

REVIEW OF APPLICATION NO. A/K15/124
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

(for 1st Deferment)

- Applicant** : Million Choice International Limited and Cha Kwo Ling Villagers Fraternity Association represented by Kenneth To & Associates Ltd.
- Site** : Various private lots and adjoining government land (GL) in SD3, Cha Kwo Ling Tsuen, Yau Tong, Kowloon
- Site Area** : About 46,122m² (including about 43,520m² (94.4%) of GL)
- Plan** : Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan (OZP) No. S/K15/25
- Zoning** : “Undetermined” (“U”)
[All uses or developments require permission from the Town Planning Board (the Board)]
- Application** : Proposed Comprehensive Residential Development with Supporting Retail and Government, Institution and Community (GIC) Facilities
- MPC’s Decision** : Rejected on 4.9.2020
- Subject of Review** : To review the Metro Planning Committee (MPC)’s decision to reject the application

1. Background

- 1.1 On 10.3.2020, the applicant sought planning permission under s.16 of the Town Planning Ordinance (the Ordinance) for proposed comprehensive residential development with supporting retail and GIC facilities at the application site (the Site). The Site falls within an area zoned “U” on the approved Cha Kwo Ling, Yau Tong, Lei Yue Mun OZP No. S/K15/25 (**Plan R-1**). On 4.9.2020, the MPC of the Board rejected the application.
- 1.2 On 8.10.2020, the applicant’s representative applied under s.17(1) of the Ordinance for a review of the MPC’s decision to reject the application. The review application is scheduled for consideration by the Board on 11.12.2020.

2. Request for Deferment

On 19.11.2020, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the review application for two months in order to allow more time for preparation of further information (FI) to address the reasons for rejecting the application (**Annex A**).

3. Planning Department's Views

3.1 The Planning Department has no objection to the request for deferment as the justification 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 support of the review application, and the deferment period is not indefinite, and the deferment would not affect interests of other relevant parties.

3.2 Should the Board agree to defer making a decision on the review application, the application will be submitted to the Board for consideration within three months upon receipt of further submission form the applicant. If the FI submitted by the applicant is not substantial and can be processed within a shorter time, the applicant could be submitted to an earlier meeting for Board's consideration. Considering that the subject application had attracted substantial public comments at section 16 stage, the applicant should be advised to submit all the FI in one go as soon as possible. The applicant should be advised that the Board has allowed two months for preparation of submission of FI, and no further deferment would be granted unless under very special circumstances.

4. Decision Sought

The Board 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 Board for consideration at the next meeting.

5. Attachment

Annex A
Plan R-1

Letter dated 19.11.2020 form the applicant's representative
Location Plan

PLANNING DEPARTMENT
DECEMBER 2020