

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

APPLICATION NO. Y/K9/13

- Applicant** : Mr. LAI Chi Kwok represented by Cham & Co. Solicitors
- Plan** : Approved Hung Hom Outline Zoning Plan (OZP) No. S/K9/26
- Application Site** : 34-42B Baker Street, Hung Hom, Kowloon
- Site Area** : 294m² (about)
- Lease** : (a) Hung Hom Inland Lot (HHIL) No. 236 s.A ss2, s.A ss3 & s.A RP and 237 s.A ss2 & s.A RP which are held under Government lease both subject to a lease term of 75 years renewable for 75 years commencing on 1.1.1901
(b) Subject to “Noisy Noisome or Offensive Trade or Business” clause
- Zoning** : “Residential (Group A) 4” (“R(A)4”)

[‘Columbarium’ is neither a Column 1 nor Column 2 use under “R(A)” zone]
- Proposed Amendment** : To rezone the application site from “R(A)4” to “R(A)7” to include ‘Columbarium’ as a Column 2 use

1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) from “R(A)4” to “R(A)7” on the Hung Hom OZP (**Plan Z-1**) with ‘Columbarium’ included as a Column 2 use that requires planning permission from the Town Planning Board (the Board). The applicant has not submitted Schedule of Uses for the proposed “R(A)7” zone.
- 1.2 The Site is currently occupied by a 16-storey composite building with commercial uses on ground floor (G/F) and residential use on upper floors. The applicant is operating a columbarium cum florist shop named 藝卓軒 at Shop Nos. 4 and 5 on G/F of the subject building. Since ‘Columbarium’ is neither a Column 1 nor Column 2 use under the “R(A)” zone, the existing columbarium use contravenes the restrictions under the OZP. The applicant proposed to rezone the Site to “R(A)7”

with 'Columbarium' as a Column 2 use, the regularization and continuous operation of the subject columbarium would be subject to s.16 planning application.

- 1.3 The applicant advised that the number of niches in the columbarium in 2004 is around 120, and it was gradually increased to 306 since 2009. Of the 306 niches, 91 are filled and 215 are vacant. No niches have been sold and they are not available for sale. The niches are occupied on a rental basis.
- 1.4 The site plan, layout plan of G/F of the existing building and floor plan of the subject columbarium are shown in **Drawings Z-1 to Z3**.
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application form and supplementary documents received (**Appendix I**) on 22.7.2019
 - (b) Letter dated 26.7.2019 clarifying the total number of niches in the subject columbarium (**Appendix Ia**)
 - (c) Letter dated 18.12.2019 submitting a Traffic Impact Assessment (TIA) (*accepted but not exempted from publication and recounting requirements*) (**Appendix Ib**)
 - (d) Letter dated 21.2.2020 clarifying the current status of the niches at the subject premises (**Appendix Ic**)
 - (d) Letter 18.5.2020 submitting a revised TIA (**Appendix Id**)
 - (e) Letter dated 28.7.2020 submitting supplementary traffic assessments (**Appendix Ie**)
- 1.6 At the request of the applicant, the Committee on 18.10.2019 and 6.3.2020 agreed to defer a decision for two months on both occasions to allow time for the applicant to submit further information (FI) to address departmental comments. The applicant has submitted FIs on 18.12.2019, 21.2.2020, 18.5.2020 and 28.7.2020.
- 1.7 In light of the special work arrangement for government departments due to the novel coronavirus infection, the meeting originally scheduled for 24.7.2020 for consideration of the application has been rescheduled, and the Town Planning Board has agreed to adjourn consideration of the application and the application is now scheduled for consideration by the Committee at this meeting.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are provided in Section 10 of the Application Form (Annex A of **Appendix I**), **Appendix Ib**, **Appendix Id** and **Appendix Ie**. They are summarized as follows:

- (a) The subject columbarium has commenced operation since 2004 without receiving any complaints.
- (b) In support of the Licence and Temporary Suspension of Liability (TSOL) application to the Private Columbarium Licencing Board (PCLB), the applicant has submitted a management plan explaining that various ancillary facilities and measures related to admission control, house rules, traffic management, crowd management and security arrangement, etc. will be adopted (**Appendix Ia**).
- (c) The subject columbarium is located in close proximity to various public transport facilities including Hung Hom MTR station, public bus and minibus stations and private parking facilities.
- (d) There are on-street metered parking spaces for good vehicles near the Site. Given the small scale of the subject columbarium, it will unlikely have adverse traffic impact on the area.
- (e) The subject columbarium is situated in an area well-known for funeral facilities, including funeral parlours. There are also many funeral related businesses e.g. coffin shops, florists and joss paper shops near the Site at Lo Lung Hang Street and Baker Street. Columbarium use is compatible with the existing developments in the surroundings.
- (f) The TIA and the FIs indicate that the subject columbarium would only generate insignificant additional traffic during festival day peak hour. The junction capacity assessment also indicates that the road junctions in the vicinity of the Site operate satisfactorily during the festival day peak hour. The footpaths (Baker Street) are capable to accommodate the pedestrian generated from the columbarium.

3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is one of the “current land owner” and has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by notifying all owners of the building. Detailed information would be deposited at the meeting for Members’ inspection.

4. **Background**

List of Information of Private Columbaria issued by the Development Bureau

4.1 The List of Information of Private Columbaria (“the List”) issued by the Development Bureau comprises Part A and Part B. Part A of the List refers to private columbaria which are in compliance with user restrictions in the land leases and the statutory town planning requirements, and are not illegally occupying Government land. Part B of the List refers to private columbaria made known to the Lands Department (LandsD) and/or Planning Department (PlanD)

that do not fall under Part A of the List. The subject columbarium is one of the private columbaria under Part B of the List. According to the information as at July 2020 provided by FEHD, out of the 27 private columbaria in Hung Hom under Part B of the List, 18 have ceased business operation and a total of 9 columbaria (including the subject columbarium) under Part B of the List are still in operation in the surrounding areas of the Site. (**Plan Z-3**).

Private Columbaria Ordinance (PCO)

- 4.2 The PCO, which regulates the operation of private columbaria through a licensing scheme, came into effect on 30.6.2017. The deadline of submitting applications to the PCLB for licence, and exemption or TSOL in respect of pre-cut-off columbaria expired by the end of 29.3.2018.
- 4.3 According to prevailing policy, if the subject columbarium applies for a licence, it will need to satisfy all statutory and government requirements (including building, planning and land-related requirements) and a management plan in respect of the columbarium must be submitted to PCLB

5. Previous Application

There is no previous rezoning application in respect of the Site.

6. Similar Applications

There is one similar application (No. Y/K9/11) for rezoning a site at 23 Winslow Street from “R(A)4” to “R(A)7” with ‘Columbarium’ included as a Column 2 use that requires planning permission from the Board. The rezoning application was to allow the applicant to submit s.16 planning application for the ‘Columbarium’ use (i.e. 上善軒) at the G/F of an existing commercial/residential building at that application site (**Plan Z-1**). On 16.3.2018, the Committee decided not to agree with the application mainly on the grounds that the proposed “R(A)7” zone was not in line with the planning intention of the “R(A)” zone, and the ‘Columbarium’ use was in conflict with the residential use within the subject building and in the surroundings. The applicant failed to demonstrate that the columbarium use would not create adverse traffic impact on the area. Approval of the application would set an undesirable precedent for other similar applications and the cumulative effect of approving such applications would result in aggravation of land use conflict/incompatibility and adverse traffic impact in the residential area. Details of the application are summarized in **Appendix II**.

7. **The Site and Its Surrounding Areas** (Plans Z-1 to Z-2 and site photos on Plans Z-4 to Z-5)

7.1 The Site is:

- (a) currently occupied by a 16-storey composite building built in 1979 with commercial uses on G/F and residential use on upper floors. The applicant is operating a columbarium at Shops Nos. 4 and 5 on G/F of the subject building with direct pedestrian access from Baker Street (**Plan Z-4**). Columbarium use is not a permitted use under “R(A)4” zoning. According to site inspection, the current uses on G/F of the subject building (as at 2.8.2019) are summarized as follows:

Shop No.	Current Uses
1	A columbaria consultancy firm
2	Florist Shop
3	Florist Shop
4 & 5	The subject columbarium cum florist shop
6	Vacant
7	An urn manufacturing shop

- (b) accessible from Baker Street.

7.2 The surrounding areas have the following characteristics:

- (a) adjoining the Site to the east, south, west and north are clusters of residential developments zoned “R(A)4” with commercial uses on G/F (some are columbaria and/or funeral-related businesses) (**Plan Z-2**);
- (b) to the further south across Winslow Street are two “Comprehensive Development Area” (“CDA”) zones occupied by two godown buildings, namely China Travel Hip Kee Godown Company (Hong Kong) Limited Godown Nos. 1 and No. 2 respectively (**Plan Z-2**); and
- (c) further south of the “CDA” zone are three funeral parlours and the Kowloon Public Mortuary (**Plans Z-1 and Z-2**) which are zoned “Other Specified Uses” annotated ‘Public Mortuary Funeral Depot & Funeral Parlour’.

8. **Planning Intention**

The planning intention of “R(A)” zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building. ‘Columbarium’ is not a permitted use under “R(A)” zone.

9. Comments from Relevant Government Departments

9.1 The following Government departments have been consulted and their views on the application are summarized as follows:

Columbarium Licensing

9.1.1 Comments of the Director of Food and Environmental Hygiene (DFEH) (including Private Columbaria Affairs Office of FEHD):

- (a) The PCO, which regulates the operation of private columbaria through a licensing scheme, has come into effect on 30.6.2017 upon gazettal. Under the PCO, only private columbaria that have obtained a licence may sell or newly let out niches. Any private columbarium which applies for a licence must comply with the Town Planning Ordinance (Cap. 131) and other requirements prescribed in the PCO or specified by the PCLB, including land-related, building-related, right to use the columbarium premises, deed of mutual covenant (if applicable), fire safety, etc. A licence applicant is also required to submit a management plan to the PCLB for approval. The management plan should show that suitable measures on traffic and public transport arrangement or management would be taken to minimize any adverse impact that operation of the columbarium may have on the neighborhood. In determining whether to approve an application for a licence, the PCLB must have regard to the public interest and may have regard to any other relevant considerations.
- (b) Regarding the private columbarium named “藝卓軒” at the Site, a set of the specified instrument (SI) application (viz. a licence and TSOL) in respect of a pre-cut-off columbarium was received by the PCLB and the applications are being processed. Based on the plans submitted by the applicant in support of his SI application, it is noted that the total number of niches (306 nos.) proposed for SI applications tally with that as shown in the planning statement submitted in support of the planning application (No. Y/K9/13). However, as the proposed plans including niche information recently submitted by the applicant are incomplete and not in specified format, verification of niche information under licence application cannot be carried out by the PCAO at this juncture.

Land Administration

9.1.2 Comments of the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD):

- (a) No objection to the application.

- (b) The Site falls within HHIL No. 236 s.A ss2, s.A ss3, s.A RP and 237 s.A ss2 & s.A RP which are held under Government Lease both subject to a lease term of 75 years renewable for 75 years commencing on 1.1.1901. The said leases are subject to “Noisy Noisome or Offensive Trade or Business” clause (OTC).
- (c) The applicant proposes to include ‘Columbarium’ as a Column 2 use under the proposed rezoning which shall require a further s.16 planning permission for columbarium use at G/F in the Site if the rezoning is approved. He noted that a shop premises at G/F of the Site is proposed for temporary storage of cremains, he advised that, depending on the facts and circumstances of the case, the operation of a columbarium is in breach of the OTC.
- (d) If the rezoning and subsequent planning application for columbarium at the subject premises are approved by the Board, the applicant has to apply to LandsD for a lease modification or temporary waiver for any breach of lease conditions. However, there is no guarantee that the lease modification or temporary waiver application will be approved. Such application, if received by LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, among others, the payment of premium or waiver fee and administrative fee as may be imposed by LandsD.

Traffic

9.1.3 Comments of the Commissioner for Transport (C for T):

- (a) He had adverse comments on the application from traffic impact, pedestrian flow and transport provision perspectives as summarized below.

Traffic Impact

- (b) The priority junction of Cheong Hang Road/ Cheong Tung Road/ Winslow Street, which connects Gillies Avenue South as well as local road network in Hung Hom District, should be included in the assessment.
- (c) Ching Ming Festival Day would generate higher traffic demand in general than Chung Yeung Festival Day. The use of 2019 Chung Yeung Festival Day could not reflect the true traffic impact arising from the development.
- (d) Traffic data which were referenced from a counting survey published by Food and Environmental Hygiene Department in Table 3.1 in **Appendix Ie** should be submitted for his review.

Pedestrian Flow

- (e) Sound data should be provided for supporting the pedestrian assessment as presented in Table 4.7 in **Appendix Ie**. In view of many funeral related services and the specific characteristics of the local district, he did not agree with the applicant's consideration that "the pedestrian flow characteristics within the area of influence on festival days are similar to that on typical weekends". The applicant also should submit relevant information from above said FEHD's counting survey for his review.
- (f) The footpaths assessment which only focused on Baker Street, Wuhu Street and Gillies Avenue South is insufficient. The assessment should analyze the common pedestrian route of visitors and associated footpaths.

Loading/Unloading and Parking

- (g) The metered parking spaces at Baker Street are for the use of short term parking for goods vehicles, the applicant's proposal of loading/unloading at the metered parking spaces is not acceptable. The pick-up/drop-off activities and the associated traffic impact should be further assessed. Since the subject development would generate additional parking demand from visitors, the applicant should assess if it would induce adverse traffic impact on public roads.

9.1.4 Comments of the Commissioner of Police (C of P):

- (a) According to the information from FEHD, a number of columbaria (including the one at the Site) existed in Hung Hom clustering in an area near the funeral parlours. Some columbaria have closed/are closing business on their own volition, or after refusal of their application by the PCLB. Whilst PCLB is considering the applications of the remaining columbaria, the reduced number of private columbaria suggests a shrinking traffic impact to the surrounding area.
- (b) The columbaria cluster is located in the residential area of Hung Hom. He believed that most of the visitors go there on foot (for local residents) or by various public transport services available thereat (for outsiders). He also believed that only an insignificant share of visitors go there by private cars, whereas public / private parking spaces are available in the area to meet their demand.
- (c) Concerning columbarium-related complaints at or near the Site, there is no reported case after the enactment of the PCO on

30.6.2017. Columbarium business in Hung Hom has not caused special police concern all along.

Overcrowding During Ching Ming and Chung Yeung Festivals

- (d) The subject columbarium has an area of about 52m² with 306 niches. On the whole, the columbaria cluster (including the Site) has not incurred special crowd management concern to the police in the past. In the application for licence, private columbaria have to formulate a management plan, which comprises crowd management measures in case of full occupation of their niches during Ching Ming / Chung Yeung Festivals, to the satisfaction of the PCLB. Whether overcrowding will occur in the future vitally relies on the diligent implementation of the management plan by the columbaria industry, and the regulatory efforts by the responsible law enforcement agency in Hung Hom.

Environmental Aspect

9.1.5 Comments of the Director of Environmental Protection (DEP):

- (a) No objection to the application.
- (b) Based on the information provided, it is noted that the existing columbarium contains only one incense burner and no joss paper furnace. Given the small scale of the subject columbarium, adverse environmental impact arising from the columbarium use is not anticipated.
- (c) Regarding the environmental complaint records, only one complaint was received in 2011 in relation to the operation of columbarium. The complaint was lodged by nearby resident against air nuisance caused by burning of joss paper at rear lane. Several inspections were conducted around the subject premises in response and no burning activity was observed during the inspections.

Fire Safety

9.1.6 Comments of the Director of Fire Services (D of FS):

- (a) No in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of D of FS.
- (b) EVA arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by BD.
- (c) Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans.

District Officer's Comments

9.1.7 Comments of the District Officer (Kowloon City), Home Affairs Department (DO(KC), HAD):

- (a) Kowloon City District Council (KCDC) had unanimously passed the following resolutions:
- 「要求政府停止繼續於紅磡區內簽發殮葬商牌照」 (18.9.2008);
 - 「反對在九龍城區增設殮儀館」 (12.11.2009);
 - 「強烈要求政府立例禁止在民居及鄰近民居設置骨灰龕」 (12.11.2009) and
 - 「反對於「住宅(甲類)」地帶內闢設任何地段用作「靈灰安置所」之用」 (19.5.2020 at the Housing and Development Planning Committee of the KCDC).
- (b) The continuous proliferation of funeral service business in Hung Hom has been triggering overwhelming objections from Hung Hom residents. According to the latest information from the website of the FEHD, 48 out of 59 licensed undertakers of burial (that do not debar temporary storage of ashes within licensed premises) in Kowloon are operating in Hung Hom as at 4.8.2020. In the previous undertaker's licence consultation exercises, some respondents expressed that the share of the funeral service business was unproportionally high in Hung Hom when compared to other districts.
- (c) He noted that PlanD has notified the interested KCDC members, Hung Hom Area Committee as well as the Owners' Corporations/ Owners Committee/ Mutual Aid Committees/ Management Committees/ management companies/ residents of buildings and institutions near the Site about the planning application.
- (d) The Board should take into account all the comments gathered in the consultation exercise in the decision making process. Should the application be approved, the applicant should take appropriate measures to address the concerns of relevant stakeholders. Apart from that, he has no other comments on this application at this stage.

9.2 The following Government departments have no objection to/no comment on the application:

- (a) Chief Town Planner/Urban Design and Landscape, Planning Department;
- (b) Chief Highways Engineer/Kowloon, Highways Department;
- (c) Chief Engineer/Construction, Water Supplies Department;
- (d) Chief Building Surveyor/Kowloon, Buildings Department; and
- (e) Chief Engineer/Mainland South, Drainage Services Department.

10. Public Comments Received During Statutory Publication Period

- 10.1 The application and FI were published for public inspection on 2.8.2019 and 3.1.2020 respectively. During the two statutory public inspection periods, a total of 129 public comments were received. The 128 objecting comments were submitted by 127 individuals (116 nos. in standard letter) (**Appendix IIIa**) and 1 Owners' Corporation of nearby residential building (Wah Lai Building) (**Appendix IIIb**). Of the 129 comments, 1 comment wanted to know the impact of the rezoning proposal and 128 comments (including 28 from occupants of the subject building) objected to the application. The main reasons for objecting to the application are summarized as follows:
- (a) The columbarium use would create adverse environmental, traffic and fire safety impacts on the area and create nuisance to the residents.
 - (b) There are too many funeral-related businesses in the area.
 - (c) "R(A)" zone is intended for residential developments instead of columbarium use. The columbarium will interfere with redevelopment in the area.
- 10.2 A full set of the public comments received on the application and FI is deposited at the Town Planning Board's Secretariat for Members' inspection and reference.

11. Planning Considerations and Assessments

- 11.1 The applicant proposes to rezone the Site from "R(A)4" to "R(A)7" (with 'Columbarium' as a Column 2 use) to regularize the columbarium use at Shop Nos. 4 and 5 on G/F of the existing building while the upper floors will continue to be used for residential purpose. Subsequent s.16 planning application is required for 'Columbarium' use under the proposed "R(A)7" zoning.

Planning Intention

- 11.2 The Site and its surrounding areas are currently zoned "R(A)4" with planning intention for high-density residential developments and 'Columbarium' use is not a permitted use under the "R(A)" zone. The proposal to rezone the Site to "R(A)7" with 'Columbarium' as a Column 2 use is not in line with the planning intention for the residential uses on the Site and in the neighborhood.

Land Use Compatibility

- 11.3 The Site is located within an area with predominantly residential buildings, despite some of the G/F and limited upper floors of the residential buildings are occupied by columbaria and funeral-related businesses (**Plans Z-1 and Z-4**). According to information from FEHD (as at July 2020), 18 out of the 27 private columbaria in Hung Hom under Part B of the List had ceased operation (as mentioned in para. 4.1 above) (**Plan Z-3**). The subject columbarium is one of the private columbaria still

in operation. Although there are some funeral parlours and a mortuary further south and southwest of the Site, they are separated by two “CDA” zones (currently occupied by godown developments) serving as buffer area between the residential area and the funeral related facilities. The proposed rezoning of the Site to “R(A)7” with ‘Columbarium’ as Column 2 use to allow provision for application for columbarium use at the Site is not compatible with the residential uses within the same building and surrounding land uses which are predominantly residential in nature.

- 11.4 The area in which the Site is located is included in the Consultancy Study on Urban Renewal Plan for Kowloon City commissioned by the Kowloon City District Urban Renewal Forum (KC DURF) (the Study). One of the findings of the Study was that Winslow Street and Gillies Avenue South in the area are clustered with a number of funeral and related businesses, creating nuisance to the nearby residents, including on-street hearse parking in the area causing traffic problem and psychological impact on the local residents. Moreover, some undertakers in the area allow their customers to store their ancestors’ ashes in their shops, and also carry out on-street sacrificial rites and joss paper burning activities. During the public engagement of the Study, the public generally requested the relocation of the funeral and related businesses away from Hung Hom. DO/KC advised that local residents and KCDC members have all along raised concerns on the nuisance caused by the operation of undertaker’s funeral related and columbarium uses. The Housing and Development Planning Committee of the KCDC unanimously passed a motion on 19.5.2020 objecting ‘Columbarium’ use in the “R(A)” zone.

Traffic Impact and Crowd Management

- 11.5 The Site is accessible from Baker Street. C for T has adverse comments on the TIA and considered that the traffic survey conducted, assessment on junction capacity, proposal for L/UL activities, assessment of pedestrian facilities and assessment on parking demand failed to demonstrate that the proposed rezoning would not create adverse traffic impacts on public roads, footpaths and associated parking facilities.
- 11.6 As advised by C of P, there is no reported case of columbarium-related complaint at or near the Site after the enactment of the PCO on 30.6.2017. The columbaria cluster in Hung Hom did not incur special crowd management concern to the police in the past. However, he advised that whether overcrowding will occur in the future vitally relies on the diligent implementation of the management plan by the columbaria industry, and the regulatory efforts by the responsible law enforcement agency in Hung Hom.

Undesirable Precedent

- 11.7 As at July 2020, there are 9 columbaria (including the subject columbarium) operating in the area that do not comply with town planning/land lease requirements (i.e. in Part B of the List). Approval of this application would set an undesirable precedent for premises with similar operations, encourage similar applications which may reverse the trend for columbarium to cease operation in the past years as mentioned in paragraph 11.3 above. The cumulative effect of

approving similar applications would result in revived proliferation of columbarium use in the residential area of Hung Hom, thereby aggravating the land use conflict/incompatibility in the residential area, and may worsen the traffic condition and nuisance in the area. The Committee has previously considered a similar application (No. Y/K9/11) for rezoning a site at 23 Winslow Street from “R(A)4” to “R(A)7” on the Hung Hom OZP to include ‘Columbarium’ as a Column 2 use to facilitate the columbarium use at the G/F of that building to continue operation. The application was not agreed by the Committee on 16.3.2018 for the reasons mentioned in paragraph 6 above. Rejection of the application is in line with the decision of the Committee on the above application in the area.

Public Comments

- 11.8 Regarding the public comments mentioned in paragraph 10.1 above, the assessment and departmental comments in paragraphs 11.2 to 11.7 above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10, the Planning Department does not support the application for the following reasons:

- (a) the Site is situated within a residential cluster. Rezoning of the Site to “R(A)7” with ‘Columbarium’ as a Column 2 use is not appropriate as columbarium use is incompatible with residential use within the subject building and in the neighbourhood; and
- (b) the approval of the application would set an undesirable precedent for other similar applications and the cumulative effect of approving such applications would result in aggravation of the land use conflict/incompatibility with the residential area.

- 12.2 Alternatively, should the Committee decide to agree/partially agree to the application, the Site would be rezoned to “R(A)7” as proposed by the applicant, or other appropriate zoning. The proposed amendments to the Hung Hom OZP would be submitted to the Committee for agreement prior to gazetting under the Town Planning Ordinance.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.
- 13.2 Should the Committee decide not to agree or partially agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicant.

14. Attachments

Appendix I	Application form and supplementary documents received on 22.7.2019
Appendix Ia	Letter dated 26.7.2019 from the applicant
Appendix Ib	FI received on 18.12.2019
Appendix Ic	FI received on 21.2.2020
Appendix Id	FI received on 18.5.2020
Appendix Ie	FI received on 28.7.2020
Appendix II	Similar application
Appendices IIIa and IIIb	Samples of public comments
Drawing Z-1	Site plan
Drawing Z-2	Layout plan
Drawing Z-3	Floor plan
Plan Z-1	Location plan
Plan Z-2	Site plan
Plan Z-3	Private Columbaria under Part B of the List of Information of Private Columbaria in Hung Hom
Plans Z-4 to Z-5	Site photos

**PLANNING DEPARTMENT
SEPTEMBER 2020**