

TOWN PLANNING BOARD

TPB Paper No. 10571

For Consideration by
the Town Planning Board on 9.8.2019

REVIEW APPLICATION NO. A/NE-TK/657
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone
Lot 671 S.B in D.D. 15 and adjoining Government Land, Shan Liu, Tai Po, New Territories

(for 2nd Deferment)

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UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE

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<u>Applicant</u>	Mr. LEUNG Kin Pan represented by Mr. LEUNG Pak Keung
<u>Site</u>	Lot 671 S.B in D.D. 15 and adjoining Government Land, Shan Liu, Tai Po, New Territories
<u>Site Area</u>	About 59.4 m ² (including 23.7m ² Government land)
<u>Lease</u>	(a) Block Government Lease (demised for agricultural use) (about 60%) (b) Government land (about 40%)
<u>Plan</u>	Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19
<u>Zoning</u>	“Agriculture” (“AGR”)
<u>Application</u>	Proposed House (New Territories Exempted House (NTEH) - Small House)
<u>RNTPC's decision</u>	Approved on 21.12.2018
<u>Subject of Review</u>	To review the imposition of approval condition (c) on the submission of a water pollution risk and impact assessment

1. Background

- 1.1 On 23.10.2018, the applicant sought planning permission for a proposed house (New Territories Exempted House (NTEH) - Small House) at the application site (the Site) (**Plan R-1**) under s.16 of the Town Planning Ordinance (the Ordinance). On 21.12.2018, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) approved the application with conditions.
- 1.2 On 23.1.2019, the applicant's representative applied, under section 17(1) of the Ordinance, for a review of the RNTPC's decision on imposing the approval condition (c) on the submission of a water pollution risk and impact assessment to the satisfaction of the Director of Water Supplies or of the Board.
- 1.3 On 24.5.2019, the Board agreed to defer a decision on the review application for two months, as requested by the applicant, to allow time for preparation of further information to support the review application.

2. **Request for Deferment**

On 24.7.2019, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the review application for another two months so as to allow more time for preparation of further information in response to departmental comments (**Annex A**).

3. **Planning Department's Views**

- 3.1 The application has been deferred once for two months at the request of the applicant to allow more time to address departmental comments. In view of the need to provide more information to support the review application, the applicant needs more time for the preparation of further information to address departmental comments.
- 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 further information in response to departmental comments, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties.
- 3.3 Should the Board agree to defer making a decision on the review application, the application will be submitted to the Board for consideration within three months upon receipt of further submission from the applicant. If the further information 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 two months for preparation of submission of further information. Since it is the second deferment of the application, the applicant should be advised that the Board has allowed a total of four months for preparation of submission of further information, 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 review application will be submitted to the Board for consideration at the next meeting.

5. **Attachments**

Annex A	Letter dated 24.7.2019 from the applicant's representative
Plan R-1	Location plan