

TPB Paper No. 10543

**For Consideration by
the Town Planning Board on 24.5.2019**

**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 1st Deferment)

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

(for 1st Deferment)

<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) under s.16 of the Town Planning Ordinance (the Ordinance). The Site falls within an area zoned "Agriculture" ("AGR") on the approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19 (**Plan R-1**). On 21.12.2018, the 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 Rural and New Town Planning Committee's (RNTPC) 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. The applicant, on 6.3.2019, has submitted written representation in support of the review application. The review application is scheduled for consideration by the Board on 24.5.2019.

2. Request for Deferment

On 2.5.2019, 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 two months so as to allow time for preparation of further information in support of the review application (**Annex A**).

3. Planning Department's Views

3.1 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 Application made under the Town Planning Ordinance (TPB PG-No. 33) in that the applicant needs more time to prepare further information in support of the review application, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties.

3.2 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 further information 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, 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 to the Board for consideration at the next meeting.

5. Attachments

Annex A	Letter dated 2.5.2019 from the applicant's representative
Plan R-1	Location plan

**PLANNING DEPARTMENT
MAY 2019**