

APPLICATION FOR AMENDMENT OF PLAN
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. Y/H12/2
(for 1st deferment)

<u>Applicant</u>	Sustaina Limited represented by KTA Planning Limited
<u>Plan</u>	Approved Mid-Levels East Outline Zoning Plan (OZP) No. S/H12/12
<u>Application Site</u>	15 and 24 Stubbs Road, 7 Tung Shan Terrace and adjoining Government land (GL), Mid-levels East, Hong Kong
<u>Site Area</u>	about 3,970m ²
<u>Land Status</u>	<p>IL2939 (about 827m²)</p> <p>(a) Cannot erect more than one house of European type</p> <p>(b) Maximum building height (BH) of 35 feet (i.e. 10.67m)</p> <p>IL2958 (about 778m²)</p> <p>(a) A school dormitory to be used solely in connection with Lingnan Middle School</p> <p>(b) Building area not exceeding 45%</p> <p>(c) Not exceed 4 storey in height (two basement floors permitted in addition to the 4 storey)</p> <p>IL8371 (about 2,044m²)</p> <p>(a) Private residential purposes</p> <p>(b) Maximum roofed over area not exceeding 55% of area of the lot</p> <p>(c) Maximum BH of 35 feet (i.e. 10.67m)</p> <p>Unleased and Unallocated GL (UUGL) (about 321m²)</p>
<u>Zoning</u>	<p>“Residential (Group C)1” (“R(C)1”) (about 2,372m² or 60%);</p> <p>[No development shall result in a development and/or redevelopment in excess of the height of the existing building or a maximum BH of 10.67m whichever is higher. The maximum BH for all building development should be measured from the existing mean site formation level and should not exceed 4 storeys including carports.]</p> <p>“Government, Institution or Community(4)” (“G/IC(4)”) (about 1,520m² or 38%); and</p> <p>[No development shall result in a development and/or redevelopment in excess of the height of the existing building or a maximum BH of 120mPD whichever is higher.]</p> <p>“Green Belt” (“GB”) (about 78m² or 2%)</p>
<u>Proposed Amendments</u>	To rezone the application site (the Site) to “Residential (Group C)3” (“R(C)3”)

1. The Proposal

- 1.1 On 16.6.2022, the Town Planning Board (the Board) received a planning application to seek planning permission to rezone the application site (**Plan Z-1**) from “R(C)1”, “G/IC” and “GB” to “R(C)3” with maximum BHRs of 104mPD, 120mPD, 125mPD and 134mPD within sub-areas A to D, respectively, on the approved Mid-Levels East OZP No. S/H12/12 to facilitate a proposed residential development and residential care homes for the elderly (RCHE) at the Site. The application is scheduled for consideration by the Metro Planning Committee (the Committee) at this meeting.

2. Request for Deferment

- 2.1 On 3.2.2023, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for a period of one month in order to allow sufficient time for the applicant to address comments raised by the Drainage Services Department (**Appendix I**).

3. Planning Department’s Views

- 3.1 The Planning Department has no objection to the request for first 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 further information (FI) to address relevant government departments’ comments, the deferment period is not indefinite, and the deferment would not affect the interests of other relevant parties.
- 3.2 Should the Committee agree to defer a decision on the application, the application will be submitted to the Committee for consideration within three 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 one month 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

Letter dated 3.2.2023 from the applicant’s representative

Plan Z-1

Location Plan

**PLANNING DEPARTMENT
FEBRUARY 2023**