

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

APPLICATION NO. Y/ST/51
(for 3rd Deferment)

- Applicant** : Do Wing Yuen (Yue Leung) Management Limited, represented by Knight Frank Petty Limited
- Site** : Lot No. 613 in D.D.185 and adjoining Government land, No. 179 Pai Tau Village, Sha Tin
- Site Area** : About 2,340 m²
- Lease** : Lot No. 613 in D.D. 185 under 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
- Plan** : Approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/34 (at the time of submission)

Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/35 (currently in force)
- Zoning** : "Village Type Development" ("V")
(no change to the subject "V" zone on the current OZP)
- 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 submitted a S.12A planning application to rezone the 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**) with 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 and 26.11.2021, 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, in order to allow time to prepare Further Information (FI) to address departmental comments.
- 1.3 On 13.6.2022, the applicant submitted FI including responses to departmental and public comments, revised Sewerage Impact Assessment, Traffic Management Plan and clarification on background information of the application. The application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 29.8.2022, the applicant's representative wrote to the Secretary of the Board and requested the Board to further defer making a decision on the application for two months in order to allow more time to prepare FI to address Transport Department's (TD) comments (**Appendix I**).

3. Planning Department's Views

- 3.1 The Planning Department has no objection to the request for the third 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)¹ 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 six months for preparation of the submission of FI. This is the third deferment. No further deferment would be granted.

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.

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.

5. Attachments

Appendix I
Plan Z-1

Applicant's Representative Letter dated 29.8.2022
Location plan

PLANNING DEPARTMENT
SEPTEMBER 2022