

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/FSS/275**

*(2<sup>nd</sup> 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 m<sup>2</sup> (about)<sup>1</sup>
- 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 18.10.2019, 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 prepare further information (FI) to

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<sup>1</sup> 4/F of the Emperor Hall, about 409.391 m<sup>2</sup>, is not under the current application and is not counted towards the floor area.

address departmental comments. On 18.12.2020, 23.1.2020 and 30.1.2020, the applicant submitted FIs including the Management Plan for the proposed columbarium, responses to departmental and public comments, clarifications of background information and site photos with revised layout plans. Upon receipt of the FIs, the application is scheduled for consideration by the Committee on 20.3.2020.

## 2. **Request for Deferment**

On 18.3.2020, 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 time to assist the Food and Environmental Hygiene Department (FEHD) to verify the total number of existing sold columbarium niches in the proposed development and to undertake follow up actions to address departmental comments (**Appendix I**).

## 3. **Planning Department's View**

- 3.1. The application has been deferred once for two months at the request of the applicant to allow more time to address departmental comments. Since the first deferment on 18.10.2019, the applicant has submitted FIs on 18.12.2020, 23.1.2020 and 30.1.2020 to address comments from departments and the public. However, the applicant indicates that additional time is needed to provide more information/assistance to the FEHD to verify the total number of sold columbarium niches and to undertake follow up actions to address departmental comments, which are important considerations 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 second deferment of the application, the applicant should be advised that the Committee has allowed four months for preparation of 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 for the Committee's consideration at the next meeting.

**5. Attachments**

**Appendix I**                      Letter received on 18.3.2020 from the applicant's representative requesting for deferment

**Plan A-1**                         Location Plan

**PLANNING DEPARTMENT  
MARCH 2020**