

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/ST/952
(for 2nd Deferment)

- Applicant** : Up-grade Development Limited represented by Masterplan Limited
- Site** : The western part of No. 1 Pai Tau Street, Sha Tin
- Site Area** : About 10,373 m²
- Lease** : (a) Sha Tin Town Lot No. 311
(b) held under New Grant No. 12139 as varied or modified by three Modification Letters dated 7.4.1988, 22.3.1990 and 6.5.2005
(c) restricted to columbarium use for deposit of ashes after cremation together with such ancillary facilities
(d) subject to a maximum gross floor area of 4,149m²
- Plan** : Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/33 at the time of submission

Approved Sha Tin OZP No. S/ST/34 currently in force
- Zoning** : “Other Specified Uses” annotated ‘Columbarium’ (“OU(Columbarium)”) (at the time of submission and remains unchanged on the extant OZP No. S/ST/34)

[Restricted to a maximum gross floor area (GFA) of 4,149m², a maximum site coverage (SC) of 37.5% and a maximum building height (BH) of 14.5m. An existing building is allowed to be redeveloped to the same height of the building provided the existing GFA of the building is not exceeded.

Minor relaxation of the GFA/SC/BH restrictions may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance.]
- Application** : Minor Relaxation of GFA and SC Restrictions for Permitted Columbarium Use

1. The Proposal

- 1.1 On 26.3.2018, the applicant sought planning permission for minor relaxation of GFA and SC restrictions for permitted columbarium use to facilitate the proposed expansion of columbarium facilities under the name of “Po Fook Hill” (寶福山) at

the application site (**Plan A-1**). The current proposal is to relax the maximum GFA and SC restrictions of the “OU(Columbarium)” zone from 4,149m² to 4,738m² and from 37.5% to 42.4% respectively for accommodating 19 new 1-storey columbarium structures for 18,000 new niches at the application site in addition to the existing 117 columbarium structures for 93,433 niches.

- 1.2 On 18.5.2018, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision on the application for two months as requested by the applicant to prepare further information (FI) to address the comments raised by relevant Government departments. On 17.7.2018, the applicant submitted FI including responses to departmental comments, a revised traffic impact assessment (TIA) and a new visual analysis (VA). The application is rescheduled for consideration by the Committee on 7.9.2018.

2. Request for Deferment

On 23.8.2018, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for two months so as to allow time for preparation of further information to address the comments of relevant Government departments (**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 prepare FI to address the comments raised by relevant Government departments. Since the first deferment on 18.5.2018, the applicant has submitted FI involving TIA and VA to address departmental comments. However, the applicant needs more time to prepare detailed responses and assessments to address the departmental comments.
- 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 the applicant needs more time to prepare FI to address 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 a decision on the application, the application will be submitted to the Committee for consideration within two months upon receipt of further submission 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 period of two months for preparation of submission of FI. Since it is the second deferment of the application and the Committee has allowed a total of four months including the previous deferment for preparation of submission of FI, 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 A-1

Letter dated 23.8.2018 from the applicant's representative
Location plan

**PLANNING DEPARTMENT
SEPTEMBER 2018**