

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

APPLICATION NO. Y/NE-STK/2

(For 2nd Deferment)

- Applicant** : Mr. CHEUNG Kin-lung represented by Mr. WONG Sun-wo William
- Plan** : Approved Sha Tau Kok Outline Zoning Plan (OZP) No. S/NE-STK/2
- Application Site** : Lots 1420 (Part), 1421 (Part), 1422 S.B (Part), 1423 S.B (Part) and 1423 S.C (Part) in D.D. 41, Tong To, Sha Tau Kok, New Territories
- Site Area** : 312 m² (about)
- Lease** : (i) Block Government Lease (demised for agricultural use) for Lots 1420, 1421 and 1422 S.B
(ii) Block Government Lease (demised for agricultural and house uses) for Lots 1423 S.B and 1423 S.C
- Zonings** : (i) “Village Type Development” (“V”) (about 306 m² or 98% of the Site)
(ii) “Recreation” (“REC”) (about 6 m² or 2% of the Site)
- Proposed Amendment** : Rezoning from “V” and “REC” to “Other Specified Uses” annotated ‘Columbarium’ (“OU(Columbarium)”)

1. Background

- 1.1 On 31.7.2020, the applicant sought planning permission to rezone the application site (the Site) (**Plan Z-1**) from “V” and “REC” to “OU(Columbarium)” to facilitate the development of a columbarium with 864 niches under the name of Liberty Fook Kui (自由福居).
- 1.2 On 23.10.2020, 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, to allow time for the applicant to prepare further information (FI) to address comments of Transport Department (TD), Environmental Protection Department (EPD) and Water Supplies Department (WSD). The applicant submitted FI on 18 & 19.11.2020 and the application is scheduled for consideration by the Committee on 5.2.2021.

2. Request for Deferment

On 14.1.2021, 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 in order to allow more time to prepare FI to address further comments of TD and EPD (**Appendix I**).

3. Planning Department's Views

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 last deferment on 23.10.2020, the applicant's representative submitted FI on 18 & 19.11.2020 including a Traffic Impact Assessment (TIA) and responses-to-comments for the columbarium to address the department comments. Nevertheless, the applicant needs more time to prepare FI to address the further comments from TD and EPD.

3.2 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.

3.3 Should the Committee agree to defer making 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 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 further two months for preparation of FI submission. Since it is the second deferment of the application, the applicant should be advised that the Committee has allowed a total of four months for preparation of FI submission, 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
Plan Z-1

Email dated 14.1.2021 from the applicant's representative
Location Plan