

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

**APPLICATION NO. Y/ST/50**  
*(for 2<sup>nd</sup> Deferment)*

- Applicant** : Ching To Yuen Limited, represented by Urbis Limited
- Site** : Lot Nos. 374, 375 s.A and 375 s.B in D.D.186, To Fung Shan, Sha Tin
- Site Area** : About 4,363m<sup>2</sup>
- Lease** : Lot No. 374 in D.D. 186 under New Grant No. 6445  
(a) a building lot  
(b) no house erected on the lot shall be more than two storeys in height  
(c) no grave or human remains shall be deposited on the lot  
(d) no building of any description erected shall be used as a “Chai Tong” or for any other purposes of similar nature
- Lot No. 375 s.A. in D.D.186 under New Grant No. 6445  
(a) a garden lot  
(b) no buildings of any description erected on the lot shall be more than two storeys in height  
(c) no grave or human remains shall be deposited on the lot
- Lot No. 375 s.B. in D.D.186 under New Grant No. 6445  
(a) a garden lot  
(b) an approximate area of 0.02 acres (i.e. 817.2sq. ft) had been converted to building land status which is subject to height restriction of not more than two storeys  
(c) no grave or human remains shall be deposited on the lot  
(d) no buildings of any description shall be erected in the remaining area of the lot
- Plan** : Approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/34 (at the time of submission of the application)  
  
Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/35 (currently in force)
- Zoning(s)** : “Green Belt” (“GB”)
- Proposed Amendment** : To rezone the application site from “GB” to “Government, Institution or Community (1)” (“G/IC(1)”)

## 1. **Background**

- 1.1 On 29.3.2021, the applicant submitted the current s.12A application to rezone the subject site (the Site) from “GB” to “G/IC(1)” to continue the existing columbarium use (providing a total of 6,396 niches, of which 2,993 are sold niches) under the name of “Ching To Yuen (淨土園)” (**Plan Z-1**).
- 1.2 On 26.11.2021, the Rural and New Town Planning Committee (the Committee) agreed to defer making a decision on the application for two months as requested by the applicant in order to allow time to prepare Further Information (FI) to address departmental comments.
- 1.3 On 16.12.2021, the applicant submitted FI including response to comment tables to address departmental comments. The application is scheduled for consideration by the Committee at this meeting.

## 2. **Request for Deferment**

On 18.2.2022, the applicant’s representative wrote to the Secretary, Town Planning Board (the Board) and requested the Board to defer making a decision on the application for two months in order to allow more time to prepare FI to address departmental comments (**Appendix I**).

## 3. **Planning Department’s Views**

- 3.1 The Planning Department has no objection to the request for the second 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. 33A)<sup>1</sup> in that the deferment would allow more time for the applicant to address departmental comments.
- 3.2 Should the Committee agree to defer 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 could 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 total of four months for preparation of the submission of FI. The second deferment should be the last deferment and no further deferment would be granted unless under very special circumstances and supported with strong justifications.

## 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 for the Committee’s consideration at the next meeting.

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<sup>1</sup> The number of deferments to be granted as stipulated under TPB PG-No. 33A is not applicable to this application which was received before the promulgation of the revised guidelines on 24.8.2021

**5. Attachments**

**Appendix I**  
**Plan Z-1**

Applicant's Representative Letter dated 18.2.2022  
Location plan

**PLANNING DEPARTMENT**  
**MARCH 2022**