

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K3/582
(for 1st Deferment)

- Applicant** : Noble Energy Limited represented by Vision Planning Consultants Limited
- Site** : 107-111 (Odd Numbers Only), Tung Chau Street, Tai Kok Tsui, Kowloon
- Site Area** : 386.5 m² (about)
- Lease** : Kowloon Inland Lot 7779
- (a) the Lot is restricted for industrial purposes with standard offensive trades clause; and
- (b) the rear portion of the Lot is subject to a right of way for the use of Government and the lessees of neighbouring lots.
- Plan** : Draft Mong Kok Outline Zoning Plan (OZP) No. S/K3/31
- Zoning** : “Other Specified Uses” annotated “Business” (“OU(B)”)
- [a maximum plot ratio (PR) of 12.0 and a maximum building height (BH) of 110mPD, or the PR/BH of the existing building, whichever is the greater; and a minimum setback of 3m from the lot boundary above 15m measured from mean street level abutting Maple Street.]
- 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 16.7.2019, the applicant sought planning permission for minor relaxation of PR restriction from 12.0 to 14.4 for a proposed 26-storey industrial building (including one basement level of car park) with a maximum BH of 96.75mPD for “non-polluting industrial use (excluding industrial undertakings involving the use/storage of Dangerous Goods)” at the application site (the Site) (**Plan A-1**). The application is scheduled for consideration by the Metro Planning Committee (the Committee) at this meeting.
- 1.2 On 13.7.2018, the draft Mong Kok OZP No. S/K3/31 (the draft OZP), incorporating mainly amendments to the BH restrictions (including relaxation of BH restriction for the subject “OU(B)” zone from 80mPD to 110mPD); rezoning of

the Sai Yee Street Site, amendment to the requirement for the provision of community facilities at the Soy Street Site; and other technical amendments, was exhibited for public inspection under section 7 of the Town Planning Ordinance. During the exhibition period of the draft OZP, a total of 283 valid representations and 17 valid comments were received. Amongst the representations, three of them oppose the amendments relating to the “OU(B)” zone where the Site is located. After giving consideration to the representations and comments on 15.3.2019, the Town Planning Board (the Board) decided to partially meet some representations and propose amendment to the Notes of the OZP to incorporate the requirements relating to the submission of a layout plan for the “Commercial (4)” zone (i.e. the Sai Yee Street Site). On 12.4.2019, the above-mentioned proposed amendment to the draft OZP was published and 20 supportive further representations were received. Upon consideration of the further representations on 24.5.2019, the Board decided to amend the draft OZP by the above-mentioned amendment. Upon completion of the related statutory planning procedures, the draft OZP will be submitted to the Chief Executive in Council (CE in C) for consideration.

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 the 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 making a decision on the subject application pending the submission of the draft OZP together with the representations to CE in C and the CE in C’s final decision on the representations in respect of the draft OZP.
- 2.3 Should the Committee agree to defer making 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 making a decision on the application as recommended by the Planning Department. Should the Committee decide not to defer making 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