

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

APPLICATION NO. Y/ST/57
(for 1st Deferment)

- Applicant** : To Fuk Shan Limited, represented by R&U Planning and Development Consultants Limited
- Site** : Lots No. 484 (Part), 494 (Part), 495 (Part), 540 S.A and 540 RP (Part) in D.D. 185 and adjoining Government Land, Sheung Wo Che, Sha Tin, New Territories
- Site Area** : About 4,060m²
(including Government Land of about 49m²)
- Lease** : Lot No. 484 in D.D. 185
(a) a building and garden lot sold under New Grant No. 7924
(b) a height restriction of not more than two storeys
(c) no building shall be used as a 'Chai Tong'
(d) no grave or human remains shall be deposited on the lot
- Lot Nos. 494 and 495 in D.D. 185
(a) a garden lot sold under New Grant No. 8002
(b) no building shall be erected on the lot
(c) no grave or human remains shall be deposited on the lot
- Lot Nos. 540 S.A and 540 RP in D.D. 185
(a) a sub-section of a building and garden lot sold under New Grant No. 8363
(b) a height restriction of not more than two storeys
(c) no building shall be use as a 'Chai Tong'
(d) no grave or human remains shall be deposited on the lot
- Plan** : Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/35
- 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

On 8.8.2022, the applicant submitted a s.12A planning application to rezone the application site (the Site) from "V" to "OU (Religious Institution with Columbarium)" to regularize the

sustaining operation of the existing religious institution and columbarium use (providing 24,833 niches of which 5,927 are sold niches) under the name of To Fuk Shan Tsz (道福山祠) (**Plan Z-1**). The application is scheduled for consideration by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) at this meeting.

2. Request for Deferment

On 12.10.2022, 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 further information (FI) to address departmental comments (**Appendix I**).

3. Planning Department's View

- 3.1 The Planning Department has no objection to the request for the first 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) in that the deferment would allow the applicant to prepare FI to address outstanding 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 two months for preparation of the submission of FI, 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 12.10.2022 from the applicant's representative
Location plan

PLANNING DEPARTMENT
OCTOBER 2022