

**TPB Paper No. 10932**

**For Consideration by  
the Town Planning Board on 20.10.2023**

**REVIEW OF APPLICATION NO. A/NE-KLH/623  
UNDER SECTION 17 OF THE TOWN PLANNING ORDINANCE**

**Proposed House (New Territories Exempted House - Small House) in  
“Village Type Development” and “Agriculture” Zones**

**Lot 975 S.A RP in D.D. 7, Wai Tau, Tai Po, New Territories**

**REVIEW OF APPLICATION No. A/NE-KLH/623**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

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

- Applicant** : Mr. CHEUNG Hin Yeung represented by Mr. LAU Chee Sing
- Site** : Lot 975 S.A RP in D.D. 7, Wai Tau, Tai Po, New Territories
- Site Area** : About 81m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Kau Lung Hang Outline Zoning Plan (OZP) No. S/NE-KLH/11
- Zoning** : “Village Type Development” (“V”) (about 53.3m<sup>2</sup> or 65.8%)  
“Agriculture” (“AGR”) (about 27.7m<sup>2</sup> or 34.2%)
- Application** : Proposed House (New Territories Exempted House (NTEH) – Small House)
- RNTPC’s Decision** : Rejected on 23.6.2023
- Subject of Review** : To review the Rural and New Town Planning Committee (RNTPC)’s decision to reject the application

**1. Background**

- 1.1 On 11.5.2023, the applicant submitted the current application to seek planning permission for proposed house (new Territories exempted house (NTEH) – small house) at the subject site (**Plan R-1**). On 23.6.2023, the RNTPC of the Town Planning Board (the Board) rejected the application.
- 1.2 On 31.7.2023, the applicant applied, under Section 17(1) of the pre-amended Town Planning Ordinance<sup>1</sup>, for a review of RNTPC’s decision to reject the application in support of the review application.

**2. Request for Deferment**

On 29.9.2023, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for two months in

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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.

order to allow time to prepare further information (FI) to address departmental comments (**Annex A**).

### **3. Planning Department's Views**

- 3.1 The Planning Department has no objection to the request for the first 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. 33A) in that this is the first deferment requested by the applicant and the deferment would allow the applicant to prepare FI to address outstanding issues.
- 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 FI from the applicant. If the FI submitted by the applicant is not substantial and could 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 the submission of FI, 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**

<b>Annex A</b>	Letter Dated 29.9.2023 from the Applicant's Representative
<b>Plan R-1</b>	Location Plan

**PLANNING DEPARTMENT  
OCTOBER 2023**