

**APPLICATION FOR AMENDMENT OF PLAN
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. Y/SK-HC/4
(for 3rd Deferment)

- Applicant:** Yip Tin Leung represented by Albert So Surveyors Limited
- Site:** Lot 764 in D.D.249 and adjoining Government Land, Wang Che, Sai Kung, New Territories
- Site Area:** About 259.03 m² (including about 194 m² Government Land)
- Land Status:** (a) Private Land (about 25%) held under New Grant No. 8351 and granted by way of exchange for Small House development on 17.6.1994
(b) Government Land (about 75%)
- Plan:** Approved Ho Chung Outline Zoning Plan (OZP) No. S/SK-HC/11
- Zonings:** “Conservation Area” (“CA”) (about 97%)
“Village Type Development” (“V”) (about 3%)
- Proposed Amendment:** To rezone the application site from “CA” to “V”

1. Background

- 1.1 On 26.11.2018, the applicant proposes to rezone the application site from “CA” to “V”¹ (**Plan Z-1**).
- 1.2 On 22.2.2019 and 5.7.2019, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer making a decision on the application for two months each, as requested by the applicant, to allow time for the applicant to address the departmental comments. The applicant submitted Further Informations (FIs) on 9.4.2019, 5.9.2019 and 13.9.2019. The application is scheduled for consideration by the Committee at this meeting.

¹ A minor portion (3%) of the Site falls within an area zoned “V”, according to the Notes of the OZP, ‘House (New Territories Exempted House only)’ is always permitted within the “V” zone and no rezoning is required. The “V” zone portion of the Site has been included the calculation of site area.

2. Request for Deferment

On 18.11.2019, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for further two months so as to allow time to address the departmental comments (**Appendix I**).

3. Planning Department's Views

3.1 The application has been deferred twice for two months each at the request of the applicant to allow time to address the departmental comments. Since the last deferment, the applicant has submitted FIs including responses to departmental comments and Sewerage Impact Assessment. The applicant needs more time to resolve the comments from government departments.

3.2 The Planning Department has no objection to the request for deferment as the justifications for deferment meet 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 address the comments from relevant government department, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties.

3.3 Should the Committee agree to defer a decision on the application, the application will be submitted to the Committee 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 Committee's consideration. Since it is the third deferment of the application, the applicant should be advised that the Board has allowed a total of six months for preparation of submission of FI, and no further deferment would be granted unless under very special circumstances.

4. Decision Sought

The Committee 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 to the Committee for consideration at the next meeting.

5. Attachments

Appendix I
Plan Z-1

Letter dated 18.11.2019 from the applicant's representative
Location Plan

PLANNING DEPARTMENT
NOVEMBER 2019