

REVIEW OF APPLICATION NO. A/YL-NTM/399
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

(for 2nd Deferment)

<u>Applicant</u>	: Cornerstone Renewable Energy Limited
<u>Application Site</u>	: Lots 978 (Part), 979 (Part), 1043 and 1047 in D.D. 102, Siu Hum Tsuen, San Tin, Yuen Long
<u>Site Area</u>	: About 2,264 m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Ngau Tam Mei Outline Zoning Plan (OZP) No. S/YL-NTM/12
<u>Zoning</u>	: “Green Belt” (“GB”)
<u>Application</u>	: Proposed Public Utility Installation (Solar Photovoltaic System)
<u>RNTPC’s decision</u>	: Rejected on 4.9.2020
<u>Subject of Review</u>	: To review the Rural and New Town Planning Committee (RNTPC)’s decision to reject the application

1. Background

- 1.1 On 6.2.2020, the applicant sought planning permission to use the application site (the Site) for proposed public utility installation (solar photovoltaic (SPV) system) under s.16 of the Town Planning Ordinance (the Ordinance) (**Plan R-1**). The Site falls within an area zoned “Green Belt” (“GB”) on the approved Ngau Tam Mei OZP No. S/YL-NTM/12. On 4.9.2020, the RNTPC of the Town Planning Board (the Board) rejected the application.
- 1.2 On 8.10.2020, the applicant applied, under Section 17(1) of the Ordinance, for a review of the RNTPC’s decision to reject the application.
- 1.3 On 11.12.2020, the Board agreed to defer a decision on the application for two months, as requested by the applicant, so as to allow time for the applicant to prepare further information (FI) to address departmental comments. The application is scheduled for consideration by the Board on 19.2.2021.

2. Request for Deferment

On 10.2.2021, the applicant 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 time for the applicant to prepare FI as the reply from China Light and Power Hong Kong on the Feed-in Tariff Scheme is pending (**Annex A**).

3. Planning Department's Views

3.1 The application has been deferred once for two months at the request of the applicant. The applicant has indicated that more time is required for preparation of FI.

3.2 The Planning Department has no objection to the request for deferment as the justification for deferment meets 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 to address departmental comments, the deferment period is not indefinite, and that the deferment would not affect the right or interest of other relevant parties.

3.3 Should the Board agree to defer a decision on the review application, the application will be submitted to the Board for consideration within three months upon receipt of FI 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 Board's consideration. The applicant should be advised that the Board has allowed a total of four months for preparation 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 for the Board's consideration at the next meeting.

5. Attachments

Annex A
Plan R-1

Email dated 10.2.2020 from the applicant
Location plan

TPB Paper No. 10721

**For Consideration by
the Town Planning Board on 19.2.2021**

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Siu Hum Tsuen, San Tin, Yuen Long**