

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K3/579
(for 1st Deferment)

<u>Applicant</u>	:	Asia Turbo Development Limited and Ray Bright Enterprises Limited, represented by Kenneth To and Associates Limited
<u>Site</u>	:	Nos. 25 – 29 Kok Cheung Street, Tai Kok Tsui, Kowloon
<u>Site Area</u>	:	About 2,504m ²
<u>Lease</u>	:	Kowloon Marine Lot (K.M.L.) Nos. 28 s.K RP and 28 s.M ss.2 RP
<u>Plan</u>	:	Draft Mong Kok Outline Zoning Plan (OZP) No. S/K3/31
<u>Zoning</u>	:	“Residential (Group E)” (“R(E)”) (76%) and area shown as ‘Road’ (24%) [“R(E)”: Maximum plot ratio (PR) of 7.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic in which the domestic part shall not exceed 7.5, and maximum building height (BH) of 100mPD]
<u>Application</u>	:	Proposed Flat, Shop and Services and Public Vehicle Park (excluding container vehicle) Uses and Minor Relaxation of Plot Ratio Restrictions

1. Background

- 1.1 On 15.10.2018, the applicant seeks planning permission to use the application site (the Site) for proposed residential development with shop and services at lower floors within “R(E)” zone and public parking spaces at the area shown as ‘Road’ (**Plan A-1**), which also involves minor relaxation of the domestic PR restriction from 7.5 to 8.4 and the total PR restriction from 9.0 to 9.9. The application is scheduled for consideration by the Metro Planning Committee (the Committee) at this meeting.
- 1.2 The Site is the subject of two previous applications for flat, shop and services uses submitted by the same applicant (No. A/K3/571 and A/K3/577) which were approved with conditions by the Committee on 28.10.2016 and 10.11.2017 respectively.

- 1.3 On 13.7.2018, the draft Mong Kok OZP No. S/K3/31 incorporating mainly amendments to the BH restrictions (including relaxation of BH restriction for the subject “R(E)” zone from 60mPD/80mPD to 100mPD); rezoning of the Sai Yee Street Site; amendment to the development requirements for the Soy Street Site; and other technical amendments. During the exhibition period of the draft OZP, a total of 283 valid representations and 17 valid comments were received. Amongst them, four representations oppose to the amendments relating to the Site.

2. Planning Department’s Views

- 2.1 According to 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), a decision on a s.16 application should be deferred if the application site is still subject to outstanding adverse representations yet to be submitted to Chief Executive in Council (CE in C) for consideration and the substance of the representations is relevant to the subject application.
- 2.2 As the BH restriction of the Site is subject to outstanding adverse representations, it is recommended to defer a decision on the subject application pending the submission of the draft OZP together with the representations to CE in C and CE in C’s final decision on the representations in respect of the OZP.
- 2.3 Should the Committee agree to defer a decision on the application, the application will be submitted to the Committee for consideration after the CE in C’s decision on the OZP and the relevant adverse representations.

3. Decision Sought

The Committee is invited to consider whether or not to defer a decision on the application as recommended by the Planning Department. Should the Committee decide not to defer a decision on the application, the application will be submitted to the Committee for consideration at the next meeting.

4. Attachment

Plan A-1

Location Plan

**PLANNING DEPARTMENT
DECEMBER 2018**