

Appendix A:
Amended Pages of the Planning Statement

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2.3 Adjacent Land Uses (Plan C)

The application site falls within the Kam Shan area, which has a special land use character dominated by religious institutions, village houses, columbaria and schools. Adjacent land uses of the site are described below:-

- (a) North – To the immediate north of the site is covered by the medium platform area and slope area with mature trees, which could serve as an effective buffer for the village houses further north of the site (**Photo 9**). In fact, those village houses are sited at the level of 8.8 mPD, which is about 11m lower than the upper platform with temple-cum-columbarium structures. A columbarium namely Cheung Ha Ching Shea (**Photo 10**) is located along Kam Shan Road further north of the site.
- (b) East – To the further east of the site across a strip of slope area with some trees is House Nos. 41 and 42 of Kam Shan Village, which are occupied by the living quarters for staff/associated persons for BCHT (**Photo 11**). The users of House Nos. 41 and 42 and their adjacent neighbours have their own pedestrian access route.
- (c) South – To the immediate south of the site is the vegetated slopes. A religious institution called Yan Lo is located further south of the site (**Photo 12**).
- (d) West – To the immediate west of the site is the **landscape garden and religious office of BCHT (Photo 13), which will turn into living quarters for BCHT's masters and staffs in future**. To the further west across the religious office is the vegetated slope composed of village houses, footpaths and some communal uses such as Norwegian International School (**Photo 14**).

Although the application site is situated within Kam Shan Village, BCHT has maintained a good relationship with its adjacent neighbourhood. A number of support letters from the local villagers, Tai Po residents, reputable persons, representatives and organisations in the area have been received (see **Appendix III**).

2.4 Planning History

The application site falls within "V" zone on the Approved Tai Po OZP No. S/TP/30. According to the Notes of the OZP, the planning intention of this zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Other commercial, community and recreational uses may be permitted on application to the Board.

The application site has been used for religious and ancillary columbarium uses long before the gazette of the first Tai Po OZP on 12.12.1980 (see **Appendix II**). According to the TPB Guidelines No. 24D, a use in existence before the publication of the first plan which has continued since it came into existence. Thus, the facilities in BCHT could be regarded as "existing uses" and planning permission from the Board is not required.

3. REZONING PROPOSAL

3.1 Proposed Amendments to the Outline Zoning Plan

This s.12A application involves the following amendments to the current approved Tai Po OZP No. S/TP/30:-

(i) **Amendment Item 1 – OZP (Plan E)**

It is proposed to rezone the zoning of the application site covering Lot Nos. 1087 and 1130 in D.D. 6 and adjoining Government land from "V" to "G/IC(3)". During the previous s.12A application stage, TD advised that the proposed waiting area is an important crowd management measure proposed by the Applicant, and such measure should be laid down in the Management Plan to be submitted to the PCLB and enforceable by the Private Columbaria Affairs Office (PCAO). Food and Environmental Hygiene Department (FEHD) also advised that if the Management Plan and the PCL application are approved by the PCLB, the PCAO will undertake the monitoring of implementation of the Management Plan within the site boundary covered by the Columbarium Licence. Furthermore, in some of the similar PCL applications, LandsD advised that they will consider the land application covered only within the licensing boundary. Therefore, the Applicant has decided to propose the planning application boundary under this s.12A application to be tally with the PCL application boundary.

(ii) **Amendment Item 2 – Schedule of Uses (Table 3.1)**

Since 'Religious Institution' use at BCHT has been in existence long before the statutory town plan of this area came into force, it is therefore suggested that 'Religious Institution' use could be put under column 1 of the schedule of uses in the proposed "G/IC(3)" zone. On the other hand, 'Columbarium' use has been included under column 2 of the schedule of uses in the proposed "G/IC(3)" zone so as to allow the subsequent submission of a s.16 application for the regularisation of the columbarium ancillary to BCHT.

Most uses that are currently fall under column 1 or column 2 of the schedule of uses in the "V" zone, such as 'Agricultural Use' and 'House (New Territories Exempted House only' etc., will be excluded to be put under the schedule of uses in the proposed "G/IC(3)" zone. They are not related to the current operation or future improvement plan of BCHT.

(iii) **Amendment Item 3 – Planning Intention and Remarks (Table 3.1)**

It is proposed to specify this new zoning is intended for religious institution and columbarium use. The maximum number of columbarium niches within this zone as a whole shall not exceed 11,726 niches (a reduction of 1,700 niches from 13,426 niches as of 30.6.2017). A maximum building height restriction of 2 storeys has also been imposed.

The proposed "G/IC(3)" zone will facilitate the relevant departments to properly control the number of niches and the development scheme by approved conditions of the s.16 application. This special zoning is tailor-made for BCHT and it will not set a precedent case for other similar applications in the area. It should be noted the provision of a new columbarium should be defined as the "Post-cut-off Columbarium".

3.2 Basis of the Proposed Rezoning

The Government has emphasised in many public occasions that they are prepared to adopt a pragmatic and sensitive approach to resolve the historic problem of these Pre-cut-off Columbaria so as to minimise any social disruption arising from people who have purchased these niches and massive displacement of interred ashes before the introduction of regulatory regime (see **Annex I of Appendix I**). On 30.6.2017, the PCO came into effect and the private columbarium in Hong Kong must be covered with a Columbarium Licence, Exemption or TSOL. The policy objectives aim at stipulating proper regulation on private columbaria so that they could complement the public columbaria to meet the social needs for ancestral worshipping, to add supply and choice of niches and related services. Therefore, the Applicant had submitted the PCL for BCHT before the expiry date on 29.3.2018.

The Applicant had fulfilled a series of requirements and obtained the AIP TSOL on 3.9.2021 (see **Annex III of Appendix I**). During the 3 years validity period of TSOL, the Applicant has to satisfy, including but not limited to, town planning, land lease and building safety. To comply with the town planning requirements, PlanD advised in the letter that the Applicant is required to submit the s.12A application or s.16 application unless the columbarium is an "Existing Use" (in existence before the publication of the first statutory town plan in Tai Po, i.e. 12.12.1980) (see **Annex IV of Appendix I**).

Although the ancillary columbarium have been in operation since the 1970s, it is difficult to trace back the evidence on the date of first interment in niche for the columbarium as stated **Section 2.4**. Therefore, the Applicant has decided to go through the planning application system in order to comply with the town planning requirement for the PCL application. However, 'Columbarium' use does not fall under Column 1 or Column 2 of the current "V" zone. The Applicant has to submit a s.12A application to amend the zoning of the site to "G/IC(3)" with 'Columbarium' listed under column 2. After the plan marking procedure by TPB is completed, then the Applicant could submit a s.16 application for columbarium use so as to in compliance with the town planning requirements.

In view of the above, the proposed rezoning is an essential mechanism to facilitate regularization of the columbarium in BCHT. It is in line with the Government's intention to take care of the sentiment of the descendants, in particular their wish not to upset the resting place of the deceased as far as practicable. Moreover, it will facilitate the future improvement plans of promoting religious and charitable services (see **Appendix IV**).

4.1.2 Master Layout Plan

The Master Layout Plan, which reflects the latest proposed layout plan for the PCL application for BCHT, is shown at **Plan F**. The development scheme in support of this s.12A application is intended to comply with the requirements of PCO for regularising the existing columbarium ancillary to BCHT at the application site. The existing facilities are indicated on the Master Layout Plan are summarized as follows:-

- two 2-storey temple-cum-columbarium structures (with toilet facilities);
- religious and recreational courtyard; and
- the main temple access

It is noticed from the latest previous s.12A application (Application No. Y/TP/35) that the two major issues for the BCHT case are mainly the **site boundary clarification** and **land use compatibility**. Subsequently, the Applicant and the consultant team had spent effort (with several rounds of discussion with the relevant departments) to address those issues. In February 2023, the Applicant had submitted a revised layout plan for the PCL application to the PCAO (same as the Master Layout Plan under this application) and the aforesaid scheme has the following improvements (see **Plan G**):

(a) Site Boundary

During the previous s.12A application stage, TD advised that the proposed waiting area is an important crowd management measure proposed by the Applicant, and such measure should be laid down in the Management Plan to be submitted to the PCLB and enforceable by the PCAO. Food and Environmental Hygiene Department also advised that if the Management Plan and the PCL application are approved by the PCLB, the PCAO will undertake the monitoring of implementation of the Management Plan within the site boundary covered by the Columbarium Licence. Furthermore, in some of the similar PCL applications, LandsD advised that they will consider the land application covered only within the licensing boundary. Therefore, the Applicant has decided to propose the planning application boundary under this s.12A application to be tally with the PCL application boundary.

(b) Land Use Compatibility

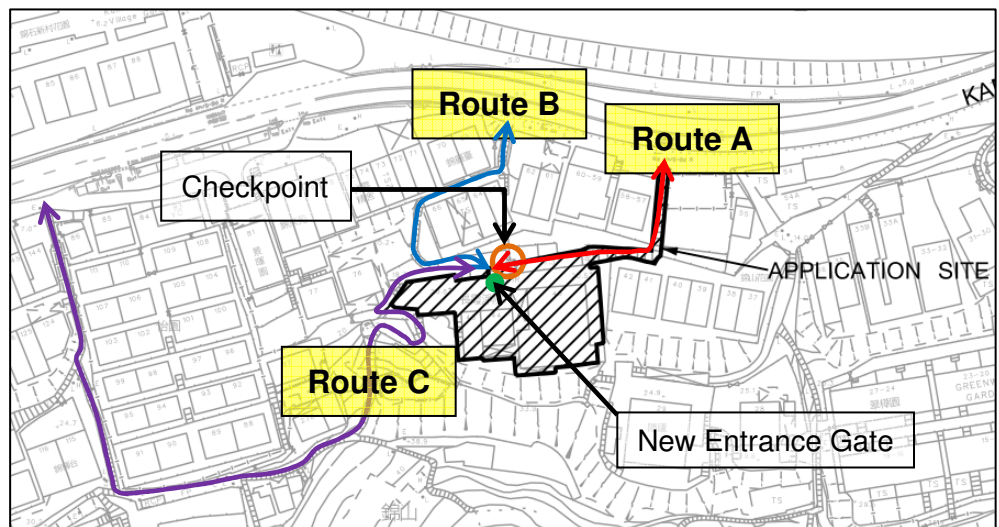
Based on the Applicant's understanding, the concern on the land use compatibility issue is mainly related to the sharing the same access with the villagers, BCHT operation imposes potential nuisance to the villagers and visual impact. The Applicant has identified some possible courses of action to address the issue:

- **The Main Temple Access**

The application site can be accessible from Kam Shan Road via three footpath/stairs, i.e. stairs to the east of Nos. 57-58 Kam Shan Village (referred as Route A); footpath/stairs to the east of No. 69 Kam Shan Village (referred as Route B); and footpath/stairs to the east of No. 144 Kam Shan

Village (referred as Route C). As an administrative arrangement adopted by BCHT in 2022, all visitors of BCHT only use Route A as the ingress/egress routes for BCHT as the main temple access. Since then, BCHT has regularly sent messages to inform the visitors on the new access arrangement.

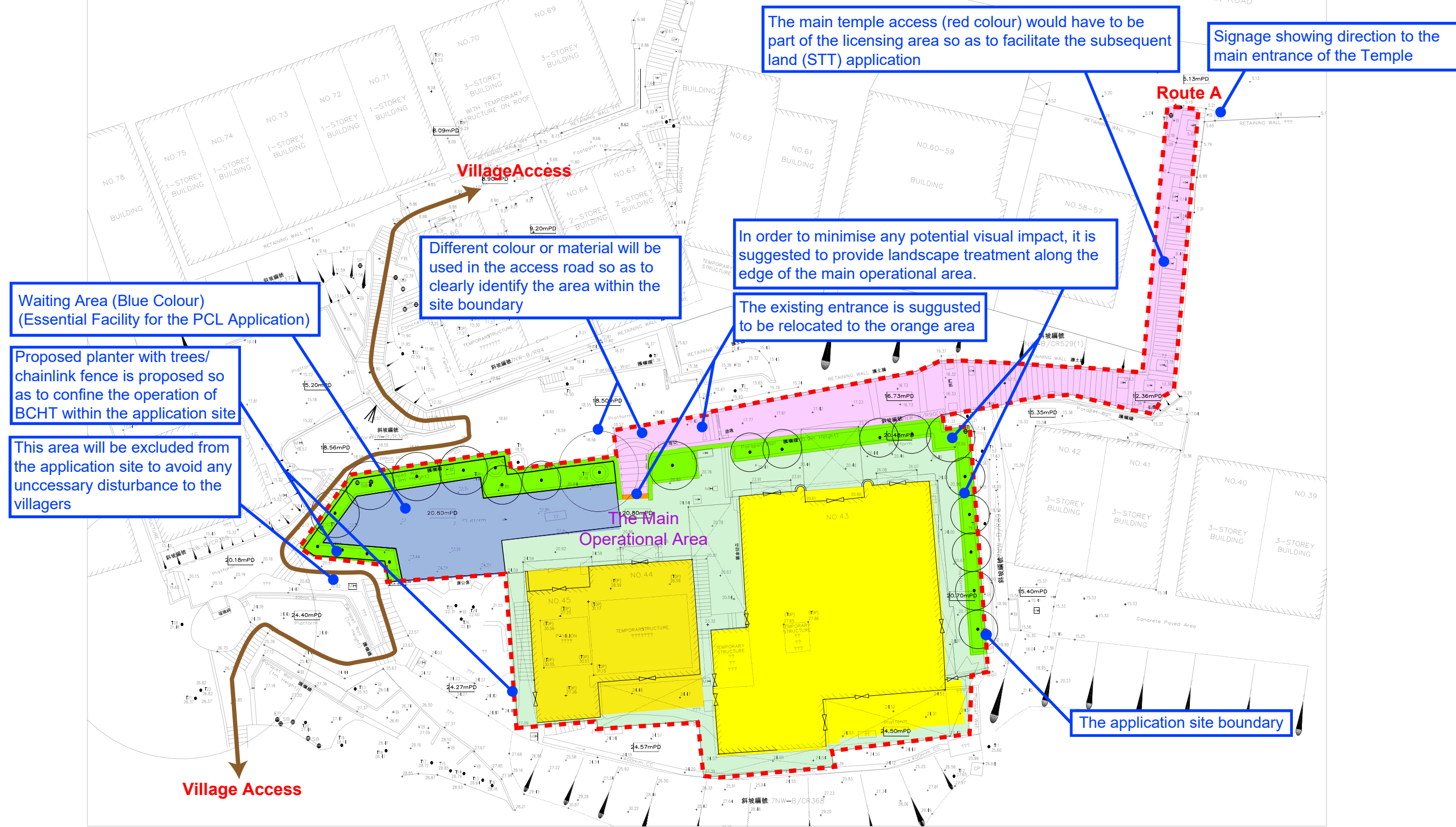
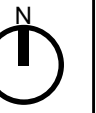
In the 2024 of Ching Ming Festival and shadow period, BCHT has implemented the Management Plan and sufficient staffs have been stationed in Kam Shan Road to provide access guidance. In order to test the workability of this new administrative measure, traffic surveys along Route A, Route B and Route C have been conducted by MVA Hong Kong Ltd. in 2024 of Ching Ming Festival Day.



The traffic survey conducted on 2024 Ching Ming Festival Day recorded 454 visitors during peak hour and a total of 2,308 visitors throughout the festival day. It indicates that around 95% of the visitors, both during peak hour and throughout the festival day, have followed the new access arrangement. Based on the survey results, only a few visitors (less than 5% of the visitors throughout the festival day) using Route B to leaving/ entering BCHT. In addition, it was observed that a very few visitors using Route C to walk around and come back to BCHT. This is a very **satisfactory** result for the first go and, nevertheless, the Applicant will spare no effort to ensure all visitors to absolutely follow the arrangement in future.

With the new planters proposed along the western side of the application site, BCHT will be completely separated from further west area of the upper platform outside the application site. The existing temple entrance (i.e. Pai Lau) is proposed to be relocated to the entrance point of the upper platform fronting Building B (i.e. the green point as marked on plan above). An entrance gate will be installed underneath the temple entrance. Under this arrangement, the distance between the new entrance gate and Kam Shan Road via Route B and Route C will be longer than Route A in future.

- **Route A:~66m**



Scale 1:300



Plan G: Proposed Improvements Over the Previous Scheme

- Route B:~75m
- Route C:~225m

Under this arrangement, it is considered the visitors may have more incentive to use Route A for entering/leaving BCHT in future, rather than Route B and Route C because:-

- slightly shorter distance;
- more direct access, no need to pass through the village houses' cluster;
- new signage has already been installed at the entrance of Route A.

The Applicant has also proposed a checkpoint system and BCHT's visitors will have to pass through a checkpoint near the top end of Route A and scan the QR Code. This can ensure they will use Route A as the main access

- **Confined into a Smaller Operational Area**

Although the only peak event of BCHT is the main day of Ching Ming Festival, the Applicant has decided to limit the operational area to the columbarium premises and its adjoining area (i.e. part of the upper platform area). In comparison with the previous application, the application site (or operational area) has been largely reduced. Large part of the middle platform and the lower platform will no longer be used, thereby freeing up more Government land.

In order to implement the above arrangement, the original entrance gate will be relocated to the stairwell to the upper platform, and the operational area will be completely confined by the existing and proposed planters and retaining walls. Since the religious and columbarium activities will be confined at a smaller area, where the area is segregated from the nearby village houses with reasonable buffer distance and (existing and proposed) vegetation, the potential nuisance to the villagers and visual impact posed by the BCHT's activities is expected to be insignificant.

- **Visual Compatibility Enhanced by Additional Landscape Features**

A properly-designed columbarium with appropriate development intensity and landscape features is essential to help minimising visual impact of the development and nuisance to neighbouring residents. While Urban Design Unit and Landscape Unit had no objection to the previous application, this proposal involves the retention of existing low-rise buildings and additional landscape features have been proposed to enhance the landscape value of the site and to help minimise the potential visual impact to the locality. In view of the temple-cum-columbarium structures are located at a reasonable distance away from the village houses and they are well screened off from them by the existing and proposed trees, the proposed scheme could be locationally and visually compatible with the surrounding environment. Details of the landscape proposal will be mentioned in **Section 4.2**.

- **Reduction of 1,700 Niches to Address Precedent Effect**

During the deliberation session of the previous application, some TPB's members were concerned that approval of the application would set a precedent for similar application within the same "V" zone, i.e. Cheung Ha Ching Shea near the site. Detailed planning assessment in **Section 6.10(c)** has already demonstrated that BCHT is totally different to Cheung Ha Ching Shea. Nevertheless, in order to further address such TPB's concerns, the Applicant has decided to reduce 1,700 niches, which is the same niche number of Cheung Ha Ching Shea as recorded on 30.6.2017. Hence, this application has taken into account the anticipated cumulative impact arising from the proposed development.

- **Reservation of 2,000 Niches for Selling to Local Community**

Currently, Kam Shan Village has a population of about 6,000 and there are several amounts of niches within BCHT which stored the cremated ashes of the local residents. As advised by the village representatives of Kam Shan Village, there is not enough suitable land within the permitted burial ground site to meet the future demand for funeral related facilities for the local villagers. Therefore, the Applicant has decided to reserve 1,000 niches for selling to the residents of Kam Shan area and 1,000 niches for selling to the residents of Tai Po District. BCHT will continue the practice of offering a certain number of free niches to those people who are homeless and in financial difficulties.

The Applicant has decided to relocate the religious office (to the west outside the application site) into the area where the 宗教雜物區 (behind the 大雄寶殿 in Building B) is located. The 3-storey religious building will be used as a living quarters for BCHT's masters and staffs in future. Internal layouts of each building at the application site are shown in **Plan H** and **Plan I**. Adequate spaces have been reserved inside the buildings and the religious and recreational courtyard so as to facilitate the visitors to worship the ancestors, in particular during the grave sweeping occasions. Fire fighting facilities such as fire extinguishers have been provided in the buildings in order to ensure fire safety.

4.1.3 Development Schedule and Number of Niches

Development schedule and breakdown of gross floor area (GFA) calculation for the proposed scheme are shown in **Table 4.1** and **Table 4.2** respectively. The Applicant does not propose any new building or change in the building form of the existing buildings. The discrepancy of GFA calculation between the present application and the previous application is mainly based on the Applicant didn't include the covered access adjoining Building A and Building B in the past.

Since the columbarium niches in BCHT will be reduced from 13,426 to 11,726 (i.e. reduction of 1,700 niches), new arrangement on distribution of the niches for the Temple is shown in **Table 4.3**.

Table 4.1: Development Schedule for the Proposed Scheme

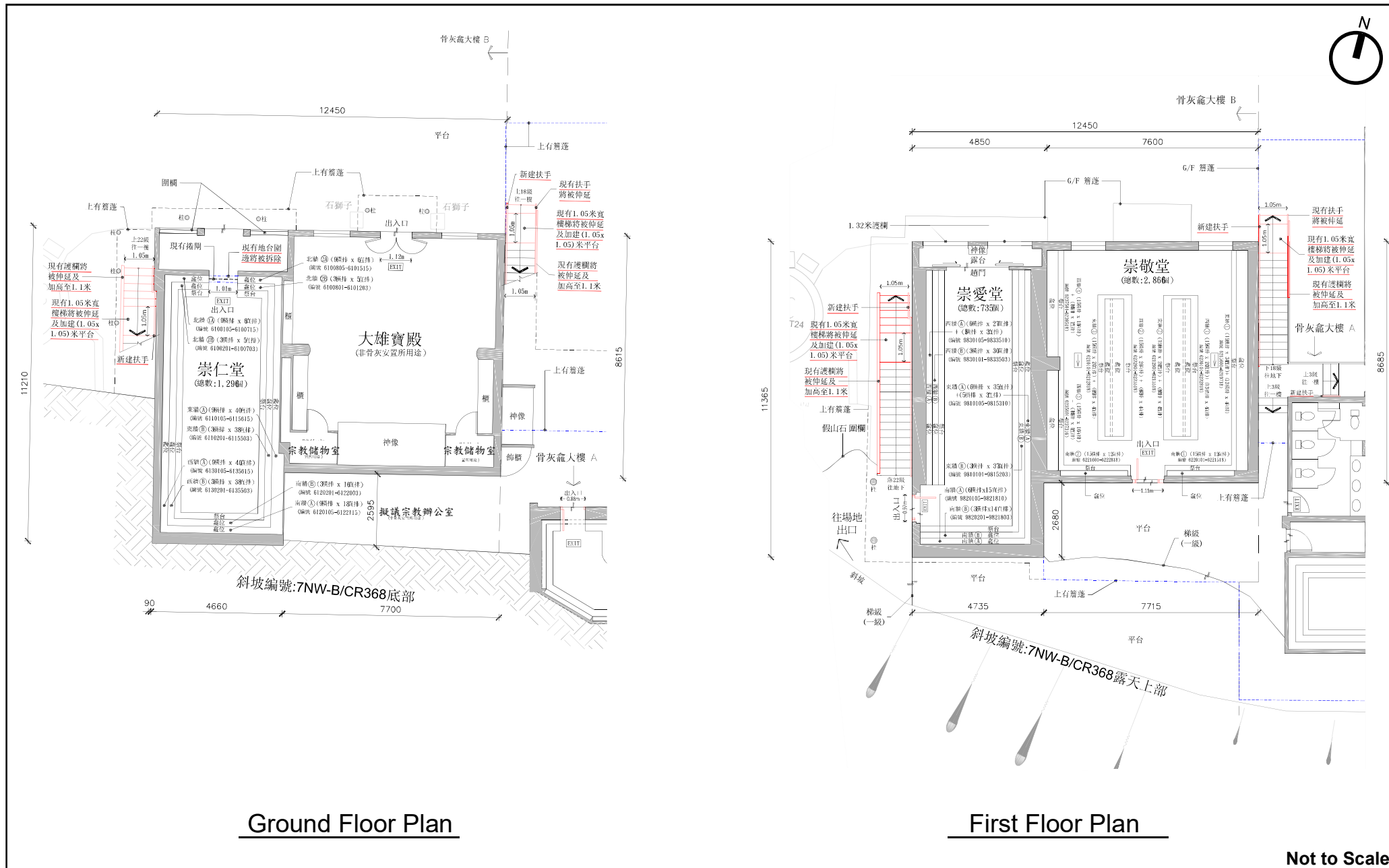
	Application Site			
Site Area (m ²)	About 1,052.4m ²			
Plot Ratio	0.92 (approximate)			
Proposed GFA (m ²) and Maximum Building Height (BH)	Block	Use	Proposed GFA	Maximum BH
	Total		Not exceeding 969.1m ²	10m
	Building A	Religious Use	155.7m ²	10m (2 storeys)
		Columbarium	348.9m ²	
		Supporting Facilities	24.5m ²	
		Covered Access	149.2m ²	
	Building B	Religious Use	86.8m ²	8m (2 storeys)
		Columbarium	172m ²	
		Covered Access	32m ²	
Site Coverage	55.2% (approximate)			
No. of Block(s)	2			

Table 4.2: Breakdown of GFA (in m²) Calculation for the Proposed Scheme

Blg.	Room	GFA	Use	Blg.	Room	GFA	Use
G/F				1/F			
A	觀音殿	68.7	Religious	A	思孝堂及後堂	68.7	Religious
A	崇德堂 崇禮堂	76.4	Columbarium	A	崇孝堂	76.4	Columbarium
A	崇本堂	38.7	Columbarium	A	崇節堂	38.7	Columbarium
A	崇義堂	26.5	Columbarium	A	崇逸堂	22.7	Columbarium
	男洗手間	10.2	Supporting	A	室內通道	14.0	Access
A	崇廉堂	24.1	Columbarium	A	崇恩堂	28.6	Columbarium
A	崇思堂	16.7	Columbarium	A	女洗手間	14.3	Supporting
A	宗教雜物房	14.5	Religious	A	宗教雜物房	3.9	Religious
A	簷蓬 / 有蓋通道	40.5	Access	A	簷蓬	94.7	Access
B	大雄寶殿	67.2	Religious	B	崇敬堂	65.5	Columbarium
B	崇仁堂	52.7	Columbarium	B	崇愛堂	53.8	Columbarium
B	擬議宗教辦公室	19.6	Religious	B	簷蓬	13.3	Access
B	簷蓬	18.7	Access				

Table 4.3: Columbarium Niches and Memorial Tablets under New Arrangement

Classification	Single-urn	Double-urn	Triple-urn	Quadruple-urn	Sextuple-urn	Total
Total No. of Niches	3,907	7,369	252	192	6	11,726
• Lot No. 1087	2,671	5,360	45	155	0	8,231
• Lot No. 1130	1,246	2,002	204	37	6	3,495
Total No. of Sold Niches	1,788	3,576	70	73	1	5,508
• Occupied	1,131	2,895	56	58	1	4,141
• Not Yet Occupied	657	681	14	15	0	1,367
No. of Niches Available for Sale	2,119	3,793	182	119	5	6,218
Total No. of Memorial Tablets	N/A	N/A	N/A	N/A	N/A	3,049
• Sold						2,044
• Available for Sale						1,005



Plan I: Floor Plans (Building B)

4.3 Operation and Management of Buddhist Cheung Ha Temple

BCHT is a popular Buddhist religious institution established at the application site in 1928. It has its own management team (23 full-time staffs) to undertake the management and maintenance of the facilities within the site. Up to the present moment, the management team has demonstrated that the smooth operation of BCHT and its facilities at the site are always up to satisfactory standard.

The operation hour of BCHT is from 9:00am to 5:30pm during the normal days (including Saturday, Sunday and public holiday) and from 7:00am to 7:00pm during the traditional grave sweeping festival days (i.e. Ching Ming Festival and Chung Yeung Festival) and its shadow period (one weekend before and after festive days, including holiday(s) in between the shadow period).

No furnace facility is, or will be, provided with the Temple. Burning of joss paper and/or paper offerings within the site is strictly prohibited. Communal toilet facilities are provided inside Building A.

In order to operate the Temple in a safe, orderly and smooth fashion without creating any crisis during the grave sweeping occasions, a Management Plan for the Temple has been proposed as attached in **Appendix VI**. Additional 13 part-time staffs (a total of 36 staffs) will be deployed to meet the sudden increase in demand during festival days. A set of the House Rules has already been implemented within the Temple and they are shown as follows:-

<p style="text-align: center;"><u>佛教長霞淨院</u> <u>院務守則</u></p> <ol style="list-style-type: none">1. 各拜祭人士務必遵守此守則。2. 本院裝有 24 小時監控閉路電視保安系統，本院主管會因應人流密度或特別事故，發出指示，請各訪客遵從。3. 敬請跟隨本院站崗職員的指示或指示牌，進入及離開本院範圍。4. 在靈室拜祭，敬請保持肅靜，以尊敬神靈；以及不可干擾其他拜祭人仕。5. 本院全年無休，天天開放，每天由上午 9 時至下午 5 時 30 分。6. 清明節，重陽節及影子時段則由上午 7 時至下午 7 時開放。7. 本院範圍內，不可抽煙及喝酒。8. 肉類祭品只可在靈室內供奉，不可在本院範圍內食用。9. 如在清明節，重陽節及盂蘭盆節前來拜祭，程序如下：10. 可致電(852)2652-1134 或(852)2652-1126 預約或可利用本院的手機應用程式(在 iOS 及 Android 作業系統內輸入 Cheung Ha Temple 免費下載)預約拜祭日期及時段；	<ol style="list-style-type: none">11. 根據預約成功的日期及時間向報到處 報到，並出示預約登記號碼；12. 依照職員指示前往靈室拜祭。如有疑問，可向現場站崗職員及寫字樓職員查詢；13. 因本院不設置化寶爐設備，請勿攜帶香燭衣紙來院。本院會向每人派送一炷環保清香(如有需要)以供拜祭；14. 每節預約拜祭時限為 30 分鐘。如超時，本院職員會友善提示拜祭人士離開靈室，以便下一組預約人士參拜；15. 如沒有作預約，本院職員有權拒絕入院拜祭。16. 為照顧海外人士或因其他原因未能前來參拜。本院也設有“網上拜祭”服務。 <p style="text-align: right;">詳情請上本院網址 www.cheunghatemple.org。</p>
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The Applicant has already included the pre-booking system requirement in the House Rules and the pre-booking mobile application has been implemented since 2019 Ching Ming Festival Period. Additionally, the staff assistants already notified the visitors at the site during 2019 Ching Ming Festival Period that the pre-booking mobile application were under operation and advised the visitors to make their reservations for the

preferred time slot through the mobile application. QR Code will be generated by pre-booking mobile application/mail/WhatsApp after making their reservations.

For those visitors who do not follow the House Rules will be given a warning. With a number of warnings obtained, they will not be allowed to make an appointment (or given low priority) for a visit during festival day for a certain period of time to discourage them from further disobeying the terms and conditions. The Applicant will regularly send newsletters to their members on the latest routing arrangement and to remind them to follow the House Rules.

4.4 Access Arrangement and Special Traffic Arrangement

4.4.1 Access Arrangement

The application site is well served by public transport services in the vicinity. The pedestrian routes to/from the public transport facilities from/to the site are shown in **Plan K**. At present, the application site has never been served by any vehicular access, and no parking or loading/unloading facility has ever been provided inside the site. All daily deliveries are conducted by hand and this practice will continue in future. All visitors are well aware of this arrangement.

In accordance with statutory requirements as stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG), no car parking and servicing provisions have been specified for the of "Columbarium" development.

4.4.2 Traffic and Crowd Management Plan

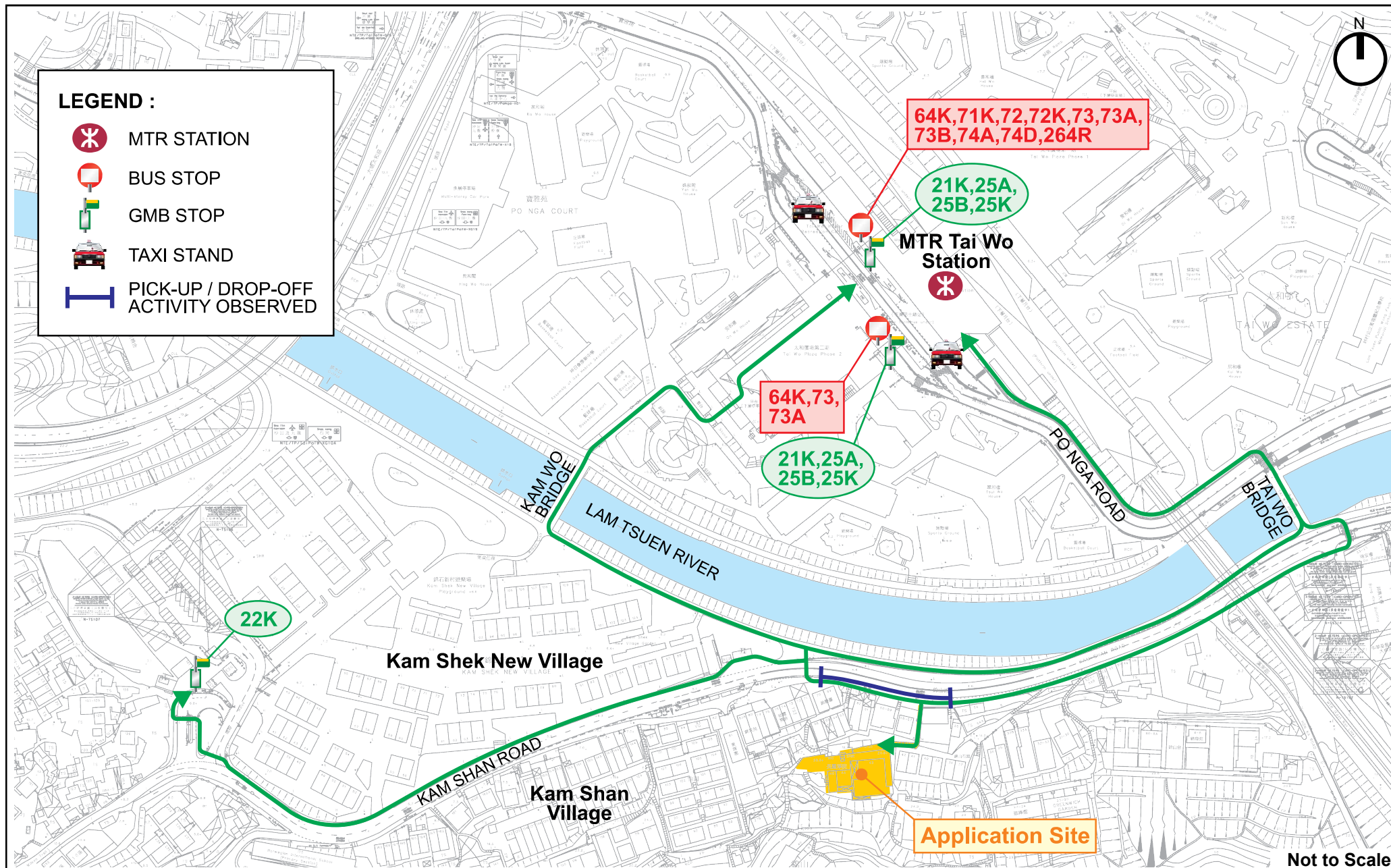
To minimise the traffic impact during festival period, appropriate traffic management measures are proposed to be implemented in the TIA and the Management Plan (see **Appendix V** and **Appendix VI**). The proposed measures are summarized as follows:-

(a) Traffic and Public Transport Arrangement

To further promote the access by public transport, the Applicant shall inform visitors the location of public transport facilities and the corresponding access routes one month before Ching Ming/Chung Yeung Festival Day. The Applicant has prepared the website and Pre-booking Mobile Application which provide the major routes from public transport facilities, to encourage the access by public transport to the application site during Ching Ming/Chung Yeung Festival Period. They will be notified and explained in detail of the site location and access arrangement that no on-site parking space is provided for the visitors due to the inherent site constraints.

(b) Pedestrian Access

To avoid unnecessary disturbance to the neighbouring developments caused by



Plan K: Existing Transport Facilities in the Vicinity of the Site

BCHT related activities, in particular during the grave sweeping occasions, all visitors of BCHT only use the staircase (the least usage rate by the villagers in Kam Shan) to the east of house nos. 57-58 connecting from Kam Shan Road to the main entrance of BCHT as the main temple access. During festival days, visitors will be directed by staffs to access/ leave the application site via this access route.

(c) Temporary Directional Signs

In order to guide the visitors, appropriate temporary direction signs would be erected along the proposed visitors' ingress/ egress routing.

(d) Staff Assistants

23 staffs are employed for day-to-day operation during normal days. With foreseeable high number of visitors during the grave sweeping occasions to the application site, additional manpower will be deployed. A total of 36 staffs will be on duty during festival period.

Staff will be deployed at the entrances of the application site and at key points on identified visitors' routes to provide assistance for the visitors so that order and smooth pedestrian flow can be maintained.

(e) Admission Control

Admission control will be adopted at the entrance of the application site. Staff will be stationed at the entrance to ensure only visitors with valid QR code can enter the site. Visitors without prior booking are not allowed to enter the site. Staff will check the visitors' booked time slot upon their arrival to the site. If the visitors arrive earlier than the reserved time slot, they will be asked to wait at the waiting area to await the start of session. If the visitors arrive on time, or the visitors waiting at the waiting area have reached their designated time slot, staff will provide guidance for the visitors to leave the waiting areas in sequence and go into the columbarium.

Visitors arriving 30 minutes or above prior to their reserved time slot are not allowed to enter the application site. Besides, visitors will receive advance notices (i.e. not arrive more than 30 minutes early) from the Applicant via the pre-booking mobile application to advise them not to arrive more than 30 minutes early.

(f) House Rules (Pre-Booking System)

The Applicant shall require the niche purchasers, including visitors who purchased "sold niches" and visitors who will purchase "un-sold niches", to adhere to the House Rules. Pre-booking for the preferred time slot will be required before visiting the site during Ching Ming/ Chung Yeung Festival Days and their shadow periods. The Applicant has already included the pre-booking system requirement in the House Rules and the pre-booking mobile application

has been implemented during the 2024 Ching Ming Festival Period. Additionally, the staff assistants already notified the visitors at the site 2024 Ching Ming Festival Period that the pre-booking mobile application were under operation and advised the visitors to make their reservations for the preferred time slot through the mobile application. QR code will be generated by the pre-booking mobile application/ mail/ WhatsApp after making their reservations. The Applicant shall exercise strict control of the number of visitors at a manageable level which would not exceed its holding capacity.

(g) Standing Area

In order to determine the holding capacity, the available standing area of the building is considered. The standing area of the buildings (indoor area for the flow of visitors) is around 425m². To fulfil the requirement from the BD, the holding capacity in each time slot would be 117 persons. Therefore, under the pre-booking system, it allows for a maximum of 117 visitors per 30-minute session (i.e. maximum of 234 visitors per hour).

(h) Waiting Area

In case of early arrival of the subsequent time slot, a waiting area with around 98m² will be provided for visitors within the site. Visitors arriving 30 minutes or above prior to their reserved time slot are not allowed to enter the site. In light of this, the total holding capacity of the waiting areas is 117 persons.

(i) Advance Coordination with the Police

For better coordination with the Police, the Applicant will take an active role to inform the Police, such as operation hours, crowd management measures, etc., before the Ching Ming and Chung Yeung Festival Days and their Shadow Periods. The relevant past letters regarding the Buddhist Festival, Ching Ming Festival and Yu Lan Festival from the Applicant to the Police are attached in the TIA report.

(j) Online Memorial Service

In order to minimise the traffic impact during the peak seasons, the Applicant will provide Online Memorial Services for all visitors in the future. Online memorial service is a virtual platform on the internet for visitors to have niches worshipping activities at any time of the day or night. It is expected that the implementation of online memorial can further reduce the demand of people visiting the site in person, especially during Festival Days and their shadow periods.

Thus, with the implementation of the Management Plan, the columbarium with a reasonable number of visitors per hour accessing the site will not cause any traffic disruption to the roads in the vicinity or to cause any burden to the transport system. Moreover, the possible nuisance caused to the local villagers will be highly remote.

4.5 Environmental Proposal

Since EPD had no objection to the previous application, the Applicant is committed to follow the operational arrangement as previously proposed, i.e.:-

- (a) no furnace facility will be provided within the premises. Burning of joss paper and paper offerings will be strictly prohibited within the premises;
- (b) wastewater generated from the site will be conveyed to public sewerage;
- (c) administrative measures will be in place to control the number of visitors during festival periods; and
- (d) the operation hours of the premises would be between 9:00am and 5:30pm on Monday to Sundays; and would be extended from 7:00am to 7:00pm during Ching Ming/Chung Yeung Festivals and **one weekend** before and after these Festival days.

An adequate drainage network exists within the application site. Since this application only involves the regularisation of the columbarium use without affecting the building bulk within the site, it is anticipated that the drainage flow would not be significantly changed.

4.6 Implementation Programme

This s.12A application is intended to regularise the Pre-cut-off Columbarium in BCHT. The Columbarium Licence is anticipated to be obtained from the PCLB by 2029, taking into account the timing for processing this application, TPB's plan making on OZP, the subsequent s.16 planning application, fulfilment of planning approval conditions, land application and compliance of relevant building safety regulation, etc.

5.2 Minimum Environmental Impact

The subject development will not result in any significant environmental impact based on the following considerations:

(a) Environmental Consideration

Since EPD had no objection to the previous application, the Applicant is committed to follow the operational arrangement as previously proposed, i.e.:-

- i) no furnace facility will be provided within the premises. Burning of joss paper and paper offerings will be strictly prohibited within the premises;
- ii) wastewater generated from the site will be conveyed to public sewerage;
- iii) administrative measures will be in place to control the number of visitors during festival periods; and
- iv) the operation hours of the premises would be between 9:00am and 5:30pm on Monday to Sundays; and would be extended from 7:00am to 7:00pm during Ching Ming/Chung Yeung Festivals and **one weekend** before and after these Festival days as well as Yu Lan Festival.

The Applicant will ensure proper implementation of the proposed environmental mitigation measures and good operational practices, which can be imposed as part of the approval conditions under the subsequent s.16 planning application.

(b) Drainage Consideration

It is noted that DSD had no in-principle objection to the previous application from public drainage viewpoint. There are public stormwater drains maintained by DSD in the vicinity.

There are no plans for new building blocks, expansion, or change in surface inclination with the application site. Due to the reduction of concrete paved area and increase in grassland area, the impact on existing system can be further minimised. Stormwater is conveyed away from the site and discharged at Lam Tsuen River via the existing drainage infrastructure.

The application site is located at a slope of Kam Shan and is about 40m and 50m from Kam Shan Road and Lam Tsuen River downhill, respectively. The existing drainage infrastructure works well and causes no reported impacts to adjacent areas downstream or flooding in the vicinity and, hence, requires no upgrading.

The Applicant will prepare and implement a drainage proposal for the application site and will maintain the existing drainage system properly and rectify the systems if they are found to be inadequate or ineffective during operation.

(c) Sewerage Consideration

A Sewerage Impact Assessment (SIA) has been carried out as presented in **Appendix VII**. Key findings of the assessment are summarised as follows:

- i) As the subject columbarium has been established and in operation within the existing structures for a long time, no construction, addition or alteration works will be required. The columbarium is projected to have a total of 11,726 sold niches after BCHT has acquired the Columbarium Licence under the PCO from PCLB.
- ii) Public sewers have already been installed **to discharge sewage generated from** the application site. Given limited toilet facilities, and observed short stay of visitors, a surge in sewage generation during the peak seasons is not envisaged.
- iii) Results of this SIA, which have taken into account of the increase in visitors after all niches are sold, confirm that the existing sewerage catchment would have enough capacity to handle peak flows from the application site during peak seasons (Ching Ming or Chung Yeung Festivals) as well as peak flows from other relevant catchments **based on the existing toilet facilities in the temple**. The sewage flow in the receiving public sewers **contributed by** the application site would be within the capacities of the downstream pipes. Sewage generated from the site will be conveyed to Tai Po Sewage Treatment Works for treatment.

It is noted that DSD had no in-principle objection to the previous application from public drainage viewpoint. In addition, DSD had no comment on the SIA submitted for the previous application. There are existing public sewers maintained by DSD within the site and public stormwater drains maintained by DSD in the vicinity.

5.3 Minimum Geotechnical Impact

A Geotechnical Planning Review Report (GPRR) has been carried out as presented in **Appendix VIII**. It has the following conclusions:

- (a) No major geotechnical problems are identified during walkover site inspections. Based on the MLP, significant site formation works would not be required when the existing buildings and the existing retaining walls with the retained platforms and slope within and adjoining the site remain unchanged in the foreseeable future.
- (b) The proposed site formation works should include the stability assessments of the existing retaining walls and slopes and the overall stability of the existing and proposed site formation whether their stability to be achieved the current design

safety standards, which should not affect and be affected by the subject development.

- (c) Based on the above considerations and preliminary geotechnical assessment, the subject development for the application site is considered to be geotechnically feasible. To implement this development, the following geotechnical engineering works are recommended for further studies and detailed design:
- i) A detailed site investigation should be carried out at the later design stage to reveal the geological profile, the groundwater table, geotechnical engineering properties and the engineering details of existing retaining walls and slopes within and adjoining the site. The proposed ground investigation works as shown in the site formation plan could be taken into consideration, and the exact ground investigation works are subject to the later design stage.
 - ii) If necessary, a topographic survey to identify the extent of the existing slopes and walls within and adjacent to the site should be carried out for stability assessment of the existing slopes and walls or geotechnical features.
 - iii) To ensure the proposed site formation for existing features within or adjoining the site that should not affect or be affected the subject development, the further liaison with the maintenance responsible parties and stability studies on the features as stated in the GPRR should be carried out.
 - iv) When the results of the stability analyses for the above features are not achieved the current safety standards, the strengthening works for those features should be included in the proposed site formation, which will be submitted to BD for approval at the implementation stage.
 - iv) The loading of proposed large trees planted on the relevant existing retaining walls should be included in stability analyses of those walls in the later stage. If they cannot meet the current safety standard, upgrading works for those walls will be proposed. The stability of those wall should not affect or be affected by the stability of any existing structures in vicinity of the application site.
 - vi) All the proposed site formation, foundation or geotechnical works for this development should not affect or be affected by the adjacent access road, slopes and structures.
 - vii) The proposed stormwater drainage works for this development should comply with DSD's requirements.

5.4 Minimum Visual and Landscape Impacts

The development scheme will not result in any significant visual and landscape impacts based on the following considerations:

(a) Visual Consideration

The present application is intended only to rectify the existing two 2-storey temple-cum-columbarium structures without change in building bulk and building height. Due to the isolated and tranquil location with existing slopes and mature trees surrounding the site, and the level difference between the application site and the public access along Kam Shan Road, the existing small scale development is hardly visible from outside (see **Plan L** and **Plan M**). BCHT is not in the direct sightline of the village houses due to their building orientation.

It is noted that Urban Design Unit of PlanD had no objection to the previous application from urban design (visual) perspective. In comparison with the previous application, the application site boundary has been largely reduced and the present scheme, as stated above, will not have new building blocks to be erected at the site. The building bulk and building height of the existing structures will remain unchanged. Additional landscape features have been proposed along the boundary edge to provide a natural screening buffer for BCHT.

(b) Landscape Consideration

The application site is situated in an area of rural landscape character comprising village houses and scattered tree groups. The proposed (existing) development is already built and under operation for a long period of time. According to the previous application, Landscape Unit of PlanD had no objection to the previous application from landscape planning perspective. Similarly, the development proposal under this application would not involve alteration or extension of the existing buildings. The existing trees are not in direct conflict with the applied use. Thus, further significant adverse impact on landscape resources is not anticipated.

As mentioned in **Section 4.2**, additional landscape treatments are proposed under the present application to further relieve the local concern on the possible "psychological impact" of the development. In the traditional Chinese philosophy and belief, 'Harmony with Nature' is an important element and this is also important concept in the design of the religious and columbarium development. The proposed tree planting would be unobtrusive and could provide a screening effect to the periphery of the application site be enhanced where possible through the utilisation of landscape buffer planting linked to the overall landscape framework. The species selection for the proposed landscape buffer planting would be commonly found in Hong Kong.

Those supporting comments received were mostly from the local residents living in Kam Shan Tsuen and Tai Po District. In addition, a number of reputable persons, representatives and organisations in the area wrote to the Board to express their strong support to the application (see **Appendix V**). They include:-

- 大埔鄉事委員會主席、副主席及代表
- 大埔聯益鄉地區事務委員會副主席及代表
- 養浩安老院代表
- 家樂協會復康宿舍有限公司代表
- 香港新界蘇氏宗親會理事長
- 大埔聯益鄉公所代表
- 大埔元洲仔漁民村公所代表
- 大埔元洲仔大王爺神廟管理演戲委員會有限公司主席
- 黃碧嬌太平紳士 (大埔青年協會永遠會長、樂群義工聯盟主席、大埔各界協會副主席)
- 錦山村村委會主席
- 錦山村村代表
- 錦山村原居民代表
- 區議員
- 大埔天后宮代表
- 新界校長會會長

According to the GLM Appeal Decision, the TPAB pointed out that when considering public comments, one would usually consider the number in the majority, and minority, and give effect to the majority view. In this regard, amongst the public comments received from the previous applications for BCHT, 8,909 (about 95%) supported the applications and only 495 (about 5%) objected. The overwhelming support received, especially majority of the support were from the local residents and the stakeholders of BCHT, illustrates that the general public consider the subject development is favourable and acceptable. However, the TPB could not support the previous application No. Y/TP/29 because a number of local residents had raised objection to the application. The TPB's approach to give effect to the minority (about 16.38%), and disregard the majority (about 83.62%), is both unexplained and unfair.

Furthermore, the Applicant has been over-ambitious in making several planning applications including on larger scale, which were scaled down (see **Table 6.2**). Strong efforts have been made by the Applicant to reduce any potential impact (in particular nuisance to the local residents) from the development.

Table 6.2: Current Scheme vs Previous Scheme (No. Y/TP/29)

	Current Scheme	Previous Scheme
Site Area	1,052.4m ² (including 662.2m ² Government Land)	1,768m ² (including 1,311.8m ² Government Land)
No. of niche(s)	11,726 niches	13,426 niches
Planning Parameters		
• GFA (m ²)	969.1m ²	971.7m ²
• Maximum BH	10m (2 storeys)	10m (3 storeys)
• No. of Block(s)	2	3
Traffic Arrangement	Pre-booking system Limit to 351 visitors per hour Deployment of staff Directional signage and waiting area	Pre-booking system Limit to 424 visitors per hour Deployment of staff Directional signage and waiting area