

APPLICATION FOR PERMISSION
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. Y/TW/12
(for 3rd Deferment)

- Applicant** : Longest Profit (Hong Kong) Limited represented by Vision Planning Consultants Limited
- Plan** : Approved Tsuen Wan Outline Zoning Plan (OZP) No. S/TW/33
- Application Site** : Lots 613RP (Part), 614 and 1229 in D.D. 453, and adjoining Government Land, Lo Wai, Tsuen Wan
- Site Area** : About 2,270m² (including about 664m² of Government land (29%))
- Lease** : Lots 613RP and 614 in D.D. 453
(a) Old Schedule Lots held under Block Government Lease
(b) To be expired on 30.6.2047
(c) Restricted to agricultural purpose
- Lot 1229 in D.D. 453
(a) Held under New Grant No. 4363
(b) To be expired on 30.6.2047
(c) Restricted to private residential purpose
(d) Not more than 4 village houses and building height not exceeding 25 feet
- Zoning** : "Green Belt" ("GB")
- Proposed Amendment** : To rezone the application site from "GB" to "Government, Institution or Community (10)" ("G/IC(10)")

1. Background

- 1.1 The application site (the Site) (**Plan Z-1**) falls within an area zoned "GB" on the Tsuen Wan OZP. It is currently occupied by a columbarium in operation named Wing Shing Yuen (永盛園), which is not within a religious institution nor an extension of an existing columbarium. Since 'Columbarium' under Column 2 use in the "GB" zone is only limited to such use within a religious institution or extension of existing columbarium, there is no provision for seeking planning permission for such use at the Site under the OZP. On 8.11.2017, the applicant sought planning permission to rezone the Site from "GB" to "G/IC(10)" with 'Columbarium' as a Column 2 use (without limiting to "within a religious institution or extension of existing columbarium").

- 1.2 On 26.1.2018, the Metro Planning Committee (the Committee) agreed to defer making a decision on the application for two months, as requested by the applicant, so as to allow time for the applicant to address the comments from the Transport Department (TD). Subsequent to that, the applicant submitted further information (FI) on 23.3.2018 and 29.5.2018. Nevertheless, TD has further comments on the FI. As the applicant required more time to address TD's comments, the Committee agreed to defer making a decision on the application for another two months on 17.8.2018.
- 1.3 On 16.10.2018 and 23.11.2018, the applicant submitted FI to address the comments from TD. The application is schedule for consideration by the Committee on 22.2.2019.

2. Request for Deferment

On 16.1.2019, the applicant's representative wrote to the Secretary of the Board requesting the Board to further defer making a decision on the application for another two months so as to allow time to address further comments from the TD (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred twice for a total of four months at the request of the applicant to allow more time to address departmental comments. The applicant has demonstrated efforts in preparing FI in support of the application. Since the first deferment on 26.1.2018, the applicant has submitted FI on 23.3.2018, 29.5.2018, 16.10.2018 and 23.11.2018 including responses to the comments of government departments, submission of Fresh Water and Flushing Water Demand Assessment Report, sensitivity test on roads and junctions, clarification on the operation of the proposed columbarium and revised Traffic Impact Assessment. Nevertheless, the applicant needs more time to prepare FI to address TD's further comments.
- 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 more time is required for the applicant to prepare FI 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 a decision on the application, the application will be submitted to the Committee for consideration within three months upon receipt of further submission 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. The applicant should be advised that the Committee has allowed a further two months for the preparation of the FI submission. Since it is the third deferment of the application, the applicant should be reminded that the Committee has allowed a total of six months for preparation of FI submission, and that this is the last deferment and no further deferment would be granted.

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	Letter of 16.1.2019 from the applicant's agent
Plan Z-1	Location plan

**PLANNING DEPARTMENT
FEBRUARY 2019**