

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/KC/463
(for 2nd Deferment)

- Applicant** : Fame Smart Investment Limited represented by Kenneth To & Associates Limited
- Site** : Kwai Chung Town Lot No. 49 & Ext. RP, 45-51 Kwok Shui Road, Kwai Chung, New Territories
- Site Area** : About 1,324.3m²
- Lease** : (a) Kwai Chung Town Lot No. 49 & Ext. RP is held under New Grant No. 4475 as varied by an Extension Letter dated 31.12.1984
- (b) Restricted to general industrial and/or godown purposes excluding offensive trades
- (c) Spaces shall be provided for the parking and loading/unloading of motor vehicles in accordance with the requirements specified under the lease conditions
- Plan** : Draft Kwai Chung Outline Zoning Plan (OZP) No. S/KC/29
- Zoning** : “Other Specified Use” annotated “Business” (“OU(B)”)
- (a) Restricted to a maximum plot ratio (PR) of 9.5 and a maximum building height (BH) of 105 metres above Principal Datum (mPD), or the PR/BH of the existing building, whichever is the greater
- (b) Minor relaxation of the PR/BH restrictions may be considered by the Town Planning Board (the Board) on application based on individual merits of development proposal
- 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 18.6.2019, the application for minor relaxation of PR restriction for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of Dangerous Goods) at 45-51 Kwok Shui Road (the Site) was received by the Board (**Plan A-1**).

- 1.2 On 16.8.2019, Metro Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months, as requested by the applicant, to allow sufficient time to address departmental comments.
- 1.3 The applicant submitted further information on 3.9.2019, 17.10.2019 and 21.11.2019 including responses to departmental comments, replacement pages of planning statement, new Environmental Assessment/Landscape Master Plan, revised Traffic Impact Assessment and revised Sewerage Impact Assessment. The application is rescheduled for consideration by the Committee on 13.12.2019.

2. Request for Deferment

On 5.12.2019, 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 time for preparation of further information 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. Since the deferment, the applicant has submitted further information to address departmental comments.
- 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 more time is required for the applicant to prepare further information in response to 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 making 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 further information submitted by the applicant is not substantial and can be processed within a shorter time, the application can be submitted to an earlier meeting for the Committee's consideration. The applicant should be advised that the Committee has allowed a further two months for the preparation of further information. 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 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. **Attachments**

Appendix I	Letter dated 5.12.2019 from the applicant's representative
Plan A-1	Location plan

**PLANNING DEPARTMENT
DECEMBER 2019**