

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/FSS/275

(3rd Deferment)

- Applicant** : The Emperor Hall Services Company Limited represented by Vision Planning Consultants Limited
- Premises** : G/F, 1/F, 2/F, 3/F, 5/F and 6/F, The Emperor Hall, 18 Sha Tau Kok Road – Lung Yeuk Tau, Fanling, New Territories
- Floor Area** : 2,592 m² (about)¹
- Lease** : Lot No. 4433 s.17 in D.D. 51 with no specific lease restriction against the use of the lot for columbarium purpose
- Plan** : Draft Fanling/Sheung Shui Outline Zoning Plan (OZP) No. S/FSS/23 at the time of submission
- Approved Fanling/Sheung Shui OZP No. S/FSS/24 currently in force
- Zoning** : “Government, Institution or Community” (“G/IC”)
- Application** : Columbarium

1. Background

- 1.1 On 29.8.2019, the applicant submitted the application to seek planning permission to use the application premises for columbarium use (**Plan A-1**). According to the applicant, the Emperor Hall contains a total of 33,904 niches. The current planning application is for the niches sold before 30.6.2017 which covers 32,573 niches. Under the Private Columbaria Ordinance, the applicant is required to fulfil the planning-related requirement for application of licence for the subject columbarium covering the niches sold before 30.6.2017.
- 1.2 On 20.3.2020, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application, as requested by the applicant, to allow two months’ time for the applicant to provide more information/assistance

¹ 4/F of the Emperor Hall, about 409.391 m², is not under the current application and is not counted towards the floor area.

to the Food and Environmental Hygiene Department (FEHD) to verify the total number of sold columbarium niches and to undertake follow up actions to address departmental comments. On 20.5.2020, the applicant submitted further information (FI) including responses to comments of FEHD, and clarifications on background information for the verification of number of existing sold niches. Upon receipt of the FI, the application is scheduled for consideration by the Committee on 10.7.2020.

2. Request for Deferment

On 30.6.2020, the applicant's representative wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the application for two months in order to allow sufficient time for FEHD to verify and confirm the number of existing columbarium niches (i.e. solely for those sold before 30.6.2017) in the proposed development (**Appendix I**).

3. Planning Department's View

- 3.1 The application has been deferred twice for a period of four months at the request of the applicant to allow more time to address departmental comments. Since the last deferment on 20.3.2020, the applicant has submitted FI on 20.5.2020 to address comments from FEHD. However, the applicant indicates that more time is needed for FEHD to verify and confirm the number of existing columbarium niches (i.e. solely for those sold before 30.6.2017) in the proposed development, which is an important consideration in processing applications for private columbarium use by concerned authorities.
- 3.2 The Planning Department has no objection to the request for 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. 33) in that further consultation with Government departments is required to resolve major technical issues directly associated with the case and important supplementary information for consideration of the case is pending, 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 a decision on the application, the application will be submitted to the Committee for consideration within two 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. Since it is the third deferment of the application, the applicant should be advised that the Committee has allowed a total of six months for preparation of submission of FI, and 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 for the Committee's consideration at the next meeting.

5. Attachments

Appendix I Letter received on 30.6.2020 from the applicant's representative requesting for deferment

Plan A-1 Location Plan

**PLANNING DEPARTMENT
JULY 2020**