

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

APPLICATION NO. Y/ST/40
(for 4th Deferment)

- Applicant** : Good Faith Limited represented by Kenneth To and Associates Limited
- Plan** : Approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/34
- Application Site** : Lot Nos. 2, 671 and 819 RP in D.D. 181, Tai Wai, Sha Tin, New Territories
- Site Area** : About 6,251.64 m²
- Lease** : Lot No. 2 in D.D. 181
(a) agricultural lot
(b) about 242.8m² converted to house status
- Lot No. 671 in D.D. 181
(a) agricultural lot
(b) about 283.3m² converted to house status
- Lot No. 819 RP in D.D. 181
private residential lot
- Zonings** : “Residential (Group B)” (“R(B)”) and “Green Belt” (“GB”)
- Proposed Amendment** : To rezone the Application Site from “R(B)” and “GB” to “Other Specified Uses” annotated “Religious Institution with Columbarium” (“OU(Religious Institution with Columbarium)”)

1. Background

- 1.1 On 27.6.2018, the applicant sought planning permission to rezone the application site from “R(B)” and “GB” to “OU(Religious Institution with Columbarium)” to regularize the existing religious institution and columbarium uses providing 14,540 niches (**Plan Z-1**) under the name of Puguangming Temple (普光明寺). According to the applicant, all 14,540 niches under application were sold as at 30.6.2017.
- 1.2 On 21.9.2018 and 1.2.2019, 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 allow time to prepare further information (FI) on the number and type of niches of the subject columbarium for verification by the Food and Environmental Hygiene Department (FEHD). On 19.11.2018, 28.3.2019 and 10.6.2019, the applicant submitted FI in response to departmental comments and clarified that submission of niche information and plans had been made to the FEHD.

Subsequently, the Committee on 20.6.2019 agreed to defer a decision on the application for three months in order to allow more time for FEHD to complete the verification of niche information and for Transport Department (TD) to provide comments on the traffic impact of the application. The application is rescheduled for consideration by the Committee at this meeting.

- 1.3 Since the deferral of the application on 20.6.2019, the applicant, in his letter dated 9.9.2019, submits that additional information on niche information has been passed to FEHD on 12.7.2019, 22.7.2019, 28.8.2019, 3.9.2019 and 5.9.2019. Nevertheless, FEHD advises that those information so far provided by the applicant still could not facilitate FEHD to verify the niche information. In this regard, TD reserves her right to provide comment on the traffic impact of the subject rezoning application until the niche information, including the niches types, numbers and condition of sale/interment, provided by the applicant is verified by FEHD.

2. Planning Department (PlanD)'s Views

Under the Private Columbaria Ordinance, the applicant is required to fulfil the planning-related requirement for application of licence for the subject columbarium. Nevertheless, in the absence of the advice from FEHD and TD, it is pre-mature for PlanD to make recommendations and for the Committee to consider the subject application. More time would be required for FEHD to complete the verification of the niche information and for TD to provide comment/advice on the traffic impact arising from the proposed rezoning to PlanD.

3. Request for Deferment

- 3.1 In view of the reasons as stated in paragraph 2 above, PlanD therefore requests the Committee to defer making a decision on the subject application No. Y/ST/40 for three months so as to allow time for FEHD to verify the niche information and for TD to provide comment on the traffic impact. The justifications for deferment request 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 FEHD to verify the niche information and for TD to provide comments, the deferment period is not indefinite and the deferment would not affect the interests of other relevant parties.
- 3.2 Should the Committee agree to defer a decision on the subject application, the subject application will be submitted to the Committee for consideration within three months. The applicant should be advised to expedite the niche information verification process with FEHD. Since it is the fourth deferment of the application, the Committee has allowed a total of ten months to complete the verification of niche information. 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 defer a decision on the application as requested by PlanD. If the request is not acceded to, the application will be considered by the Committee at the next meeting.

5. **Attachment**

Plan Z-1 Location plan

**PLANNING DEPARTMENT
SEPTEMBER 2019**