

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM/573
(for 2nd Deferment)

<u>Applicant</u>	:	Ideal Star Group Limited represented by Pegasus Design & Build Limited
<u>Application Site</u>	:	3 Kin Tai Street, Tuen Mun, New Territories
<u>Site Area</u>	:	About 1,382 m ²
<u>Lease</u>	:	New Grant No. 2188 (i) User: industrial and/or godown purposes (excluding offensive trades) (ii) Type of building: factory(s) and/or warehouses(s), ancillary offices and such quarters as may be required for watchmen or caretakers
<u>Plan</u>	:	Approved Tuen Mun Outline Zoning Plan (OZP) No. S/TM/35 (at the time of submission) Draft Tuen Mun OZP No. S/TM/36 (currently in force)
<u>Zoning</u>	:	“Other Specified Uses” annotated “Business” (“OU(B)”) <i>[Restricted to a maximum plot ratio (PR) of 9.5 (including not more than a plot ratio of 1.0 for ‘Shop and Services’ and ‘Eating Place’) and a maximum building height (BH) of 100mPD, or the PR/BH of the existing building, whichever is the greater]</i> [no change in zoning on the OZP]
<u>Application</u>	:	Proposed Minor Relaxation of PR Restriction for Permitted Information Technology and Telecommunications Industries Use (Data Centre)

1. Background

- 1.1 On 30.5.2022, the applicant sought planning permission for minor relaxation of PR restriction from 9.5 to 11.4 (i.e. +20%) for redevelopment of the existing industrial building (IB) for permitted ‘Information Technology and Telecommunications Industries’ use at the application site (the Site) (**Plan A-1**).
- 1.2 On 9.9.2022, 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 On 9.11.2022 and 21.12.2022, the applicant submitted FI to address departmental comments. The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 9.2.2023, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for two months in order to allow time to prepare 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 applicant needs more time to prepare FI to address departmental 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 two months upon receipt of further submission from the applicant. If the FI 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 four months for preparation of submission of FI. The second deferment should be the last deferment 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 applications will be submitted for the Committee's consideration at the next meeting.

5. Attachments

Appendix I	Letter dated 9.2.2023 from the applicant's representative
Plan A-1	Location Plan

**PLANNING DEPARTMENT
FEBRUARY 2023**