

RNTPC Paper No. A/YL/304  
For Consideration by  
the Rural and New Town  
Planning Committee  
on 22.9.2023

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**APPLICATION FOR PERMISSION  
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL/304**

*(for 1<sup>st</sup> Deferment)*

- Applicant** : Star Success International Limited represented by KTA Planning Limited
- Site** : 21-35 Wang Yip Street East, Tung Tau Industrial Area, Yuen Long, New Territories (Yuen Long Town Lot No. 362)
- Site Area** : About 7,271 m<sup>2</sup>
- Lease** : New Grant No. 3121 (subject to a Modification Letter)
- (a) restricted for industrial or godown purposes or both (excluding offensive trades); and
- (b) the total gross floor area (GFA) shall not exceed 36,355m<sup>2</sup>
- Plan** : Draft Yuen Long Outline Zoning Plan (OZP) No. S/YL/26
- Zoning** : “Residential (Group E)2” (“R(E)2”)  
*[Restricted to a maximum plot ratio (PR) of 5, a maximum non-domestic PR of 0.22 and a maximum building height (BH) of 85mPD]*
- Application** : Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Flat with Shop and Services/Eating Place and Social Welfare Facility Uses

**1. Background**

- 1.1 On 5.5.2023, the applicant sought planning permission for proposed minor relaxation of plot ratio and building height restrictions for flat with shop and services/eating place and social welfare facility uses at the application site (the Site) ***under the pre-amended Town Planning Ordinance (the pre-amended Ordinance)***<sup>1</sup> (Plan A-1). The application is scheduled for consideration by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) at this meeting.
- 1.2 The Site is the subject of one adverse representation in respect of the draft Yuen Long OZP No. S/YL/26 (***the draft OZP***) which was exhibited for public inspection on 6.1.2023 under section 5 of the ~~Town Planning Ordinance (the pre-amended~~

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<sup>1</sup> The “pre-amended Ordinance” refers to the Town Planning Ordinance as in force immediately before 1.9.2023. Pursuant to section 29(17) of the Town Planning Ordinance currently in force (the Ordinance), the pre-amended Ordinance applies to applications made before 1.9.2023.

Ordinance). One of the amendments is the rezoning of the Site from “Other Specified Uses” annotated “Business” (“OU(B)”) to “R(E)2”. During the exhibition period of the draft OZP, one adverse representation (which is related to the rezoning of the Site) and one comment, have been received. The representation and comment were considered by the Board in accordance with section 6B(1) of the *pre-amended* Ordinance<sup>2</sup> on 7.9.2023 and the Board shall submit the draft OZP, together with a schedule of the representation, to the Chief Executive in Council (CE in C) *for* approval within nine months of the expiration of the plan-exhibition period, *i.e. expiring on 6.12.2023, in accordance with sections 8, 29(8) and 29(9) of the Ordinance.*

## **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. 33A)<sup>3</sup>, a decision on a section 16 application should be deferred if the application site is still subject to outstanding adverse representation(s) yet to be submitted to the CE in C for consideration and the substance of the representation(s) is relevant to the subject application.
- 2.2 As the Site is subject to one adverse representation as mentioned in paragraph 1.2 above, it is recommended to defer making a decision on the subject application pending the submission of the draft OZP together with the representation to CE in C and the CE in C’s final decision on the representation 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 representation.

## **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

**PLANNING DEPARTMENT  
SEPTEMBER 2023**

<sup>2</sup> According to sections 29(1) and 29(3) of the Ordinance, section 6B of the *pre-amended* Ordinance applies to the draft OZP.

<sup>3</sup> Pursuant to the Board’s decision on 4.8.2023, TPB PG-No. 33A applies to applications made before 1.9.2023.