

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/NE-TK/649**  
*( for 3<sup>rd</sup> Deferment )*

<b><u>Applicant</u></b>	Mr. NGAI Hok Ming
<b><u>Site</u></b>	Lot 646 S.A in D.D. 23, Po Sam Pai Village, Shuen Wan, Tai Po, New Territories
<b><u>Site Area</u></b>	About 242 m <sup>2</sup>
<b><u>Lease</u></b>	Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19
<b><u>Zoning</u></b>	“Agriculture” (“AGR”)
<b><u>Application</u></b>	Proposed Public Utility Installation (Solar Energy System)

**1. Background**

- 1.1 On 29.6.2018, the applicant sought planning permission for a proposed public utility installation (solar energy system) on the application site (the Site) (**Plan A-1**).
- 1.2 On 17.8.2018 and 7.12.2018, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to the applicant’s request to defer making a decision on the application for two months and one month respectively to allow time for preparation of further information to support the application. The latest further information was submitted on 10.1.2019 and the application is scheduled for consideration by the Committee on 8.3.2019.

**2. Request for Deferment**

On 21.2.2019, the applicant wrote to the Secretary of the Board and requested the Board to further defer making a decision on the application for another two months so as to allow more time for preparation of further information to address departmental comments (**Appendix I**).

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

- 3.1 The application has been deferred twice for a total period of three months at the request of the applicant to allow more time to address departmental comments. Since the second deferment on 7.12.2018, the applicant has submitted further information providing responses to departmental comments including clarification of technical aspects of the proposed solar energy system and a revised layout for the solar panels. In order to allow more time to address departments' further comments on the revise layout plan and technical aspects of the proposal, the applicant requests the Committee to defer a decision on the application for another two months.
- 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 Committee agree to defer making a decision on the application, the application will be submitted to the Committee for consideration within two 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 Committee's consideration. The applicant should be advised that the Committee has allowed two months for preparation of submission of further information. Since it is the third deferment of the application, the applicant should be advised that the Board has allowed a total of five months for preparation of submission of further information, 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** Email dated 21.2.2019 from the applicant  
**Plan A-1** Location plan