

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM/523
(for 4th Deferment)

- Applicant** : Orient Regent Limited represented by Kenneth To & Associates Limited
- Site** : Tuen Mun Town Lot 140
(a) East Asia Industrial Building (subject of the application)
(b) Petrol Filling Station
(c) Recycling Centre
- Site Area** : 6,700 m²
- Lease** : New Grant No. 2243
(a) User: industrial or godown purposes or both (excluding offensive trade under the Public Health and Municipal Services Ordinance);
(b) Type of building: erection of a factory or factories or a warehouse or warehouses, ancillary offices, such quarters as may be required for watchmen or caretakers; and
(c) Plot ratio: maximum plot ratio of 9.5 for building height over 100ft.
- Plan** : Draft Tuen Mun Outline Zoning Plan (OZP) No. S/TM/34
(in force at the time of submission)

Approved Tuen Mun OZP No. S/TM/35
(currently in force. The zoning and development restrictions for the Site remain unchanged)
- Zoning** : “Other Specified Uses” annotated “Business”
[Restricted to a maximum plot ratio (PR) of 9.5 and a maximum building height (BH) of 100mPD, or the PR/BH of the existing building, whichever is the greater]
- Application** : Proposed ‘Hotel’, ‘Office’ and ‘Shop and Services’
(Wholesale Conversion of an Existing 15-storey Industrial Building)

1. Background

- 1.1. On 24.4.2018, the applicant sought planning permission for proposed ‘Hotel’, ‘Office’ and ‘Shop and Services’, by wholesale conversion of an existing industrial building, namely East Asia Industrial Building. The Site falls within an area

zoned “Other Specified Uses” annotated “Business” (“OU(B)”) on the approved Tuen Mun OZP No. S/TM/35 (**Plan A-1**). According to Schedule I of the Notes for the “OU(B)” zone on the approved Tuen Mun OZP, ‘Office’ and ‘Shop and Services’ are Column 1 uses which are always permitted; and ‘Hotel’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board).

- 1.2. On 15.6.2018, 7.9.2018 and 2.11.2018, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer a decision on the application, as requested by the applicant, so as to allow sufficient time for preparation of further information (FI) to address the departmental comments. The applicant submitted FI on 18.7.2018, 16.8.2018, 7.9.2018 and 6.11.2018. The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 12.12.2018, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for further two months in order to address Transport Department (TD)’s comments (**Appendix I**).

3. Planning Department’s Views

- 3.1. The application has been deferred thrice for a total of six months at the request of the applicant to allow time to address the departmental comments. Since the last deferment, the applicant has submitted FI including response to comments of TD. Since TD has further comments on the proposed measures for the junctions in the vicinity of the Site, the applicant needs more time to resolve the 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 the applicant needs more time to prepare FI 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 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 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 two months for preparation of submission of FI. Since it is the fourth deferment of the application, the applicant should be reminded that the Committee has allowed a total of eight months for preparation of submission of FI and this is the last deferment and no further deferment would be granted.

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 for the Committee's consideration at the next meeting.

5. Attachments

Appendix I Letter dated 12.12.2018 from the applicant's representative

Plan A-1 Location Plan

**PLANNING DEPARTMENT
JANUARY 2019**