

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K11/233
(for 1st Deferment)

- Applicant** : Superb Leading Limited represented by Ove Arup & Partners Hong Kong Limited
- Site** : No. 1 Tsat Po Street, San Po Kong, Kowloon
- Site Area** : 1,386.1m²
- Lease** : New Kowloon Inland Lot (NKIL) No. 4410 s.A and 4410 RP (the Lot)
- (a) Restricted for industrial purposes excluding any offensive trades
 - (b) No part of any structure shall exceed a height of 300 ft (i.e. about 91.44m) above Principal Datum
 - (c) The area coloured red hatched black (i.e. the strip of land abutting the back lane to the northeast of the site) shall only be used for the parking, loading and unloading of motor vehicles
 - (d) No building or support for any building shall be erected at ground floor level on the area coloured red hatched black on the plan
 - (e) Buildings at first floor level and above may however be erected over the areas of red hatched black on the plan, provided that there is a clear space extending upwards from the ground level to a height of 15 feet (i.e. about 4.572m).
- Plan** : Approved Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan (OZP) No. S/K11/29
- Zoning** : “Other Specified Uses” annotated “Business” (“OU(B)”)
- (a) Maximum plot ratio (PR) of 12.0 and maximum building height (BH) of 120 meters above Principal Datum (mPD), or the PR and height of the existing building, whichever is the greater
 - (b) A minimum of 1.5m wide “non-building area” (“NBA”) from the lot boundary abutting Sam Chuk Street and Tsat Po Street shall be provided within this zone.
 - (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR/BH restrictions stated in the Notes of the OZP may be considered by the Town Planning Board (the Board) on

application under s.16 of the Town Planning Ordinance (the Ordinance)

Application : Proposed Minor Relaxation of PR Restriction for Permitted Non-Polluting Industrial Use (excluding industrial undertakings involving the use/storage of dangerous goods)

1. Background

- 1.1 On 21.11.2018, the applicant's agent submitted an application for minor relaxation of PR, i.e. from 12.0 as stipulated on the OZP to 14.4 (+20%) plus a bonus PR of 0.357 to be claimed under Building (Planning) Regulations 22 subject to Building Authority's approval, for redevelopment of the existing industrial building at the application site (the Site) (**Plan A-1**) for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of dangerous goods).
- 1.2 On 21.12.2014, the applicant's agent submitted further information providing an updated Indicative Development Scheme and technical assessments including Traffic Impact Assessment, Visual Impact Assessment, Sewerage Impact Assessment and Landscape Master Plan which are not exempted from publication and recounting requirement. The application is scheduled for consideration by the Metro Planning Committee (the Committee) on 1.2.2019.

2. Request for Deferment

On 24.1.2019, the applicant's representative wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the application for two months to allow adequate time to address departmental comments (**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 Town Planning Ordinance (TPB PG-No. 33) in that the applicant needs more time to address departmental comments, the 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 further information from the applicant. If the further information 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 further information, 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 24.1.2019 from the applicant's representative requesting for deferment

Plan A-1 Location plan

**PLANNING DEPARTMENT
FEBRUARY 2019**