

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K11/236
(for 2nd deferment)

- Applicant** : Yangtzekiang Garment Limited and Lukhop Garments Limited represented by Ron Luen & Company Limited
- Site** : Nos. 20-24 Tai Yau Street, San Po Kong, Kowloon
- Site Area** : 2,400.49 m²
- Lease** : New Kowloon Inland Lot (NKIL) Nos. 4735, 4736, 4737, 4738 & 4739 (the Lot)
- (a) Restricted for industrial purposes excluding any offensive trades
 - (b) No part of any structure shall exceed a height of 300 ft above Principal Datum (i.e. about 91.44mPD)
 - (c) No building shall be erected on the lot except a factory and/or a warehouse, ancillary offices and quarters
- 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 3m wide “non-building area” (“NBA”) from the lot boundary abutting Tai Yau 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

On 21.10.2019, the Board received an application for minor relaxation of PR restriction, i.e. from 12.0 as stipulated on the OZP to 14.4 (+20%) for redevelopment of the existing industrial building at the application site (the Site), zoned “OU(B)”, for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of dangerous goods) (Plan A-1). On 13.12.2019, the Metro Planning Committee (the

Committee) agreed to defer a decision as requested by the applicant. After the deferral, the applicant submitted further information on 13.2.2020, 19.5.2020 and 3.6.2020. In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 24.7.2020 for consideration of the application has been rescheduled, and the Town Planning Board has agreed to defer consideration of the application and the application is now scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 7.7.2020, 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 so as to allow more time to address departmental 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 departmental comments. Since the first deferment on 13.12.2019, the applicant has submitted FI including responses to departmental comments, revised plans and technical assessments (including traffic impact assessment, sewerage impact assessment and air quality assessment) to address departmental comments. As relevant departments have further comments on some of those submissions, the applicant indicated that more time is needed to prepare FI to address those comments.

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 Ordinance (TPB PG-No. 33) 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 interest 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 two 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. Since it is the second deferment of the application, the applicant should be advised that the Committee has allowed a total of four months for the 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. **Attachment**

Appendix I Letter dated 7.7.2020 from the applicant's representative requesting for deferment

Plan A-1 Location plan

**PLANNING DEPARTMENT
AUGUST 2020**