

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

APPLICATION NO. Y/H15/12
(for 2nd deferment)

- Applicant** : Tendo Limited represented by Masterplan Limited
- Plan** : Draft Aberdeen & Ap Lei Chau Outline Zoning Plan (OZP) No. S/H15/32 (in force during submission of application)
- Approved Aberdeen & Ap Lei Chau OZP No. S/H15/33 (gazetted on 31.8.2018)
- Site** : 111 Lee Nam Road, Ap Lei Chau
- Site Area** : 5,538m² (about)
- Lease** : Ap Lei Chau Inland Lot No. 124
- (i) User: “Industrial or Godown or both”, and portions of 5/F of the lot are restricted for the purpose of a “data centre” by the Waiver Letter dated 22.1.2014
- Zoning** : “Other Specified Uses” annotated “Business (3)” (“OU(B)3”)
- (a) restricted to a maximum building height (BH) of 100mPD, or the height of the existing building, whichever is the greater
- Proposed Amendment** : To rezone the application site from “OU(B)3” to “Residential (Group E)” (“R(E)”) with a maximum BH restriction of 100mPD

1. Background

- 1.1 On 13.4.2018, the Town Planning Board (the Board) received an application for rezoning the application site from “OU(B)3” to “R(E)” (**Plan Z-1**).
- 1.2 On 21.6.2018, the applicant’s representative wrote to the Secretary of the Board requesting the Metro Planning Committee (the Committee) to defer making a decision on the application for two months to allow time for preparation of further information (FI) to address the departmental comments and public comments. On 6.7.2018, the Committee agreed to defer a decision on the application for two months as requested by the applicant.

1.3 On 24.8.2018, the applicant submitted FI and the application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 1.11.2018, the applicant's representative wrote to the Secretary of the Board requesting the Board to defer making a decision on the application for two months so as to allow time for the applicant to prepare technical details and responses to relevant government departments' comments (**Appendix I**).

3. Planning Department's Views

3.1 The application has been deferred once for two months at the request of the applicant to allow more time to address the departmental and public comments. Since the first deferment on 6.7.2018, the applicant has submitted FI including new Vacancy Survey Report and revised technical assessment reports to address departmental and public comments. The applicant needs more time to address further comments from concerned departments.

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 to respond to relevant government departments, the deferment period is not indefinite, and the deferment would not affect the interests 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 three months upon receipt of FI from the applicant. The applicant should be advised that the Committee has allowed a further period of two months for preparation of FI. 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. Since it is the second deferment, the applicant should be advised that the Committee has allowed a total period of four months for preparation 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 from the applicant's representative dated 1.11.2018
Plan Z-1	Location plan