

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

APPLICATION NO. Y/TP/35
(for 2nd Deferment)

- Applicant** : Buddhist Cheung Ha Temple Limited represented by Toco Planning Consultants Limited
- Site** : Lots 1087, 1130 and 2089 in D.D. 6 and adjoining Government land, Kam Shan, Tai Po, New Territories
- Site Area** : About 1,768m² (including about 1,312m² Government land or 74% of the site area)
- Lease** : (a) Lots 1087 and 1130 held under New Grant No. 4961 and TP5543 respectively as Building Lots subject to General Conditions of Sale and Special Condition No. 2(a) published in GN 570 of 1924 and are restricted to:
- (i) 2 storeys in height;
 - (ii) no grave nor human remains be interred in, or deposited on the Lots; and
 - (iii) not used as a “Chai Tong” or for any other purpose of a similar nature
- (b) Lot 2089 held under New Grant No. 12530 dated 15.4.1991 for a term up to 30.6.2047 and is restricted to:
- (i) non-industrial purposes for a building with a maximum height of 3 storeys and roofed-over-area of 65.03m²; and
 - (ii) no grave nor human remains be interred therein or deposited thereon.
- Plan** : Approved Tai Po Outline Zoning Plan (OZP) No. S/TP/30 (Draft Tai Po OZP No. S/TP/29 at the time of submission)
- Zoning** : “Village Type Development” (“V”) (at the time of submission and remains unchanged on the extant OZP No. S/TP/30)
- Proposed Amendment** : To rezone the application site from “V” to “Government, Institution or Community (3)” (“G/IC(3)”) and “Government, Institution or Community (4)” (“G/IC(4)”) subject to a maximum building height (BH) of 3 storeys and 2 storeys respectively

1. **Background**

- 1.1 On 25.3.2022, the applicant submitted the current s.12A application to rezone the application site (the Site) from “V” to “G/IC(3)” and “G/IC(4)” to reflect the existing religious institution use under the name of Buddhist Cheung Ha Temple (佛教長霞淨院) and to regularize the columbarium use at the existing temple-cum-columbarium buildings respectively (**Plan Z-1**).
- 1.2 On 24.6.2022, 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. On 23.8.2022, the applicant submitted FI addressing departmental comments.

2. **Request for Deferment**

On 19.10.2022, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for another two months so as to allow more time for preparation of FI to address 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) 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 FI 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 further two months for preparation of FI submission. 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.

5. Attachments

Appendix I
Plan Z-1

Applicant's Representative Letter dated 19.10.2022
Location plan

PLANNING DEPARTMENT
NOVEMBER 2022