

~~for an individual case and the Committee's views on the declared interests were in Annex 3.~~

### Deliberation Session

8. After deliberation, the Committee decided to approve the applications on a temporary basis for the applied periods on the terms of the applications as submitted to the Town Planning Board subject to the approval conditions stated in the Papers. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Papers.

## **Sha Tin, Tai Po and North District**

### **Agenda Item 3**

#### **Section 12A Application**

[Open Meeting (Presentation and Question Sessions Only)]

Y/TP/36                      Application for Amendment to the Approved Tai Po Outline Zoning Plan No. S/TP/30, To rezone the application site from "Open Space" to "Government, Institution or Community (3)", Lots 136 RP (Part) and 138 RP (Part) in D.D. 5 and adjoining Government Land, 8 Mui Shue Hang, Tai Po  
(RNTPC Paper No. Y/TP/36B)

9.                      The Secretary reported the application site (the Site) is located in Tai Po. Dr Venus Y.H. Lun had declared an interest on the item for co-owning with spouse a property in Tai Po. The Committee noted that Dr Venus Y.H. Lun had tendered an apology for being unable to attend the meeting.

### **Presentation and Question Sessions**

10.                      The following representatives from the Planning Department (PlanD) and the applicant's representatives were invited to the meeting at this point:

**PlanD**

- |                       |  |
|-----------------------|--|
| Ms Margaret H.Y. Chan | - District Planning Officer/Shan Tin, Tai Po and North (DPO/STN) |
| Mr Kevin K.W. Lau     | - Senior Town Planner/Shan Tin, Tai Po and North (STP/STN)       |
| Mr Nicol W.K. Yu      | - Town Planner/Shan Tin, Tai Po and North                        |

**Applicant's Representatives**

- |                                       |  |
|---------------------------------------|--|
| Ever Rest Limited (Applicant)         | - Mr Kelvin Kam<br>- Ms Josephine Cheng<br>- Mr Joseph Tse |
| Toco Planning Consultants Limited     | - Mr Daniel Wei<br>- Ms Jacqueline Ho                      |
| Lo, Wong & Tsui Solicitors & Notaries | - Mr Johnny Wong<br>- Ms Veronica Tse                      |
| Ozzo Technology (HK) Limited          | - Ms Lily Lin<br>- Ms Agnes He                             |

11. The Chairman extended a welcome and explained the procedures of the meeting. He then invited PlanD's representatives to brief Members on the background of the application.

12. With the aid of PowerPoint presentation, Mr Kevin K.W. Lau, STP/STN, briefed Members on the background of the application, the proposed rezoning of the Site from "Open Space" ("O") to "Government, Institution or Community (3)" ("G/IC(3)") to regularise the existing religious and columbarium use under the name of "Ever Rest Temple" on the Site, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD had no in-principle objection to the application.

13. The Chairman then invited the applicant's representatives to elaborate on the application. Mr Daniel Wei, the applicant's representative, said that they concurred with PlanD's presentation and views on the application, and had no further point to make.

14. As the presentations of PlanD's representative and the applicant's representative were completed, the Chairman invited questions from Members.

15. Some Members raised the following questions:

- (a) the planned use of the Site and the need for such use to cater for the future development of the area;
- (b) how the applicant had improved the visual quality of the buildings at the Site in order to achieve greater harmony with the surrounding areas, noting that one of the Committee's rejection grounds in respect of the previous application (No. Y/TP/23) (submitted by the applicant) was pertaining to incompatibility with the open space use; and
- (c) whether burning of joss paper would be allowed at the Site, and any remedial measures if it was allowed.

16. In response, Ms Margaret H.Y. Chan, DPO/STN said that the Site was zoned "Green Belt" on the first statutory plan covering the Tai Po area (i.e. the draft Tai Po Outline Zoning Plan (OZP) No. LTP/47) gazetted on 12.12.1980. The Site, together with a larger area, was subsequently rezoned to "O" on the draft Tai Po OZP No. LTP/47B on 21.10.1983 in light of Government's plan to construct the Mui Shue Hang Playground (MSHP) to the immediate north of the Site. The Site was not within the boundary of MSHP. A land use review for the area was conducted by PlanD in 2007. While the construction of MSHP was completed, given that the Site was in ruins at the time of the land use review, the "O" zoning was retained and had remained unchanged on the prevailing Tai Po OZP.

17. In respect of visual quality of the buildings at the Site, Mr Daniel Wai, the applicant's representative, said that since the rejection of the previous application (No. Y/TP/23) in 2015, the applicant had put a lot of effort to improve the aesthetic design of the Ever Rest Temple with a view to achieving visual harmony with the surrounding areas, such as using eco-friendly wood and natural façade colours for the exterior of the buildings and fence walls.

18. In response to the Chairman's enquiry, Ms Margaret H.Y. Chan, DPO/STN, showed some photos of the Ever Rest Temple before and after the design improvements were adopted and confirmed that such improvement works were completed. She said that the Chief Town Planner/Urban Design and Landscape, PlanD had no adverse comment on the application from urban design and visual impact perspectives.

19. On whether burning of joss paper would be allowed at the Site, Ms Josephine Cheng, the applicant's representative, said that no furnace facility would be provided and burning of joss paper would be prohibited within the Site. Visitors would only be allowed to light incense sticks within the Site and if there was any joss paper, either the visitors needed to bring them home for burning or the applicant would offer arrangement for off-site burning at a public joss paper furnace.

20. The Chairman asked whether the access to the Site would be via MSHP and whether there were any departmental comments on such arrangement. In response, Ms Margaret H.Y. Chan, DPO/STN, with reference to Plan Z-2a of the Paper, said that the Site was accessible via a shared footpath and a separate dedicated footpath through MSHP. It was understood that the applicant and the Leisure and Cultural Services Department (LCSD) had reached an agreement on the footpath arrangement within MSHP and the applicant had committed to complying with all the rules and regulations of LCSD's venue and the prevailing ordinance. The Director of Leisure and Cultural Services had no objection to the application on such condition.

21. To supplement, Mr Daniel Wai, the applicant's representative, reiterated that the applicant had committed to following all the rules, regulations and ordinances governing LCSD's venue and would minimise any potential nuisance to the users of MSHP.

22. As Members had no further question to raise, the Chairman said that the hearing procedures of the application had been completed. The Board would further deliberate on the application in the absence of the applicant's representatives and inform the applicant of the Board's decision in due course. The Chairman thanked PlanD's representatives and the applicant's representatives for attending the meeting. They left the meeting at this point.

[Miss Winnie W.M. Ng and Ms Clara K.W. U joined the meeting during the question and answer session.]

### Deliberation Session

23. The Chairman remarked that the Committee at the last meeting rejected an application for regularisation of an existing columbarium use within a “Village Type Development” zone and one of the rejection grounds was that the columbarium use was considered not compatible with the existing village setting of the area. Unlike the said application, the Site of the subject application fell within an “O” zone but outside the boundary of MSHP to its immediate north. The previous rezoning application (No. Y/TP/23) at the Site was rejected by the Committee in 2015 mainly on the grounds of failing to demonstrate no adverse traffic impacts and incompatibility with the adjacent open space. The Private Columbaria Ordinance (PCO) enacted in 2017 regulated the operation of private columbaria through a licensing mechanism. For a licenced columbarium approved by the Private Columbaria Licensing Board (PCLB), the Private Columbaria Affairs Office of the Food and Environmental Hygiene Department would oversee the monitoring of the licensee’s implementation of the approved management plan in coordination with other concerned departments and there were legal provisions under PCO to regulate breaches of licensing conditions imposed by PCLB. Moreover, since the rejection of the previous application, the applicant had made efforts to improve the visual quality of the Ever Rest Temple to enhance the harmony with the surrounding areas in particular the open space, and the applicant also committed to complying with the rules and regulations of LCSD’s venue and the prevailing ordinance. Given the above, relevant government departments, including PlanD and LCSD, had no in-principle objection to the proposed rezoning.

24. Members generally considered that the application could be agreed in-principle. In particular, a Member expressed that there were initially concerns on the compatibility of the Ever Rest Temple and the tranquil environment of MSHP. However, after considering the Paper and the elaborations from PlanD and the applicant’s representatives, the Member was convinced that the proposed rezoning was acceptable.

25. After deliberation, the Committee decided to agree in-principle to the application. The relevant proposed amendments to the OZP, together with the revised Notes and

Explanatory Statement, would be submitted to the Committee for consideration prior to gazetting under section 5 of the Town Planning Ordinance.

---

**Fanling, Sheung Shui and Yuen Long East District**

**Agenda Item 4**

**Section 12A Application**

[Open Meeting (Presentation and Question Sessions Only)]

Y/YL-NSW/7      Application for Amendment to the Approved Nam Sang Wai Outline Zoning Plan No. S/YL-NSW/8, To rezone the application site from “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” to “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area 1”, Various Lots in D.D. 104 and adjoining Government land, Wing Kei Tsuen, Nam Sang Wai, Yuen Long (RNTPC Paper No. Y/YL-NSW/7B)

---

**Presentation and Question Sessions**

26.            The following representatives from the Planning Department (PlanD) and the applicants’ representatives were invited to the meeting at this point:

**PlanD**

Mr Anthony K.O. Luk

- District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE)

Mr Kimson P.H. Chiu

- Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE)

---