1.3 On 14.1.2022, the Committee agreed on 14.1.2022 for the second time to defer making a decision as requested by the applicant, to allow sufficient time to review the layout design of the proposed development to accommodate the technical requirements on various aspects. While the Applicant has not submitted further information after the second deferral, he advised that his consultant has been working closely with the relevant parties since then with a view to finalising the layout design, particularly on the location/size of transformer room, electrical and mechanical design and alignment of cable connection in support of the proposed data centre. Liaison meetings and workshops have been arranged mainly with the CLP Power Hong Kong Limited to sort out the issues in question but yet the layout design is yet to be finalised.
- 1.4 The application is scheduled for consideration by the Committee at this meeting.

2. **Request for Deferment**

On 14.3.2022 and 30.3.2022, the Applicant's representative wrote to the Secretary, Town Planning Board (the Board) and requested the Board to further defer making a decision on the application for a period of two months in order to allow sufficient time to thoroughly review the layout design, in particular on the provision of transformer room to support the proposed data centre. The Applicant indicated that great difficulties had been encountered in conducting further discussion with relevant parties due to the recent epidemic situation of COVID-19 and tightened social distancing measures as stated in paragraph 2 and paragraph 3 of their letters dated 14.3.2022 and 30.3.2022 respectively (**Appendices I & Ia**). The Applicant also indicated that the agreement of relevant parties on the layout design would be fundamental for the implementation and smooth operation of the proposed development at subsequent stages. The layout design issue would affect the feasibility of the proposal as well as the final ingress/egress and parking arrangement.

3. **Planning Department's Views**

- 3.1 The Planning Department has no objection to the request for the third 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 sufficient time for the applicant to resolve the outstanding technical issues. In view of the recent situation of COVID-19, it is considered that the need for a longer time to resolve the relevant technical issues may not be unreasonable.

- 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 further submission from the applicant. If the further information 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 six months for preparation of the submission of further information. This is the third deferment. No further deferment would be granted.

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 for the Committee's consideration at the next meeting.

5. Attachments

Appendix I	Letter from Applicant's Representative dated 14.3.2022
Appendix Ia	Letter from Applicant's Representative dated 30.3.2022
Plan A-1	Location Plan

**PLANNING DEPARTMENT
APRIL 2022**