

MPC Paper No. Y/K22/3A
For Consideration by
the Metro Planning Committee
on 20.4.2018

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

APPLICATION NO. Y/K22/3
(for 2nd Deferment)

- Applicant** : Worldy Limited represented by Kenneth To & Associates Limited
- Site** : Lucky Building, 3-5 San Ma Tau Street, Ma Tau Kok, Kowloon
- Site Area** : About 2,038.09 m²
- Lease** : Kowloon Inland Lot No. 6367 s.A
(a) for a term of 75 years renewable for 75 years commencing from 5.1.1953
(b) restricted to industrial purposes
- Plan** : Draft Kai Tak Outline Zoning Plan (OZP) No. S/K22/5
- Zoning** : “Other Specified Uses” annotated “Tunnel Ventilation Shaft” (“OU(Tunnel Ventilation Shaft)”) and “Government, Institution or Community” (“G/IC”)
(a) “OU(Tunnel Ventilation Shaft)”
[Restricted to a maximum building height (BH) of 45mPD as stipulated on the Plan, or the height of the existing building, whichever is the greater]
(b) “G/IC”
[Restricted to a maximum BH of 15mPD as stipulated on the Plan]
- Proposed Amendment** : To rezone the application site from “OU(Tunnel Ventilation Shaft)” and “G/IC” to “Commercial (9)” (“C(9)”)

1. Background

- 1.1 On 30.10.2017, the applicant submitted an application for rezoning the application site (the Site) from “OU(Tunnel Ventilation Shaft)” and “G/IC” to “C(9)” (**Plan Z-1**).
- 1.2 On 26.1.2018, the Metro 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 for preparation of further information (FI) to address the comments of relevant departments, including the preparation of quantitative risk assessment (QRA) and foundation and structural design reports. The application is scheduled for consideration by the Committee on 20.4.2018.

2. Request for Deferment

On 4.4.2018, the applicant's agent 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 for preparation of the QRA (**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 comments. Since the first deferment on 26.1.2018, no FI has been submitted. Nevertheless, the applicant stated that the QRA could only be conducted recently by the operator of the Gas Works (**Plan Z-1**). In this connection, the applicant needs more time for the preparation of the QRA to be submitted together with other revised technical assessments to support the application.
- 3.2 The Planning Department has no objection to the request for deferment as the justifications for deferment meet 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 address the departmental comments, 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 a decision on the application, the application will be submitted to the Committee for consideration within 3 months upon receipt of further submission 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 a total of four months 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.

Attachments

Appendix I Letter dated 4.4.2018 from the applicant's agent
Plan Z-1 Location Plan

PLANNING DEPARTMENT
APRIL 2018