

TPB Paper No. 10966

**For Consideration by
the Town Planning Board on 12.4.2024**

**REVIEW OF APPLICATION NO. A/YL-ST/648
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE**

**Proposed House
in “Village Type Development” Zone,
Lot 210 S.C in D.D. 96, Chau Tau Tsuen, San Tin, Yuen Long**

REVIEW OF APPLICATION NO. A/YL-ST/648
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

(for 1st Deferment)

<u>Applicant</u>	: Mr. WONG Yu Hong represented by Conrad Tang & Associates Limited
<u>Sites</u>	: Lot 210 S.C in D.D. 96, Chau Tau Tsuen, San Tin, Yuen Long
<u>Site Area</u>	: About 82m ²
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Draft San Tin Technopole Outline Zoning Plan (OZP) No. S/STT/1 <i>(currently in force)</i> Approved San Tin OZP No. S/YL-ST/8 <i>(at the time of submission)</i> [the zoning and development restrictions of the application site remain unchanged on OZP No. S/STT/1]
<u>Zoning</u>	: “Village Type Development” (“V”) [maximum building height (BH) of 3 storeys (8.23m)]
<u>Application</u>	: Proposed House
<u>RNTPC’s Decision</u>	Rejected on 13.10.2023
<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 9.5.2023, the applicant sought planning permission under section 16 of the pre-amended Town Planning Ordinance (the pre-amended Ordinance)¹ for a proposed house at the application site (the Site) which was zoned “V” on the then approved San Tin OZP No. S/YL-ST/8 (**Plan R-1a**). On 13.10.2023, the RNTPC of the Town Planning Board (the Board) decided to reject the application.

¹ The “pre-amended Ordinance” refers to the Town Planning Ordinance as in force immediately before 1.9.2023.

- 1.2 On 15.11.2023, the applicant applied, under section 17(1) of the pre-amended Ordinance, for a review of RNTPC's decision to reject the application. On 12.1.2024, the applicant submitted further information to support the review application. The review application is scheduled for consideration by the Board at this meeting.
- 1.3 On 8.3.2024, the draft San Tin Technopole OZP No. S/STT/1, which covers among others, the area falling within the then approved San Tin OZP including the Site, was exhibited under section 5 of the Town Planning Ordinance (the Ordinance) for public inspection for two months until 8.5.2024. The concerned "V" zone and its development parameters remain unchanged on the draft San Tin Technopole OZP No. S/STT/1 (**Plan R-1b**).

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 Ordinance (TPB PG-No. 33A²), the Board may defer a decision on a section 17 review application on reasonable grounds as the Board thinks fit. It is also stipulated in the TPB PG-No. 33A that a decision on a section 17 review application would be deferred if the zoning of the Site is still subject to outstanding adverse representation yet to be submitted to the Chief Executive in Council (CE in C) for consideration and the substance of the representation is relevant to the subject review application.
- 2.2 Since the Site forms part of the new draft San Tin Technopole OZP No. S/STT/1, which is being exhibited for public inspection under section 5 of the Ordinance, it would be prudent for the Board to wait until the end of the exhibition period to confirm whether there is any representation related to the Site before deciding on whether the section 17 review application should be considered. This is to ensure that the decision on the review application would not pre-empt CE in C's decision on the draft OZP and the adverse representation(s) if received.
- 2.3 The subject section 17 review application would be submitted to the Board for consideration after the expiry of the exhibition period of the new OZP on 8.5.2024, if there is no adverse representation related to the Site. If there is/are adverse representation(s) related to the Site with substance relevant to the review application, the review application would be submitted to the Board for consideration after the CE in C's decisions on the OZP and the relevant adverse representation(s).

3. Decision Sought

The Board is invited to consider whether or not to defer a decision on the subject section 17 review application as recommended by the Planning Department. Should the Board

² TPB PG-No. 33A is applicable to this application which was received before the promulgation of the revised guidelines TPB PG-No. 33B on 1.9.2023.

decide not to defer the decision, the application will be submitted to the Board for consideration at the next meeting.

4. Attachments

Plan R-1a Location Plan (on approved San Tin OZP No. S/YL-ST/8)

Plan R-1b Location Plan (on draft San Tin Technopole OZP No. S/STT/1)

**PLANNING DEPARTMENT
APRIL 2024**