

APPLICATION FOR AMENDMENT OF PLAN
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. Y/ST/37
(for 2nd Deferment)

- Applicant** : Buddhist Wai Chuen Monastery Limited represented by NY Architects & Associates Limited
- Plan** : Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/33
- Application Site** : No. 97 Pai Tau Village, Sha Tin, N.T.
Lots. 12RP (Part) and 13 in D.D. 185 and Adjoining Government Land, Pai Tau Village, Sha Tin, N.T.
- Site Area** : About 704m² (including Government Land of about 131m²)
- Lease** : Lots Nos. 12RP & 13 in D.D. 185
Old Schedule Agricultural Lots
- Zoning** : “Village Type Development” (“V”)
- Proposed Amendment** : To rezone the application site from “V” to “Government, Institution or Community” (“G/IC”)

1. The Proposal

- 1.1 On 9.8.2017, the applicant seeks planning permission to rezone the application site from “V” to “G/IC” to continue the current columbarium use on site, under the name of Buddhist Wai Chuen Monastery (佛教慧泉寺) (**Plan Z-1**).
- 1.2 On 27.10.2017, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application for two months as requested by the applicant to prepare further information (FI) to address the comments raised by relevant Government departments. On 20.10.2017 and 25.10.2017, the applicant submitted FI, which involves responses to departmental comments and a traffic impact assessment (TIA). The application is rescheduled for consideration by the Committee on 12.1.2018.

2. Request for Deferment

On 27.12.2017 and 28.12.2017, the applicant’s representative wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the application for three months so as to allow time to apply to the Private Columbaria Affairs Office for an exemption status for the subject columbarium (**Appendix I**).

3. Planning Department's View

- 3.1 The application has been deferred once for two months at the request of the applicant to allow more time to prepare FI to address the comments raised by relevant Government departments. In this regard, the applicant has submitted FI including a TIA to address departmental comments. However, the applicant intends to apply to the Private Columbaria Affairs Office for an exemption status for the subject columbarium and more time would be required. The applicant further requested for deferment of consideration of the application for three months.
- 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 the applicant needs more time to apply to the Private Columbaria Affairs Office for an exemption status for the subject columbarium, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties. Notwithstanding the above, as set out in TPB PG-No. 33, normally the applicant would be given two months for preparation of submission of FI. In this regard, if the applicant's request for deferment is acceded to, a deferment period of two months instead of three months, should be allowed and the applicant may apply for further deferment if necessary at that time.
- 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 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 period of two months for preparation of submission of FI. Since it is the second deferment of the application and the Committee has allowed a total of four months including the previous deferment for preparation of submission of FI, 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	Letters dated 27.12.2017 and 28.12.2017 from the applicant's representative
Plan Z-1	Location plan