

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

APPLICATION NO. Y/TP/33

(for 3rd Deferment)

- Applicant** : Ever Rest Limited represented by Toco Planning Consultants Limited
- Site** : Lots 136 RP (Part) and 138 RP (Part) in D.D. 5 and adjoining Government Land, 8 Mui Shue Hang, Tai Po
- Site Area** : About 447.7m² (including Government land of about 75.3m² or 17% of the Site)
- Lease** : Block Government Lease (demised for agricultural use)
(about 372.4m² or 83% of the Site)
- Plan** : Draft Tai Po Outline Zoning Plan (OZP) No. S/TP/29
(currently in force)

Approved Tai Po OZP No. S/TP/28
(at the time of submission)
- Zoning** : “Open Space” (“O”)
(no change to the subject “O” zone on the current OZP)
- Proposed Amendment** : Rezoning from “O” to “Government, Institution or Community (3)”
 (“G/IC (3)”)

1. Background

- 1.1 On 23.11.2020, the applicant sought planning permission to rezone the application site (the Site) (**Plan Z-1**) from “O” to “G/IC (3)” to regularize the columbarium use at three existing buildings at the Site under the name of Ever Rest Temple (常寂園).
- 1.2 On 5.2.2021 and 24.9.2021, 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 each for two months, as requested by the applicant’s representative, to allow time for the applicant to prepare further information (FI) to address departmental and public comments. The application is scheduled for consideration by the Committee at this meeting.

2. **Request for Deferment**

On 15.11.2021 and 19.11.2021, 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 so as to allow more time for preparation of FI to address comments from the Food and Environmental Hygiene Department (FEHD) regarding the discrepancy issues on the niche information (**Appendices Ia and Ib**).

3. **Planning Department's Views**

- 3.1 The application has been deferred twice for a total period of four months at the request of the applicant. Since the last deferment on 24.9.2021, the applicant has submitted documents including signed layout plans of the columbarium, application summary for Temporary Suspension of Liability and Licence applications, niches information, management plan, traffic assessment report and application for short term tenancy to FEHD. According to the applicant, a meeting is also being arranged with FEHD to settle the discrepancy in the number of niches at Ever Rest Temple. In view of the above, the applicant requests the Board to defer a decision on the application for further two months.
- 3.2 The 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. 33A)¹ in that the applicant needs more time to prepare FI in response to 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 a further period of two months for preparation of submission of FI. Since it is the third deferment of the application and the Committee has allowed a total of six months for the preparation of submission of FI, this is the **last deferment** and 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 to the Committee for 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 Ia Letter dated 15.11.2021 from the applicant's representative

Appendix Ib Letter dated 19.11.2021 from the applicant's representative

Plan Z-1 Location Plan

**PLANNING DEPARTMENT
NOVEMBER 2021**