

TOWN PLANNING BOARD

TPB Paper No. 11057

For Consideration by
the Town Planning Board on 24.4.2026

DRAFT SHA TIN OUTLINE ZONING PLAN NO. S/ST/39

CONSIDERATION OF
REPRESENTATIONS NO. TPB/R/S/ST/39-R1 AND R2

DRAFT SHA TIN OUTLINE ZONING PLAN NO. S/ST/39
CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/ST/39-R1 AND R2

| Subject of Representations | Representers (No. TPB/R/S/ST/39-) |
|--|---|
| <p><u>Amendment to the Plan</u></p> <p><u>Item A</u> Rezoning of a site at Sheung Wo Che from “Village Type Development” (“V”) to “Government, Institution or Community (1)” (“G/IC(1)”).</p> <p><u>Amendments to the Notes</u></p> <p>(c) Incorporation of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 1 of the Notes for “V” zone; and corresponding deletion of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 2 of the Notes for “V” zone.</p> <p>(d) Incorporation of ‘Field Study/Education/Visitor Centre’ under Column 2 of the Notes for “V” zone.</p> | <p>Total: 2</p> <p><u>Support Item A</u> R1: Sai Lam (Salvation) Foundation Limited</p> <p><u>Oppose Item A and Amendments to the Notes (c) and (d)</u> R2: Individual</p> |

Note: The names of the representers are attached at **Annex III**. Soft copies of the submissions are sent to Town Planning Board (the Board) Members via electronic means; and are also available for public inspection at the Board’s website at https://www.tpb.gov.hk/en/plan_making/S_ST_39.html and the Planning Enquiry Counters of the Planning Department (PlanD) in North Point and Sha Tin. A set of hard copies is deposited at the Board’s Secretariat for Members’ inspection.

1. Introduction

1.1 On 16.1.2026, the draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/39 (the Plan) at **Annex I**, together with the Notes and Explanatory Statement (ES)¹, was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The Schedule of Amendments setting out the amendments incorporated into the Plan and its Notes is at **Annex II** and the location of the amendment item is shown on **Plan H-1**.

¹ The Notes and ES are available at the Board’s website at https://www.tpb.gov.hk/en/plan_making/S_ST_39.html

- 1.2 During the two-month statutory exhibition period, two valid representations were received. On 20.3.2026, the Board agreed to consider the representations collectively in one group.
- 1.3 This Paper is to provide the Board with information for consideration of the representations. The list of representers and the submissions are at **Annexes III** and **IV** respectively. The representers have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

2. **Background**

Item A – Rezoning of a site at Sheung Wo Che for Religious Institution and Columbarium Uses

- 2.1 On 18.7.2025, the Rural and New Town Planning Committee (RNTPC) of the Board agreed to a s.12A application (No. Y/ST/60) for rezoning a site at Sheung Wo Che from “V” to “G/IC(1)”, subject to a maximum gross floor area (GFA) of 1,069m², a maximum building height (BH) of three storeys, and a maximum number of 10,960 niches for columbarium use, to regularise the current religious institution and columbarium uses. In view that the applicant had submitted detailed development proposal with supporting technical assessments at the s.12A application stage, and there would have control mechanism on the details and technical requirements of the columbarium use under the licencing regime of Private Columbaria Ordinance (PCO) and land administrative regime, the RNTPC agreed to put ‘Columbarium’ under Column 1 use which is always permitted, subject to the maximum GFA, BH and number of niches as proposed by the applicant so as to streamline the development control process. To take forward the RNTPC’s decision, the site has been rezoned to “G/IC(1)” with relevant amendments to the Notes of the Plan.

Amendments to the Notes and ES of the Plan

- 2.2 The following amendments to the Notes of the Plan have been made:

“G/IC(1)” zone

- (i) in relation to **Item A**, a new “G/IC(1)” sub-zone and a set of Notes for “G/IC(1)” with the relevant development restrictions of GFA, BH, and number of niches for columbarium use have been incorporated;

“Other Specified Uses” annotated “Business” (“OU(B)”) zones

- (ii) opportunity is taken to align the provisions and control of ‘Government Use (not elsewhere specified)’ across the two Schedules (namely Schedule I for open-air development or for building other than industrial or industrial-office building and Schedule II for industrial or industrial-office building) in the Notes for the “OU(B)” and “OU(B)1” zones of the Plan. In this regard, ‘Government Use (not elsewhere specified)’ has been moved from Column 2 to Column 1 and ‘Government Use (Police Reporting Centre, Post Office only)’ has been deleted from Column 1 under Schedule I of the Notes for the “OU(B)” and “OU(B)1” zones; and

Technical Amendments

(iii) opportunity is also taken to revise the Notes of the Plan based on the latest Master Schedule of Notes to Statutory Plans (MSN).

2.3 The ES of the Plan has been suitably revised in view of the above amendments as well as to update the general information for various land use zones to reflect the latest status and planning circumstances of the Planning Scheme Area and to incorporate certain technical revisions.

The Plan

2.4 On 9.1.2026, the RNTPC agreed that the proposed amendments to the approved Sha Tin OZP No. S/ST/38 were suitable for exhibition under section 5 of the Ordinance for public inspection. The relevant RNTPC Paper No. 1/26 is available at the Board's website² and an extract of the minutes of the said RNTPC meeting is at **Annex V**. Accordingly, the Plan was gazetted on 16.1.2026.

3. Local Consultation

Upon gazettal of the Plan on 16.1.2026, members of the Sha Tin District Council (STDC) and the Sha Tin Rural Committee (STRC) were notified on the same date that members of the public can submit representations on the amendments in writing to the Secretary of the Board during the statutory exhibition period. No representation from members of STDC and STRC was received.

4. The Representation Site and the Surrounding Areas (Plans H-1 to H-4)

The Representation Site under Item A and Its Surrounding Areas

4.1 The Item A Site, with an area of about 0.15ha, is located in the eastern foothill fringe of a village cluster at Sheung Wo Che, intermixed with religious institutions and private columbaria. It is currently occupied by a cluster of one- to three-storey structures for religious institution with columbarium uses known as Sai Lam Temple (SLT) (西林寺). The site is zoned "G/IC(1)" subject to a maximum GFA of 1,069m², a maximum BH of three storeys, and a maximum number of 10,960 niches for columbarium use.

4.2 According to the applicant's indicative scheme under the s.12A application (No. Y/ST/60) (**Drawings H-1a and H-1b**), the site consists of five buildings (with BH of one- to three-storey) and other facilities functioning as columbarium, worshipping hall, ancestral tablet room, praying room, management office, shop and store room. No new buildings or niches are proposed and all the existing facilities at the site will remain unchanged.

² The RNTPC Paper No. 1/26 is available at the Board's website at:
https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/780_rnt_agenda.html

Planning Intention

- 4.3 The planning intention of the “G/IC(1)” zone is primarily for religious institution and columbarium uses.

5. The Representations

5.1 Subject of Representations

5.1.1 During the two-month exhibition period, there were 2 valid representations received. One representation (**R1**) was submitted by the applicant of the s.12A application No. Y/ST/60 (i.e. Sai Lam (Salvation) Foundation Limited) supporting Item A, while the other representation (**R2**) was submitted by an individual opposing Item A and the amendments to Notes (c) and (d).

5.1.2 The major grounds/views of the representations and PlanD’s responses, in consultation with relevant government bureaux/departments (B/Ds), are summarised in paragraphs 5.2 and 5.3 below.

5.2 Supportive Representation Related to Item A (R1)

| Major Grounds / Views |
|---|
| (1) The rezoning application to regularise the pre-cut-off columbarium at SLT is in line with the PCO, adopting a pragmatic approach to address urgent niche demand in Hong Kong. The development is small-scale, supported by technical assessments, and no objections were received by relevant government departments regarding traffic, environmental, drainage, sewerage, or geotechnical aspects. |
| Responses |
| The supportive grounds/views are noted. |

5.3 Adverse Representation (R2)

5.3.1 Item A

| Major Grounds / Views |
|---|
| (1) The applicant is not related to the founders of the religious institution and not a ‘current land owner’. The applicant has adopted the name of SLT to facilitate its commercial interests, and there is no record to verify that SLT is a social service organisation. |
| (2) SLT has no vehicular access, and visitors can only arrive on foot. The proposed traffic and crowd arrangement about closure of SLT on Chung Yeung and Ching Ming Festival days is considered infeasible, given public aspirations and long-standing traditions. Government monitoring would be required at every festival to ensure compliance with the proposed arrangement. |

| |
|--|
| <p>(3) No previous approval for columbarium use was granted at the site and no enforcement action was taken when the columbarium operation commenced in 2009, apart from the issuance of a warning letter by the Lands Department (LandsD). There are unapproved buildings erected on the site.</p> |
| <p>Responses</p> |
| <p>(a) In response to (1):</p> <p>Item A is to take forward the s.12A application No. Y/ST/60 for regularising the current religious institution and columbarium uses which was agreed by the RNTPC on 18.7.2025 primarily based on considerations of land use. While land ownership is not a material consideration in the assessment of rezoning application, the applicant of the s.12A application No. Y/ST/60 is not a ‘current land owner’ but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Ordinance (TPB PG-No. 31B) by obtaining consent from the current land owner.</p> |
| <p>(b) In response to (2):</p> <p>According to the Traffic Impact Assessment and Management Plan (MP) submitted by the applicant of the application No. Y/ST/60 at the s.12A application stage, all visitors are required to make appointment in advance on a ‘first come, first served’ basis, while the holding capacity is restricted to 116 visitors staying in the columbarium buildings at any time and SLT will be closed on Chung Yeung and Ching Ming Festival Days. With the implementation of the proposed traffic and crowd management measures under the MP, adverse traffic impact caused by the columbarium is not anticipated. In this regard, relevant departments including the Commissioner for Transport (C for T) and Commissioner of Police (C of P) had no objection to and no comment on the application respectively.</p> <p>Under the PCO, any private columbarium which applies for a licence must comply with the PCO and other requirements prescribed in the PCO or specified by the Private Columbaria Licensing Board (PCLB) including land-related, building-related, right to use the columbarium premises, fire safety, etc. Should PCLB decide to approve the licence application, the approved MP (including the traffic and crowd management measures proposed by the applicant) will be included in the licensing conditions and the licensee will be required to implement the approved MP. The Private Columbaria Affairs Office of Food and Environmental Hygiene Department (FEHD) will also be responsible for monitoring the licensee’s implementation of the measures.</p> |
| <p>(c) In response to (3):</p> <p>Item A is to take forward the RNTPC’s agreement to the s.12A application No. Y/ST/60, taking into account the findings of relevant technical assessments, background of the application site and</p> |

comments from government departments. In view that a detailed development proposal with supporting technical assessments was submitted during the s.12A application stage, all the concerned government departments had no objection to or adverse comment on the proposed scheme, and there would have control mechanism on the details and technical requirements of the proposed columbarium use under the licencing regime of PCO and land administrative regime, the proposed rezoning for regularising the religious institution and columbarium uses are considered appropriate.

As the Item A Site is not previously covered by any statutory Interim Development Permission Area and/or Development Permission Area Plans, there is no enforcement power by the Planning Authority within the subject site under the Ordinance. Development control in the area would rest with relevant departments and various licensing authorities.

5.3.2 *Amendments to the Notes (c) and (d)*

| Major Grounds / Views | |
|------------------------------|---|
| (1) | Incorporating ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 1 for “V” zone could not ensure public scrutiny. These facilities are considered too bulky or visually obtrusive. |
| (2) | The planning intention of the “V” zone is to provide family housing for indigenous villagers. The proposed incorporation of ‘Field Study/ Education/Visitor Centre’ under Column 2 of the Notes for “V” zone, however, would encourage further abuse of the New Territories Exempted House policy, which has already resulted in most recent developments being marketed as units for sale to non-indigenous outsiders. Such amendments could also be misused to justify the establishment of commercial operations under the guise of service centres. |
| Responses | |
| (a) | In response to (1): The incorporation of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 1 of the Notes for “V” zone, being in line with the latest MSN promulgated by the Board, is to streamline the provision of these common and essential facilities in village areas. Under the current practice, relevant government departments such as FEHD would consult the concerned local residents/DCs/RCs on the provision of such facilities, as appropriate. |
| (b) | In response to (2): Given the popularity of tours/visits to the villages in recent years, it is considered appropriate to add ‘Field Study/Education/Visitor Centre’ under Column 2 of the Notes for “V” zone to cater for the demand for such uses where appropriate, which is in line with the latest MSN promulgated by the Board. To ensure no insurmountable impacts on |

the surrounding areas and minimise the possible nuisance to the village environment, planning permission from the Board for such use is required.

6. Departmental Consultation

6.1 The following B/Ds have been consulted and their comments, if any, have been incorporated in the above paragraphs, where appropriate.

- (a) Antiquities and Monuments Office, Development Bureau;
- (b) C for T;
- (c) Director of Agriculture, Fisheries and Conservation;
- (d) Director of Environmental Protection;
- (e) Director of Social Welfare;
- (f) Project Manager (North), Civil Engineering and Development Department (CEDD);
- (g) Head of Geotechnical Engineering Office, CEDD;
- (h) District Lands Officer/Shan Tin, LandsD;
- (i) District Office (Shan Tin), Home Affairs Department;
- (j) Chief Building Surveyor/New Territories East(1) & Licensing, Buildings Department;
- (k) Chief Engineer/Development(2) Division, Water Supplies Department;
- (l) Chief Engineer/Mainland South, Drainage Services Department;
- (m) Chief Highway Engineer/New Territories East, Highways Department;
- (n) C of P;
- (o) Director of Fire Services;
- (p) Director of Food and Environmental Hygiene;
- (q) Director of Leisure and Cultural Services;
- (r) Director of Electrical and Mechanical Services; and
- (s) Chief Town Planner/Urban Design and Landscape, PlanD.

7. Planning Department's Views

7.1 The supportive views provided by **R1** are noted.

7.2 Based on the assessments in paragraph 5.3 above, PlanD does not support R2 and considers that the draft OZP should not be amended to meet the representation for the following reasons:

Item A

- (a) **Item A** is to take forward the s.12A application agreed by the RNTPC of the Board taking into account the findings of relevant technical assessments, background of the application site and comments from government departments. In view that a detailed development proposal with supporting technical assessments was submitted during the s.12A application stage, all the concerned government departments had no objection to or adverse comment on the proposed scheme, and there will have control mechanism on the details and technical requirements of the

proposed columbarium use under the licencing regime of PCO and land administrative regime, the amendments to the Plan are considered appropriate; and

Amendments to the Notes (c) and (d)

- (b) the incorporation of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 1 and ‘Field Study/Education/Visitor Centre’ under Column 2 of the Notes for “V” zone are in line with the MSN promulgated by the Board. The provisions of these facilities will follow the relevant government procedures and/or require planning permission from the Board.

8. Decision Sought

- 8.1 The Board is invited to give consideration to the representations taking into consideration the points raised in the hearing session, and decide whether to propose/not to propose any amendment(s) to the Plan to meet/partially meet the representations.
- 8.2 Should the Board decide that no amendment should be made to the Plan to meet the representations, Members are also invited to agree that the Plan, together with its Notes and ES, are suitable for submission under section 8(1)(a) of the Ordinance to the Chief Executive in Council for approval.

9. Attachments

| | |
|-------------------------------|---|
| Annex I | Draft Sha Tin OZP No. S/ST/39 (Reduced Size) |
| Annex II | Schedule of Amendments to the Approved Sha Tin OZP No. S/ST/38 |
| Annex III | List of the Representers |
| Annex IV | Submissions of the Representers |
| Annex V | Extract of Minutes of RNTPC Meeting held on 9.1.2026 |
| Drawings H-1a and H-1b | Indicative Master Layout Plan and Landscape Master Plan of the Agreed s.12A Application No. Y/ST/60 |
| Plan H-1 | Location Plan |
| Plan H-2 | Site Plan |
| Plan H-3 | Aerial Photo |
| Plan H-4 | Site Photo |