

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

APPLICATION NO. Y/NE-STK/1

(for 3rd Deferment)

- Applicant** : Aloes Garden (HK) Ltd. (香港沉香園有限公司) represented by Goldrich Planners & Surveyors Ltd.
- Plan** : Approved Sha Tau Kok Outline Zoning Plan (OZP) No. S/NE-STK/2
- Site** : Various lots in D.D. 41 and Adjoining Government Land, Tong To, Sha Tau Kok, New Territories
- Site Area** : About 17,565 m² (including about 2,805 m² of Government land)
- Land Status** : (i) Block Government Lease (demised for agricultural use) except Lot 1332 in D.D. 41 (demised for house use) (about 14,760 m² or 84% of the Site)
(ii) Government land (about 2,805 m² or 16% of the Site)
- Zonings** : (i) “Agriculture” (“AGR”) (about 70% of the Site)
(ii) “Green Belt” (“GB”) (about 30% of the Site)
- Proposed Amendment** : To rezone the application site from “AGR” and “GB” to “Other Specified Uses” (“OU”) annotated ‘Columbarium’

1. Background

- 1.1 On 29.1.2019, the applicant sought planning permission to rezone the application site (the Site) from “AGR” and “GB” to “OU(Columbarium)” on the approved Sha Tau Kok OZP No. S/NE-STK/2 (**Plan Z-1**). According to the applicant, the rezoning request is to facilitate the development of a columbarium with 24,519 niches, ancillary offices, multi-function rooms and car parks. On 12.4.2019 and 1.11.2019, 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 each, as requested by the applicant, to allow time for preparation of further information (FI) to address the departmental comments.
- 1.2 On 31.12.2019, 7.1.2020 and 15.1.2020, the applicant submitted FI including response-to-comments tables, various revised technical assessments and revised Master Layout Plan to respond to departmental comments on the application. In light of the special work arrangement for Government departments due to the novel coronavirus infection, the meeting originally scheduled for 3.4.2020 for consideration of the application has been rescheduled, and the Board has agreed to adjourn consideration of

the application. The application is now scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 18.5.2020, 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 in order to allow time to prepare FI to address the further comments of relevant Government departments (**Appendix I**).

3. Planning Department's Views

3.1 The application has been deferred twice for a total of four months at the request of the applicant to address the departmental comments. The applicant has demonstrated efforts in preparing FI including technical assessments in support of the application.

3.2 Since the last deferment in November 2019, the applicant has submitted various revised technical assessments and revised Master Layout Plan to respond to departmental comments on the application. As there are still further comments from Government departments mainly on the traffic, environmental and drainage impacts arising from the proposed rezoning, more time is required by the applicant to prepare FI to address the further comments from relevant Government departments, including Transport Department, Environmental Protection Department and Drainage Services Department, on the application.

3.3 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. 33) in that the applicant needs more time to prepare FI to address the departmental comments, the deferment period is not indefinite, and the deferment would not affect the interests of other relevant parties.

3.4 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 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 application should be advised that the Committee has allowed a further two months for preparation of submission of FI. Since it is the third deferment of the application, the applicant should be advised that the Committee has allowed a total of six months including the previous deferments for the preparation of submission of FI, this is the last 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 18.5.2020 from the applicant's representative
Plan Z-1 Location Plan

**PLANNING DEPARTMENT
MAY 2020**