

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

APPLICATION NO. Y/ST/42
(for 2nd Deferment)

- Applicant** : Ku Ngam Ching Yuen Limited represented by Vision Planning Consultants Limited
- Plan** : Approved Sha Tin Outline Zoning Plan (OZP) No. S/ST/34
- Site** : Lots No. 60 s.A, 60 s.B, and 561 in D.D.184 and Adjoining Government Land, South of Che Kung Miu Road, Tai Wai, Sha Tin, N.T.
- Site Area** : about 1,989m² (including Government Land of 459m² (about 23% of the Site))
- Lease** :
Lot 60 s.A in D.D. 184 – Agricultural Lot
Lot 60 s.B in D.D. 184 – Agricultural Lot
Lot 561 in D.D. 184 – Building and Garden Lot
- Zoning** : “Village Type Development” (“V”)
- Proposed Amendment** : To rezone the application site from “V” to “Government, Institution or Community” (“G/IC”)

1. The Proposal

- 1.1 The applicant seeks planning permission to rezone the application site from “V” to “G/IC” to continue the current religious institution and columbarium uses providing a total of 1,969 (including 1,357 unsold) niches and 907 (including 46 unsold) memorial tablets under the name of Ku Ngam Ching Yuen (古巖淨苑) (KNCY) (**Plan Z-1**).
- 1.2 On 1.11.2019, the Rural and New Town Planning Committee (the Committee) agreed to defer a decision as requested by the applicant. After the deferral, the applicant submitted further information (FI) on 6.1.2020. 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 Town Planning Board (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 Town Planning Board (the Board) and requested the Board to defer making a decision on the application for two months so as to allow time for the applicant to address the comments raised by 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 1.11.2019, the applicant has submitted FI involving TIA to address departmental comments. However, the applicant needs more time to prepare detailed responses to address outstanding 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 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 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	Letter of 18.5.2020 from the applicant's representative
Plan Z-1	Location plan

**PLANNING DEPARTMENT
MAY 2020**