

1. The Proposal

- 1.1 This proposal seeks planning permission under Section 16 of the Town Planning Ordinance for the redevelopment of the former Columbarium at Nos. 613 RP (Part), 614 and 1229 in D.D.453, as well as adjoining Government Land, Lo Wai, Tsuen Wan, N.T. (The subject site) (Appendix 1).
- 1.2 To redevelop the former Columbarium in accordance with the Notes of the OZP, it falls in column 2 as specified under the ‘Government, Institution or Community (10)’ zone.
- 1.3 The proposed redevelopment aims to rebuild the Columbarium in compliance with the relevant regulations of government departments.

2. Background

- 2.1 The Columbarium that existed known as Wing Sing Yuen (永盛園), commenced operations in 2010. It was converted from a 2-storey structure without obtaining the necessary permissions from the Buildings Department and the Lands Department.
- 2.2 The sale of the Columbarium was suspended due to non-compliance with Lease conditions, as requested in the violation letter from Lands Department. A copy of this violation letter is attached (Appendix 2).
- 2.3 According to the applicant, the Private Columbarium Licensing Board refused the applicant’s entire set of applications, including the Temporary Suspension of Liability and License application on 24 May 2021. Consequently, the applicant appointed lawyers to arrange a settlement with the buyers. Under the terms of the settlement, the ancestral ashes of the previous buyers will not be returned to the redevelopment site. The settlement negotiations have been going smoothly, and there have been no disputes. Furthermore, the applicant has completed the disposal of ashes following the Prescribed Ash Disposal Procedure. The FEHD acknowledged the completion of the handover procedure on 6 April 2023 (Appendix 11).

After the Food and Environmental Hygiene Department (FEHD) acknowledged the completion of handover procedure for the unclaimed arches to the Director and disposal process, all the unauthorized Columbarium buildings were demolished for redevelopment.

- 2.4 The former Columbarium that existed comprised a total of 8,850 niches. The breakdown of the sale and occupation conditions is as follows:-

Sale and Occupation Condition		
Sold and Occupied	Single Niches	103
	4 Member Niches	0
Sold and Unoccupied	Single Niches	181
	4 Member Niches	0
Unsold	Single Niches	8,386
	4 Member Niches	180
Total no. of Ashes		9,390
Total no. of Niches		8,850

- 2.5 The subject site is currently zoned as ‘Government, Institution or Community (10)’ (G/IC (10)), for Columbarium use under Column 2, on the OZP No. S/TW/37 (Appendix 3).

3. Compliance with Town Planning Board Guidelines

- 3.1 This application follows Town Planning Board Guidelines No. 16 for ‘Application for Development/Redevelopment within the ‘G/IC’ zone for uses other than Government Institution or Community Use under Section 16 of the Town Planning Ordinance (TPO), which is relevant to this application (Appendix 4).
- 3.2 The planning intention of the ‘G/IC’ zone is primarily to provide GIC facilities that cater to the local residents’ needs and/or a wider district, region, or the territory. It also aims to allocate land for uses directly related to or supporting the work of the government, organizations providing social services to meet community needs, and other institutional establishments.
- 3.3 The proposed redevelopment demonstrates sustainability in relation to the capacities of both the existing and planned infrastructure. Adequate parking and loading/unloading provisions will be made in accordance with the Hong Kong Planning Standard and Guidelines and to the satisfaction of the Transport Department.
- 3.4 The proposed redevelopment would not cause, directly or indirectly, any adverse environmental impacts on the surrounding area. Otherwise, adequate environmental mitigation, monitoring, and audit measures will be provided.
- 3.5 In light of the above, the current application to regularize Columbarium use within an existing site complies with the TPB Guidelines for Application for Development/Redevelopment within ‘G/IC’ zone for uses other than GIC uses under Section 16 of the Town Planning Ordinance (TPB PG-No.16).

4. Licensing Procedure

- 4.1 The Private Columbarium Ordinance (PCO), which regulates the operation of private columbaria through a licensing scheme, came into operation on 30 June 2017. On 22 November 2017, the government announced two policy initiatives to address the Land Premium and Traffic Impact Analysis issues pertinent to pre-cut-off columbaria seeking a license. To comply with the regulation set forth by various government departments and the PCO under FEHD, an application for approval will be submitted to relevant government departments, and a Management Plan will be submitted to the PCLB following TPB Section 16 approval.
- 4.2 Under the PCO, only private columbaria that have obtained a license may sell or newly let out niches. Any private columbarium which applies for a license has to comply with the planning-related requirements and other requirements prescribed in the ordinance, or specified by Private Columbaria Licensing Board (the Licensing Board).

4. Licensing Procedure (cont'd)

- 4.3 A license applicant is required to submit a management plan to the Licensing Board for approval. In determining whether to approve an application for a license, the Licensing Board must regard the public interest and may have taken into account any other relevant considerations.
- 4.4 The Management Plan submitted to the Licensing Board would address issues such as Traffic and Crowd Management, which must be accepted by the relevant government departments and the Board at the time of approval for the planning application. If a license application is granted by the Licensing Board, the Private Columbaria Affairs Office (PCAO) will be responsible for monitoring the implementation of the approved Management Plan.
- 4.5 Once the redevelopment of the Columbarium receives approval from TPB, an application for plans approval will be submitted to the Buildings Department, and the land exchange process will be carried out with the Lands Department as required under Licensing Board regulations.

5. Planning Intention

- 5.1 This application aims to rectify the existing non-compliance with relevant government departments' regulations for columbarium use. The planning intention for this redevelopment takes into account the prevailing requirements of government departments and the land use compatibility of the site, aiming to avoid traffic, environmental, and visual impacts on its surroundings.
- 5.2 The proposed redevelopment aligns with the government policy to implement a regulatory regime on private columbaria and to promote cremation over burial. However, further action is needed to address the limited availability of private niches to meet current and future demand. The redevelopment of the Columbarium in this application will not only represent a better utilization of valuable land resources but also maximize the development potential of the limited lands suitable for columbaria use under relevant government regulations.
- 5.3 According to FEHD statistics, in 2028 approximately 92% (43,803) of the deceased were cremated, the number of deaths is forecast to gradually increase from 47,000 in 2018 to 73,900 in 2038 and 1,200,000 cremations are expected to take place between 2019 and 2038. Consequently, the demand for columbarium niches is extremely high and increasing. Increasing the supply of niches through Private Columbarium facilities is definitely an alternative means to alleviate the pressure on the growing demand from various public sectors.

5. Planning Intention (cont'd)

5.4 The application for this redevelopment planning permission aims to regularize the existing columbarium. The acceptability of this redevelopment proposal should comprehensively consider the land use compatibility of the site with its neighboring assessed uses and the traffic and environmental impact arising from the redevelopment.

5.5 The total number of niches provided in this redevelopment has been reduced to 4,250, which represents approximately 48% of the niches in the former Columbarium that was demolished on 20 February 2024.

5.6 Proposed redevelopment parameter schedule scheme

Site Area	:	approx. 2,250m ²
Total GFA	:	approx. 1,880m ² (OZP restriction : max. 1,900m ²)
Plot Ratio	:	approx. 0.84
Site Coverage	:	approx. 42%
No. of Storeys	:	columbarium (2-storey/9.60m high) (OZP restriction : max. 2 storeys) ancillary block (2-storey/5.85m high) ancillary block (1-storey/5.00m high)
No. of Niches	:	4,250 (comprising 2,125 single niches and 2,125 double niches, with 70 single niches provided free of charge to local villagers with financial need or for other charitable purposes)
Parking Spaces		
• Private Car	:	4 (including 1 accessible parking space)
• Motorcycle	:	3
• LGV	:	1 loading/unloading bay (3.5m x 7.0m)
Lay-By	:	pick up/drop off lay-by (10m in length)

6. Land Use Compatibility

6.1 The site is located at the foothill of Fu Yung Shan area. Currently, the surrounding area is predominantly occupied by three types of land uses: homes for the elderly, religious institutions and columbaria.

6.2 There are over 40 temples and monasteries, and 4 graveyards dispersed in the vicinity of the subject site, such as Yuen Yuen Home for the Aged (圓玄安老院) and Yuen Yuen Care and Attention Home for the Aged (圓玄護理安老院) to its north and north-west; Heung Hoi Che Hong Temple (香海慈航船廟), Tung Kwok Monastery (東覺禪林), Chow Ying Monastery (潮音淨院), Dai Chong Kok (地藏閣) and Fat Kwong Ching Che Monastery (佛光淨舍) to its south-east, south, and south-west (Appendix 5).

6. Land Use Compatibility (cont'd)

- 6.3 A large cluster of various monasteries and temples with columbarium facilities is situated to the south-east of the subject site. The largest one, Yuen Institute, comprises 50,000 niches in its existing compound and additional 20,000 niches in its extension, as approved under Application No. A/TW/379.
- 6.4 To the north-east of the subject site is Western Monastery, which received permission under TPO Section 16 for a total no. of 11,046 niches, approved with conditions by TPB on 6 May 2022.
- 6.5 Since the area is already interspersed with existing temples and monasteries of varying scales, some of which contain columbarium use, the proposed redevelopment parameters for the Columbarium are compatible with existing land use.

7. Traffic Impact and Crowd Management

- 7.1 Presently, the site is directly served by one minibus (route no. 81) along Lo Wai Road and several other public buses (route nos. 32, 36, 32M and 43X) and minibuses (route nos. 82, 82M, 94 and 312) that stop at Sam Tung Uk Road.
- 7.2 To mitigate any additional traffic volume in the Lo Wai area during the Ching Ming and Chung Yeung festival days, as well as the immediate Saturday and Sunday before and after the festival days (shadow period), the proposed columbarium will be closed to visitors during the entire shadow period. This includes one Saturday and one Sunday before and after the Ching Ming and Chung Yeung Festival Days, as well as any public holidays in between. All visitors must make their visits only on other normal weekdays and weekends. This operational arrangement will be included in the Management Plan to be submitted to the PCLB for monitoring and enforcement purposes.
- 7.3 LLA Consultancy Limited has been commissioned to conduct a Traffic Impact Assessment (TIA) Study. The findings indicate that the proposed Columbarium redevelopment will not cause additional adverse impacts on the operation of Lo Wai Road on normal weekdays and weekends, provided that the proposed columbarium redevelopment remains closed to visitors during the festival days and its shadow period (Appendix 10).
- 7.4 The proposed Columbarium redevelopment will provide 4 private car parking spaces (including 1 for accessible parking space), 3 motorcycle parking spaces and 1 LGV loading/unloading bay. A 10m in length vehicular pick-up/drop-off lay-by is also provided.

7. Traffic Impact and Crowd Management (cont'd)

- 7.5 Furthermore, a 'Visit by Appointment' system is proposed for the Columbarium redevelopment. All visitors are required to make an appointment at least 2 working days in advance before the visit. Implementing this system will provide additional control to alleviate traffic volume on Lo Wai Road and enhance internal traffic flow management. This type of management mode has been accepted by the PCLB as one of the enforceable management mechanisms.
- 7.6 The 'Visit by Appointment' system is to be incorporated into the Management Plan as one of the operating modes (Appendix 6).
- 7.7 **Parking spaces for cars must be reserved in advance; otherwise visitors will be denied entry to the subject site.**

8. Environmental Assessment

- 8.1 As part of the redevelopment, environmental mitigation measures and best practices will be implemented. This includes prohibiting the burning of incense, joss papers or candles on the subject site and ensuring that religious and worshipping activities are conducted indoors. There will be no other emission sources arising from the redevelopment. Additionally, funeral services will not be permitted on the premises.
- 8.2 The Sewage Impact Assessment, the Drainage Impact Assessment and the Fresh Water and Flushing Water Demand Assessment submitted for the Section 12A application have demonstrated that the proposed redevelopment will not have any unacceptable impacts on local sewage, drainage or fresh/flushing water supply. The redevelopment shall comply with requirements under Water Pollution Control Ordinance (Cap. 358).
- 8.3 It is noted that the redevelopment will be within the tunnel protection zone of DSD's Tsuen Wan Drainage Tunnels (TWDT), with some proposed structures to be situated on its Main Tunnel and Intake I-2 Main Adit Tunnel near Lo Wai. The guidelines and requirements as stated in DSD's Practice Note No. 2/2017 "Assessment on the Effects of Construction Activities on Drainage and Sewage Tunnels and their Associated Structures", and all technical advice from the CEDD/GEO will be followed before any works commence.

8. Environmental Assessment (cont'd)

- 8.4 There is no noise impact (e.g., ventilation, cooling system, kitchen, traffic) arising from the future operation of the columbarium to nearby NSRs. Additionally, there are no noisy activities (e.g., music, loudspeakers, etc.) associated with the future use.
- 8.5 A site survey was conducted on 8 January 2024, and the results show that there are no active industrial chimneys within 200m of the redevelopment site boundary (Appendix 7).
- 8.6 The proposed Columbarium, located in a rural area with dense vegetation, is free from industrial chimneys within 200 meter radius. Burning is prohibited at the Columbarium itself. Initial information suggests infrequent, small-scale burning near nearby temples and monasteries. While incense, joss paper, and candles are expected to be burn more frequently during the Ching Ming and Chung Yeung festivals, the Columbarium will be closed to visitors during the Ching Ming and Chung Yeung festivals, and the immediately preceding and following Saturdays and Sundays ("shadow period".. Consequently the Columbarium is not anticipated to have a significant environmental impact.
- 8.7 The Columbarium has no on-site office and it operates strictly by appointment. Staff from an off-site office will greet registered visitors at the gate and escort them to their designated worship space. Each worship period will last 60 minutes. Under exceptional circumstances, visitors may reserve up to two consecutive worship periods.
- 8.8 Since the Columbarium does not have openable windows, a mechanical ventilation and air conditioning (MVAC) system equipped with filters for particulate matter and gaseous pollutants will be installed.
- An air treatment system with removal efficiencies of 90%, 99% and 99% for NO₂, RSP, and FSP, respectively, will be installed to ensure compliance with relevant air quality criteria, at the fresh air intake of the proposed Columbarium's central ventilation system. The intake's location will conform with relevant air quality criteria.
- 8.9 There is only one road adjoining the Application Site – Lo Wai Road. Lo Wai Road is classified as a Local Distributor in Annual Traffic Census Report (2022).
- 8.10 To minimize traffic congestion in the Lo Wai area, the Columbarium will be closed to visitors during the Ching Ming and Chung Yeung festivals, and the immediately preceding and following Saturdays and Sundays ("shadow period"). Consequently, the proposed Columbarium will not negatively impact air quality during this period. The operational plan will be included in the management strategy submitted to the Private Columbaria Licensing Board (PCLB) for monitoring and enforcement.
- 8.11 The proposed Columbarium includes four private car parking spaces. It is anticipated that most visitors will arrive the Columbarium by private cars, taxis and shuttle buses. Because the Columbarium will operate strictly by appointment, traffic will be controlled. Therefore, the development is not anticipated to have an adverse environmental due to traffic. A TIA was conducted and it demonstrated that the proposed development would not induce traffic impact to the surrounding network (Appendix 10).

8. Environmental Assessment (cont'd)

- 8.12 To address environmental concerns, the columbarium redevelopment will incorporate green building approaches in its design and operation. This redevelopment will implement the necessary control measures for any potential noise sources (e.g., ventilation, cooling systems) to meet the relevant standards in HKPSG Ch9. Necessary control measures will be proposed accordingly to minimize noise and the potential impact on air quality during the construction stage.
- 8.13 The construction will comply with the Recommended Pollution Control Clauses (RPCC) and all relevant regulations to ensure no adverse environmental impact and inconvenience to nearby sensitive receptors. The potential water quality impact during construction phase and proposed respective mitigation measures will be followed. In this redevelopment, the demolition work was finished in February 2024. There is no site formation or excavation will be carried out on the site. Furthermore, there are no concurrent projects within the 500-meter assessment area, and there is no cumulative construction air quality impact.

9. Visual Aspect

- 9.1 The proposed Columbarium is situated in a rural setting and is surrounded by tall trees, slopes, an elevated road, and a natural hillside, which serve to shield the redeveloped columbarium from its surroundings. A conceptual Landscape Proposal was prepared based on the tree survey conducted on 27 September 2022 (Appendix 8).
- 9.2 The redeveloped columbarium will be a 2-storey, low rise building situated in a secluded and tranquil environment, away from the main road – Lo Wai Road. Photomontages comparing the proposed images of the redeveloped Columbarium to the existing building (Appendix 9) reveal that the redevelopment is low rise and heavily surrounded by vegetation, making it completely compatible with its surrounding.
- 9.3 The design of the Columbarium features three intersecting rings with a sloping roof on two levels. In addition to representing the Buddhist concept of Buddhism – the cycle of death and rebirth, this form is designed to complement the neighboring Yuen Yuen Care & Attention Home for the Aged, which features a dominated curvilinear form.
- 9.4 The partially elevated columbarium, with its sloping roof, creates a visually light, floating structure that provides unobstructed visual links to the surrounding area through its visual effects.
- 9.5 The circular form and open air courtyards give the Columbarium a slim and dynamic appearance.
- 9.6 The unobtrusive and subtle façade of the columbarium, combined with a colour and material palette that blends with its surroundings, harmonizes with nearby Chinese temples.

9. Visual Aspect

- 9.7 In view of the above, the redevelopment of the Columbarium will not result in any adverse visual impact. On the contrast, it will enrich and enhance the existing urban fabric of the area.
- 9.8 The supplement photos taken on 20 September 2024, to reflect the latest condition of the site are attached (Appendix 12).

10. Landscape Impact Assessment

- 10.1 Landes Limited has been commissioned to conduct a Landscape Impact Assessment, which includes the existing vegetation treatment and landscape design (Appendix 8). The existing condition of the redevelopment site photos at a pedestrian level taken on 20 September 2024 are attached (Appendix 12).
- 10.2 As described in Landscape Proposal (Appendix 8), a total of 10 trees within the site were recorded. The health condition of the bulk of these trees is generally in fair condition and the remaining trees are in poor condition. No OVT or protected species has been identified in accordance with the DEVB TCW No. 5/2020 – Registration and Preservation of Old and Valuable Trees, and the Forests and Countryside Ordinance respectively.
- 10.3 One tree will be retained in-situ while two trees will be transplanted and seven trees to be felled due to in conflict with the Proposed Redevelopment and the associated works. Upon completion of the construction works, twenty five nos. of new tree planting in heavy standard size will be planted at various locations within the Application Site. All the retained trees, transplanted trees and new trees will be maintained by the Application.

11. Conclusion

In light of the above, the enhanced appearance and ambiance of the redeveloped Columbarium could create a more attractive, well-maintained and respectful environment through sheltered areas, architectural features and landscaping. By monitoring and implementing a management scheme, it will help ensure the columbarium remains properly operational, has no adverse impacts on the locality and meets the community's urgent needs. The proposed redevelopment complies with all TPB guidelines and relevant government department requirements, aligns with prevailing government policies and fulfills societal needs.

The support of the TPB for the Columbarium redevelopment is eagerly anticipated, as it will enable the facility to better serve the community's in the near future.