

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TM/537
(for 3rd deferment)

<u>Applicants</u>	Top Fortune (China) Limited and Mr. Kwan Kwok Wai represented by Vision Planning Consultants Limited
<u>Site</u>	Lots 501 and 533 in D.D. 131 and Adjoining Government Land, Tsing Shan Tsuen, Tuen Mun, New Territories
<u>Site Area</u>	744m ² (about) (including 551.6m ² (about) of Government Land (about 74%))
<u>Land Status</u>	Lot No. 501 and 533 in D.D. 131 (a) No house shall be more than two storeys in height (b) No veranda shall be constructed so as to project over Government land (c) No grave shall be made on, nor shall any human remains be interred in, or deposited on the land sold either in earthenware jars or otherwise
<u>Plan</u>	Approved Tuen Mun Outline Zoning Plan (OZP) No. S/TM/35
<u>Zoning</u>	“Government, Institution or Community” (“G/IC”) [Restricted to a maximum building height of 3 storeys excluding basement floor(s)]
<u>Application</u>	Columbarium use

1. The Proposal

- 1.1 On 12.2.2019, the applicants sought planning permission for regularisation of the existing columbarium use known as Sha Law Ching Shea (娑羅精舍) at the application site (the Site) (**Plan A-1**). The application involves 4,444 niches and 48 memorial tablets.
- 1.2 On 12.4.2019 and 2.8.2019, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application for two months as requested by the applicants, so as to allow sufficient time for preparation of further information (FI) to address departmental comments.
- 1.3 On 12.6.2019, 13.6.2019, 3.10.2019 and 15.11.2019, the applicants submitted four FIs to address the departmental comments. The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 12.12.2019, the applicants’ representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for two months so as to address comments of Transport Department (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 applicants to allow more time to address departmental comments. Since the last deferment, the applicants have submitted FI, including a revised Traffic Impact Assessment and a response-to-comment table. More time is required by the applicants to prepare FI to resolve further comments of TD.
- 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 applicants need more time 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 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 applicants. If the FI submitted by the applicants 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. Since it is the third deferment of the application, the applicants should be advised that the Committee has allowed a total of six months for preparation of submission of FI as required by the applicants and 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 applicants’ request for deferment. If the request is not acceded to, the application will be submitted for the Committee’s consideration at the next meeting.

5. Attachments

Appendix I	Letter of 12.12.2019 from the applicants requesting for deferment
Plan A-1	Location Plan