

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

APPLICATION NO. Y/ST/51
(for 2nd Deferment)

- Applicant** : Do Wing Yuen (Yue Leung) Management Limited, represented by Knight Frank Petty Limited
- Plan** : Approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/34
- Application Site** : Lot 613 in D.D. 185 and adjoining Government land, No. 179 Pai Tau Village, Sha Tin
- Site Area** : About 2,340 m²
- Lease** : Lot 613 in D.D. 185 governed by New Grant No. ST9874
(a) residential Lot
(b) no part of any structure or building erected on the lot shall exceed a height of 28 feet above the mean formation level and no building shall contain more than two storeys and the maximum area of the lot that may be built over shall not exceed 20 percent of the area of the lot
(c) no grave shall be made on the lot, nor shall any human remains whether in earthenware jars or otherwise be interred therein or deposited thereon
- Zoning** : “Village Type Development” (“V”)
- Proposed Amendment** : To rezone the application site from "V " to "Other Specified Uses" annotated "Religious Institution with Columbarium" (“OU (Religious Institution with Columbarium)”)

1. Background

- 1.1 On 14.4.2021, the applicant seeks planning permission to rezone the application site from “V” to “OU (Religious Institution with Columbarium)” to continue the existing religious institution and columbarium uses under the name of Do Wing Yuen (道榮園) (**Plan Z-1**) 13,838 niches (8,397 single-urn niches and 5,441 double-urn niches, of which 5,256 are sold niches and 8,582 are unsold niches).
- 1.2 On 9.7.2021, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer making a decision on the application for two months, as requested by the applicant, to allow time for the applicant to prepare further information (FI) to address departmental comments. Upon receipt of the applicant’s FI on 27.8.2021, the application is scheduled for consideration by the Committee at this meeting.

2. **Request for Deferment**

On 11.11.2021, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer the consideration of the application for two months in order to allow time to prepare FI to address comments from the Transport Department (**Appendix I**).

3. **Planning Department's View**

- 3.1 The application has been deferred once for two months at the request of the applicant to allow more time to address departmental comments. Since the first deferment on 9.7.2021, the applicant's representative on 27.8.2021 submitted FI including revised Sewerage Impact Assessment and revised Noise Impact Assessment to address departmental comments and responses to public comments. Nevertheless, the applicant needs more time to prepare FI to address further departmental comments.
- 3.2 Planning Department has no objection to the request for deferment as the justification for deferment meets 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)¹ in that the applicant needs more time to prepare FI to address 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 three months upon receipt of FI from the applicant. If the FI submitted by the applicant 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. The applicant should be advised that the Committee has allowed further two months for preparation of FI submission. Since this is the second deferment of the application, the applicant should be advised that the Committee has allowed a total of four months for preparation of FI submission, and no further deferment would be granted unless under very special circumstances.

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 to the Committee for consideration at the next meeting.

5. **Attachments**

Appendix I
Plan Z-1

Letter dated 11.11.2021 from the applicant's representative
Location plan

**PLANNING DEPARTMENT
NOVEMBER 2021**

¹ 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