

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

APPLICATION NO. Y/YL-HTF/3
(for 3rd Deferment)

- Applicants** : Ling To Monastery and Ling To Tsz Management Limited represented by Masterplan Limited
- Plans** : Draft Ha Tsuen Fringe (HTF) Outline Zoning Plan (OZP) No. S/YL-HTF/11 and Draft Hung Shui Kiu and Ha Tsuen (HSK and HT) OZP No. S/HSK/1 at the time of submission
- Approved HTF OZP No. S/YL-HTF/12 and Approved HSK and HT OZP No. S/HSK/2 currently in force
- Application Site** : Lots 1363 RP (Part), 1364 (Part), 1365 (Part), 1366 (Part), 1373, 1374, 1375, 1376, 1377, 1378 (Part), 1393 (Part), 1399 S.A (Part), 1399 S.B (Part) and 1401 (Part) in D.D. 125 and adjoining Government Land, San Wai, Ha Tsuen, Yuen Long
- Site Area** : About 12,747m² (including about 3,574 m² of Government Land (GL))
- Lease** : (a) All private lots (about 9,173 m² or 72% of the Site)
- (i) Old Schedule Agricultural Lots
- (ii) No structures are allowed to be erected without the prior approval of the Government
- (b) Government land (about 3,574 m² or 28% of the Site)
- Zoning** : “Green Belt” (“GB”) (about 10,671 m² or 84% of the Site) (at the time of submission and remains unchanged on the extant Approved HTF OZP No. S/YL-HTF/12)
- Area shown as ‘Road’ (about 2,076 m² or 16% of the Site) (at the time of submission and remains unchanged on the extant Approved HSK and HT OZP No. S/HSK/2)
- Proposed Amendment** : To rezone the application site from “Green Belt” (“GB”) and area shown as ‘Road’ to “Government, Institution or Community” (“G/IC”) and area shown as ‘Road’

1. Background

- 1.1 On 20.7.2018, the applicants submitted an application to rezone the application site from "Green Belt" and an area shown as 'Road' to "Government, Institution or Community" and an area shown as 'Road' for religious institution with ancillary columbarium (**Plan Z-1**).
- 1.2 On 19.10.2018 and 22.3.2019, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer a decision on the application for 2 months each, as requested by the applicants, so as to allow time to respond to the comments of relevant government departments. On 18.12.2018, 24.12.2018 and 21.5.2019, the applicants submitted further information and the application is scheduled for consideration by the Committee at this meeting.

2. Request for Deferment

On 2.8.2019, the applicants' representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for 2 months so as to allow time to respond to the further comments of relevant Government departments (**Appendix I**).

3. Planning Department's Views

- 3.1 The application has been deferred twice for 2 months each at the request of the applicants. Since the last deferment on 22.3.2019, the applicants have submitted further information to provide responses to departmental comments. The applicants have indicated that they need more time for preparation of submission of further information to address comments of relevant Government departments.
- 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 applicants need more time to prepare further information in response to 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 3 months upon receipt of further submission from the applicants. If the further information submitted by the applicants 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 applicants should be advised that the Committee has allowed a further 2 months for preparation of submission of further information. Since it is the third deferment of the application, the applicants should be advised that the Committee has allowed a total of 6 months for preparation of submission of further information, ~~*and no further deferment would be granted unless under very special circumstances. this is the last deferment and no further deferment would be granted.*~~

4. Decision Sought

The Committee is invited to consider whether or not to accede to the applicants' 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 Z-1

Applicants' letter dated 2.8.2019
Location Plan

PLANNING DEPARTMENT
AUGUST 2019