

Planning Statement
for Rezoning Application for
Yat Tak Kwun at No. 45 Tan Kwai Tsuen,
Hung Shui Kiu, Yuen Long, New Territories in
D.D. No. 124 Lot 3971 R.P.

Prepared By: Derkon Consultant Limited

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1. Background

Yat Tak Kwun is an existing Taoist columbarium located at No. 45 Tan Kwai Tsuen, Hung Shui Kiu, Yuen Long, New Territories (the Columbarium). The location plan attached in the **Appendix A** refers. The Columbarium commenced operation since 2007 and hitherto there is about 582 nos. of niches had been sold out and about 8 no. of ash occupied in this columbarium. The maximum nos. of niches that can be accommodated is 4456.

Despite there is an imminent annual demand of over 40,000 niche in Hong Kong for over several decades of years, there is no statutory regulation controlling the columbarium business until the Private Columbaria Ordinance came into effect at 30 June, 2017 since when, over 150 existing columbaria in Hong Kong are required to regularized their business by formal registration at the Private Columbaria Affair Office Under the Private Columbaria Ordinance.

Letter ref (9) in FEHD PC 72-40/62/2018/009 Pt.2 dated 15 August, 2019 attached a comment from the Planning Department, implicitly requiring the Applicant to apply the re-zoning of the land of the existing columbarium prior to the consideration of the application. Accordingly, the Applicant had no choice but to proceed with this application.

2. Description of Lots & Buildings

General description of the site

The Columbarium locates in Tan Kwai Tsuen abutting a footpath and a cycle track at the west. Total width of this footpath and a cycle track is over 6m. The other side of the cycle track is a 23m wide nullah separating the Tan Kwai village from Wo Ping Lane Road. The site, via a footbridge over the 23m wide nullah, is about 37m from the Wo Ping Lan San Tsuen Lane Road. Via the footpath and towards the north, the site is about 160 metre from the Castle Peak Road where a MTRC light rail station and the bus stops of several routes are located.

The total area of the site is 1397 m² and is enclosed by solid wall of height about 1.8m. At the back of the eastern side boundary wall there is an adjoining residential block. A row of trees had been planted to provide privacy to the columbarium. (The attached location plan refers.)

There are 2 buildings inside the site namely Building 1 and Building 2. Building 1 is a 2 storey high building where columbarium niches (totally 2464 nos.) are installed at only the ground floor (gross floor area is 124 sq m). Building 2 is a single storey building structure with gross floor area 57.6 sq m. Columbarium niches (totally 1992 nos.) are also installed in this building. The First floor of Building 1 is an ancillary office of the Columbarium where toilet for the management locates.

There are totally 3 number of entrances at the site. Two gates each with width over 3 m is located at the western boundary wall abutting the footpath and the cycle track . A 1 m wide door is located at the eastern boundary wall adjoining the nearby residential estate. 10m away from this entrance is an open space car park able to accommodate the parking of over 100 number private cars and lorries.

Description of Lease

The lot is under New Grant No. 238 and is subject to the General Conditions and Special Conditions of Government Notification No. 364 of 1934 (G.N. 364) as amended by Government Notification No. 50 of 1940 and Additional Special Conditions. Based on these conditions, the lease permits 2/3 site coverage, 25 feet building height and 2 storey. The Attachment in **Appendix B** refers.

Description of Structures

There are two structures in the application site

Building	No. of Storey	Dimensions	Use	Nature
Building 1	2	124 m ² x 7.62m (H)	G/F Columbarium	Existing
			1/F Ancillary Office	Existing
Building 2	1	57.6 m ² x 4m (H)	Columbarium	Existing

The Layout Plan in **Appendix C** refers

3. Rezoning Proposal

3.1 the purpose

The Columbarium site locates in the Tan Kwai Tsuen, an area zoned as "Residential (Group B)" in the Outline Zoning Plan (OZP) No. S/YL-TYST/14. The purpose of the application is for re-zoning the application site in the OZP for the development use of "GIC" annotated "Columbarium" thus complying with the licence requirement for columbarium as mentioned in paragraph 1. An Extract of the OZP No. S/YL-TYST/14 at Tan Kwai Tsuen is attached in the **Appendix D** for reference.

Proposed Change for "GICs" annotated "Columbarium" in the Schedule of Use in the OZP

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
	Columbarium

3.2 The Development Schedule

The development schedule, the Schedule of Structures and the Schedule of Niche Count of the Columbarium are summarized in the following tables:

Development schedule

Site Area	1397 m ²
GFA	305.6 m ²
Covered Area	181.6 m ²
Plot Ratio	0.2188
Site Coverage	13.00%.
Nos. of Buildings	2
No. of Storey	Max. 2
Maximum Building Height	7.62m (2-storey main building)

Schedule of Structures

Block designation	Storey	Site Coverage (m ²)	Gross Floor Area (m ²)	Dimension breadth(m) x length(m) x height(m)	Existing use
Building 1	2	124	248	10.62x16.31x7.62	columbarium
Building 2	1	57.6	57.6	5.203x11.05x4	columbarium

Schedule of Niche Count

Building Block	Proposed Number of Niches	Proposed Number of Ashes
Building 1 (only at G/Floor)	2464	3165
Building 2	1992	2592

4. Implementation

4.1 The History

Since year 2007, the Columbarium was run by Yat Tak Kwun, a sister Taoist organization of Chui Pak Sin Tong. Both organizations are member of the Hong Kong Taoist Association. The Columbarium facilities of this Taoist organization were commenced upon the request of the Taoist followers to allow the ash of their ancestors to be stacked peacefully in an environment of Taoism.

4.2 The Construction

The Columbarium is already an existing operation commenced since 2007. Nothing will be changed in regard of the building structure and development schedule. Toilet at the First Floor of Building 1, however, may be required to modify to suit the use as ancillary office for the Columbarium.

4.3 The Operation

The operation was commenced in about 2007. The operation, however, was suspended since the implementation of the Private Columbaria Ordinance at 30th June, 2017 awaiting for the completion of the registration procedure. At the moment 582 nos. of niches had been sold with 8 nos. occupied. The Management is schedule to sell the niches at the rate of 25 numbers per months upon completion of the registration procedure.

5. Location and Environment

The Subject Site is located in Tan Kwai Tsuen in Hung Shui Kiu, Yuen Long. The Subject site is about 150m away from Tan Kwai Road at the east and 50m from the Wo Ping San Tsuen Lane at the West. Location Plan attached in Appendix A refers.

5.1 Vicinity Description

West On its west there are a footpath, a cycle track and a nullah which separates Wo Ping San Tsuen Lane from the site. On the further west is a large warehouse structure.

The distance from the building to the warehouse is about 60 m. The sightline is blocked by the fence wall and tall trees inside the site and on the footpath. Only a small part of the building can be seen between the trees.

North On its north there is a small 2-storey temporary structure where Chinese medical service is provided. Beyond this structure there is a large space area occupied by steel shelter structures and of open car park.

There are tall trees at the north side inside the site blocking the view of the building and shelters from the west. Only a small part of the building can be seen between the trees, which also function as green screening between the building and other structures on the north side.

South On its south there is a piece of open area providing a buffering between the site and squatters and warehouses. On this side inside the lot there are mature trees taller than the building. Together with the fence wall, only a very small part of the building can be seen from the squatter structures at the south side.

East On its east there is a low-rise residential estate (The Verdancy). Trees of the similar height and higher than the building on this side between the residential block and the building. Only the upper part of the building can be seen between the crowns of the trees.

6. Impact Assessment

The following assessments shall be addressed to investigate the technical feasibility of the proposed development:

- a. Traffic Impact
- b. Environmental
- c. Sewerage
- d. Tree Preservation and Landscape Proposal

6.0 Basic Characteristics of the Development

instinctive

- a. there is no vehicular access to the site
- b. there are many tall standard tree existing in the site
- c. there is no kitchen in the development
- d. the site is well-served by road-based public transport
- e. the site is accessible by several 3m wide footpath of with high grade (Grade A) of Level of Service

Operative

- f. No joss paper burning activity
- g. No noisy religious ceremony
- h. Additional mobile toilets will be supplement in those Special Days, the days during the Ching Ming and Chung Yeung Festival Periods defined as follows:
 - (i) 2 Sundays before the Ching Ming and Chung Yeung Festival Days
 - (ii) On the the Ching Ming and Chung Yeung Festival Days
 - (iii) 2 Sundays after the Ching Ming and Chung Yeung Festival Days
 - (iv) Any public holidays within the 2 Sundays before and after the Ching Ming and Chung Yeung Festival Days
- i. Special traffic arrangements will be proposed by the applicant to minimize the potential impact associated with the Proposed Columbarium.
- j. Normal operation hours of the Proposed Columbarium is from 9:00 to 17:00 hours on normal weekdays and weekends, During the Ching Ming and Chung Yeung Festival Periods the Proposed Columbarium shall operation between 08:00 to 18:00 hours
- k. Mandatory Policy Agreement in Condition of Sale for the niches will be imposed to specify the above-mentioned restrictions in the Proposed Columbarium.

6.1 Traffic Impact Assessment (TIA)

6.1.1 The existing traffic situation

The subject site is located in Tan Kwai Tsuen in Hung Shui Kiu, Yuen Long. The subject site is bounded by a footpath and a cycle track to the west along a nullah, a residential development to the east, and various other temporary developments to the north and to the south. The subject site does not abut any road carriageway and therefore cannot be accessed by vehicular traffic. The subject site is served by Wo Ping San Tsuen Lane, a single -2 carriageway local road about 60m away, the Tan Kwai Tsuen Road, a single-carriageway local road about 150m away and Castle Peak Road-Hung Shui Kiu, a dual-2/3carriageway Trunk Road about 200m away. The subject site, however, is well-served by road-based public transport and there are numerous franchised bus, green minibuses (GMB), red minibuses (RMB), and MTR light Rail Transit (LRT). Table 6.1 showing the details of these services refers.

Table 6.1 ROAD-BASED PUBLIC TRANSPORT SERVICES OPERATING NEAR THE SUBJECT SITE

Route	Origin - Destination	Frequency (min)	Remark
KMB 53	Yoho Mall (Yuen Long) ↔ Tsuen Wan (Nina Tower)	25 -35	
KMB 63X	Hung Shui Kiu (Hung Fuk Estate) ↔ Jordan (West Kowloon Station)	12-30	
KMB 68A	Long Ping Estate ↔ Tsing Yi Station	8-20	
KMB 68X	Mogn Kok (Park Avenue) ↔ Hung Shui Kiu (Hung Fuk Estate)	9-25	
KMB 258A	Hung Shui Kiu (Hung Fuk Estate) → Lam Tin Station	1 per AM	(1)
KMB 258P	Hung Shui Kiu (Hung Fuk Estate) → Lam Tin Station	12-30	(3)
KMB 258P	Lam Tin Station → Hung Shui Kiu (Hung Fuk Estate)	20-30	(4)
KMB 261P	Tuen Mun (Siu Hong Court) → Sheung Shui (Ting Ping)	2-3 per AM	(3)
KMB 261P	Sheung Shui (Ting Ping) → Tuen Mun (Siu Hong Court)	1 per PM	(2)
KMB 268X	Hung Shui Kiu (Hung Fuk Estate) ↔ Jordan (West Kowloon Station)	10-30	
KMB 276P	Tin Shui Wai Station ↔ Sheung Shui	5-20	
KMB 960A	Central → Hung Shui Kiu (Hung Fuk Estate)	1 per PM	(2)
KMB 960B	Quarry Bay → Hung Shui Kiu (Hung Fuk Estate)	4 per PM	(2)

KMB 960P	Hung Shui Kiu (Hung Yuen Road) → Wan Chai North	10-35	(5)
KMB 960X	Hung Shui Kiu (Hung Yuen Road) → Quarry Bay	5 per AM	(1)
LWB A37	Hung Shui Kiu (Hung Yuen Road) ↔ Airport (Ground Transportation Centre)	30-60	
LWB NA37	Tin Shui Wai Town Centre → HZMB Hong Kong Port	1 per Day	(6)
CTB N969	Tin Shui Wai Town Centre ↔ Tin Shui Wai Town Centre	30	(6)
MTRB K75	Tin Shui Wai Station ↔ Hung Shui Kiu	30	
MTRB K75A	Tin Shui Wai Station ↔ Hung Shui Kiu	30	
MTRB K75P	Tin Shui ↔ Hung Shui Kiu	10-15	
NLB B2	Yuen Long Station ↔ Shenzhen Bay Port	60	
GMB 32	Yuen Long Station ↔ Tan Kwai Estate	10-15	
GMB 621	Hung Fuk Estate ↔ Tin Shui Wai Hospital	20-30	
GMB 622	Hung Fuk Estate ↔ Long Ping Station	15-30	(6)
GMB 606S	Yuen Long (Fung Cheung Road) ↔ Tsim Sha Tsui East	6-13	
RMB	Tuen Mun (Chi Lok Fa Yuen) ↔ Yuen Long (Yuen Long Hong Lok Rd)	n/a	
RMB	Tsuen Wan (Chung On St) → Tuen Mun and Yuen Long	n/a	(6)
RMB	Mong Kok (Reclamation St) → Tuen Mun and Yuen Long	n/a	
RMB	Yuen Long ↔ Jordan Rd (Parkes St)	n/a	
LRT 610	Yuen Long ↔ Tuen Mun Ferry Pier	7-17	
LRT 614	Yuen Long ↔ Tuen Mun Ferry Pier	14-23	
LRT 615	Yuen Long ↔ Tuen Mun Ferry Pier	9-23	
LRT 751	Tin Yat ↔ Yau Oi	6-15	

Note:

KMB – Kowloon Motorbus LWB – Long Wing Bus CTB – City Bus
MTRB – MTR Feeder Services NLB – New Lantao Bus GMB – Green Minibus
RMB – Red Minibus LRT – MTR Light Rail Transit

Remarks:

- (1) Monday to Friday. AM Peak Only. Except Public Holidays.
- (2) Monday to Friday. PM Peak Only. Except Public Holidays.
- (3) Monday to Saturday. AM Peak Only. Except Public Holidays.
- (4) Monday to Saturday. PM Peak Only. Except Public Holidays.
- (5) Monday to Sunday. AM Only. Except Public Holidays.
- (6) Overnight Services.

6.1.2 Traffic and pedestrian Flow Surveys

Captioned flow survey was carried out between 11:00 and 14:00hours, which are the typical peak operation period associated to a columbarium development.

6.1.2.1. Manual classified count surveys were conducted to enable traffic flows in passenger car unit (pcu) to be calculated. The traffic flow survey was conducted at the following junctions:

J01 – Castle Peak Road – Hung Shui Kiu/ Tan Kwai Tsuen Road

J02 – Castle Peak Road – Hung Shui Kiu/ Hung Shui Kiu Main Road

J03– Castle Peak Road – Hung Shui Kiu/ Wo Ping San Tsuen Lane

Junction Capacity analyses are calculated based on the columbarium peak hour traffic flows, and the analyses were undertaken using the methods outlined in the Transport Planning and Design Manual (TPDM). Summaries of the results are included in Table 6.2

Table 6.2 EXISTING JUNCTION OPERATIONAL PERFORMANCE

Junction		Junction Control	Performance Indicator	Columbarium Peak Hour
J01	Castle Peak Road – Hung Shui Kiu / Tan Kwai Tsuen Road	Signalised	RC	>100%
J02	Castle Peak Road – Hung Shui Kiu / Hung Shui Kiu Main Street	Signalised	RC	>100%
J03	Castle Peak Road – Hung Shui Kiu / Wo Ping San Tsuen Lane	Priority	RFC	0.010

Note: RC – Reserve Capacity RFC – Ratio of Flow to Capacity

The above result indicates that the surveyed junctions operate with capacities during the columbarium peak hour

6.1.2.2 Based on the peak hour pedestrian flows, the Levels of Service (LOS) analysis for various adjacent relevant footpaths were conducted. The LOS grading is assessed in accordance with the TPDM. The results was summarized in Table 6.3

Table 6.3 EXISTING FOOTPATH OPERATIONAL PERFORMANCE

Pedestrian Facilities		Clear Width ⁽¹⁾ (m)	Ching Ming Festival Day Columbarium Peak Hour	
			Observed 2-way Pedestrian Flow (ped/hour)	Flow Rates [LOS] (ped//min)
FP01	Footpath along Nullah between the Subject Site and Castle Peak Road – Hung Shui Kiu	3.0m	137	0.76 [A]
FP02	Footpath along Castle Peak Road – Hung Shui Kiu westbound between Tan Kwai Tsuen Road and Nullah	4.5m	219	0.81 [A]
FP03	Footpath along Castle Peak Road – Hung Shui Kiu westbound between Nullah and Wo Ping Shan Tsuen Lane	3.0m	218	1.21 [A]

Note: (1) Width of adjacent cycle track excluded

Note: (1) Width of adjacent cycle track excluded.

The above result indicates that the related footpaths performed in a desirable manner.

6.1.3 Population & Traffic Projection

Population projection of the TIA shall be based on “ 2016 – Based Territorial Population and Employment Data Matrix” (2016—based TPEDM) published by the Planning Department . Historic Traffic Flow of the TIA shall be based on the 10-year historic Annual Average Daily Traffic (AADT) obtained from the Annual Traffic Census published by Transport Department. Detail data included in Section 2.17 to 2.21 of the attached TIA report refers.

6.1.4 Estimation of Traffic Generation

The TPDM does not have trip generation rates for columbarium, hence, trip generation rates obtained from the traffic generation surveys conducted at Gik Lok Monastery, a similar columbarium located at Tuen Fu Lane in Tuen Mun within 3 km from the Site, are adopted for the estimation of traffic generation. Detail data included in Section 3 of the attached TIA report refers.

6.1.5 Traffic and pedestrian impact

6.1.5.1 Traffic

Based on the recommendation of the TPDM, the design year of the TIA shall be set at 2026. The 2026 Junction Capacity Analysis is summarized in the following Table 6.4 and detailed calculations are presented in the TIA.

TABLE 6.4 2026 JUNCTION OPERATIONAL PERFORMANCE

Junction		Junction Control	Performance Indicator	Year 2026 Columbarium Peak Hour on Ching Ming Festival Day	
				Without the Proposed Columbarium	With the Proposed Columbarium
J01	Castle Peak Road – Hung Shui Kiu / Tan Kwai Tsuen Road	Signalised	RC	88%	83%
J02	Castle Peak Road – Hung Shui Kiu / Hung Shui Kiu Main Street	Signalised	RC	99%	77%
J03	Castle Peak Road – Hung Shui Kiu / Wo Ping San Tsuen Lane	Priority	RFC	0.013	0.014

The above results indicate that the analysed junctions are expected to operate with sufficient capacities during the columbarium peak hour on the Ching Ming and Chung Yeung Festival Days, and the Proposed Columbarium will have no adverse traffic impact to the junctions analysed.

6.1.5.2 Pedestrian

The 2026 Footpath Level Service of Analysis is summarized in the following Table 6.5 and detailed calculations are presented in the TIA.

Table 4.2 summarises the columbarium peak hour pedestrian flow and results of the LOS and analysis on the Ching Ming Festival Day without and with the Proposed Columbarium.

Table 4.2 2026 FOOTPATH OPERATIONAL PERFORMANCE

Pedestrian Facilities		Clear Width (m) ⁽¹⁾	Year 2026 Ching Ming Festival Day Columbarium Peak Hour			
			2-way Pedestrian Flow (ped/hour)		Flow Rates [LOS] (ped/m/min)	
			Without the Proposed Columbarium	With the Proposed Columbarium	Without the Proposed Columbarium	With the Proposed Columbarium
FP01	Footpath along Nullah between the Subject Site and Castle Peak Road – Hung Shui Kiu	3.0m	173	1380	0.96 [A]	7.67 [A]
FP02	Footpath along Castle Peak Road – Hung Shui Kiu westbound between Tan Kwai Tsuen Road and Nullah	4.5m	277	1523	1.03 [A]	5.64 [A]
FP03	Footpath along Castle Peak Road – Hung Shui Kiu westbound between Nullah and Wo Ping San Tsuen Lane	3.0m	276	1483	1.53 [A]	8.24 [A]

Note: (1) Width of adjacent cycle track excluded.

The above results indicate that the footpaths analysed are expected to operate with capacities during columbarium peak hour on the Ching Ming and Chung Yeung Festival Days. Hence, it can be concluded that the Proposed Columbarium will have no adverse pedestrian impact to the footpaths analysed

6.1.6 SUMMARY

6.1.6.1

The Subject Site, namely Yat Tak Kwun, is located at 45 Tan Kwai Tsuen in Hung Shui Kiu, Yuen Long. The Applicant has the intention to regularize 4,456 niches, of which 8 niches are now sold and occupied, 574 niches are sold but vacant, and the remaining 3,874 niches are unsold and vacant.

6.1.6.2

Special traffic arrangements will be implemented during the Ching Ming and Chung Yeung Festival periods, which include the Ching Ming and Chung Yeung Festival days, 2 Sundays before and 2 Sundays after the Festival Days, and any public holidays occurring during these periods. This special arrangements include:

- (i) Reminder on the mandatory no parking policy,
- (ii) Extended operation hours, i.e., from 0800 to 1800 hours,
- (iii) On-site 1-way pedestrian flow, and provision of holding and queuing areas, and
- (iv) Data collection and review of the special traffic arrangement.

6.1.6.3

Traffic and pedestrian generations of the Proposed Columbarium during the columbarium peak hour on Ching Ming Festival Day were estimated based on generation rates derive from generation surveys conducted at the Gig Lok Monastery which is located in the vicinity.

6.1.6.4

The year 2026 junction capacity and footpath LOS analyses concluded that, the junctions and footpaths analysed are expected to have capacity to accommodate the expected traffic growth and the traffic generated y the Proposed Columbarium.

6.1.6.5

From traffic engineering aspect, the Proposed Columbarium is technically feasible.

6.2 Environmental Considerations

(a) No joss paper furnace

Considering the relative distance with the residential areas, the applicant will not provide joss paper furnace on site. Visitors can only perform memorial activities in an environmentally friendly way and burning of joss paper associated with worship and memorial services will not be allowed at the site.

(b) Air Quality

No substantial Addition & Alteration (A & A) Works shall be carried out. As the proposed columbarium buildings have been renovated, there will not be any large scale construction work involving demolition of existing structure during modification the interior of the existing building for the proposed use.

No kitchen and catering services or vegetarian food will be provided in the development during operation.

The site is currently accessed via a footpath from Tan Kwai Tsuen Road. Vehicular traffic to the site is almost not possible. Thus emission from the vehicles shall be unlikely happen

It is therefore considered that the operation of the columbarium will not cause any significant adverse air quality impact to the potential ASRs at the vicinity.

(c) Noise

As the proposed columbarium was already provided within the existing buildings, no civil and structural alteration works will be required. The proposed toilet in the first floor of Building 1 shall involve A & A works inside the building and noise generated by which is easily controlled.

Noisy religious ceremony will not be allowed in the columbarium operation. No construction noise nuisance and no operative noise nuisance is therefore envisaged at the identified ASRs and in the vicinity.

(d) Waste Management

There shall be no Major Construction and only minor A & A works will be undertaken within the existing building. Negligible construction waste is therefore envisaged to be generated or disposed of. The small amount of construction waste will be collected and disposed of at landfills. The measures recommended in the ProPECC PN 1/94 will be implemented during the renovation works to minimize the generation of construction waste.

As no kitchen and food catering services will be provided and no burning of joss paper will be allowed at the proposed columbarium, the potential waste generated during the operation of the columbarium will be limited to general refuse from the visitors. This general refuse will be collected twice a day and disposed of at nearby refuse collection points. Sufficient rubbish bins will be provided within the site.

With the implementation of good management practice and control measures to reduce the generation of waste and secondary nuisances (such as water quality), adverse environmental impact due to waste management is not anticipated.

6.3 Sewerage

- 6.3.1 Toilet Facility installed at the First Floor of Building 1 will be provided for the management of the columbarium only. Additional mobile toilets, however, will be supplement in those Special Days for visitors. Number of managing staff during normal days is about 1-3. Amount of mobile toilets shall be assessed and reviewed from time to time.
- 6.3.2 The sewage generated from the subject toilet will be collected at the existing traditional septic tank at the vicinity of Building 1 about 50m from the adjacent nullah. The existing septic tank, which had been designed for the original residences over half a century ago, shall be deemed to be adequate for the management staff.

6.4 Tree Preservation and Landscape Proposal

(a) Summary of Tree preservation and landscape proposal

This proposal was based on the Tree Preservation and Landscape Proposal (the attached Report refers and hereinafter referred as the Proposal) prepared by Messrs LanDes, a landscaping consultant in 2013. The 14 numbers of trees existing in 2013, however, was reduced to 4 numbers during several typhoons during the last 13 years. Among them the Typhoon Mangkhut in 2018 was one of the severe one. These remaining trees on site will be preserved. In order to provide quality landscape for the proposed development soft landscape works and new trees will be provided.

(b) Landscape Assessment

A tree survey has been carried out on 13th June 2012. A total of 14 nos. of trees within site boundary were recorded. The dominant tree species is *Euphoria longan*. The remaining trees, i.e. *Araucaria heterophylla*, *Celtis sinensis* and *Plumeria rubra* var. *acutifolia* are also common plantation species in Hong Kong. 4 nos. of tree respectively T03, T04, T04 and T09 as stipulated in the Tree Survey Schedule included in the Proposal was damaged and removed off site during the Typhoon Mangkhut in 2018.

The aim of the landscape proposals is to respond to site conditions, building form and function and to provide a quality landscape scheme. The main factors to be taken into consideration are:

- Response to the site context, both in terms of landscape character and visual amenity.
- Response to the existing buildings and its architectural style.
- Creation of a green setting by maximizing the opportunity for soft landscape.
- Enhancement of the local biodiversity.
- Establishment of pleasant landscape areas which meet the varying needs of residents and satisfy the active and passive recreational requirements of the visitors.
- Minimization of future maintenance requirements

The detailed design of the landscape layout will consider the following relevant guidelines/legislation:

- Hong Kong Planning Standard and Guidelines,
- Management and Maintenance of both Natural Vegetation and Landscape Works,
- Technical Guidelines on Landscape Treatment and Bio-engineering for Man-made Slopes and Retaining Walls (GEO Publication No.1/2000),
- Design Manual: Barrier Free Access 2008 (Building Department)
- ETW TCW No. 2/2004 – Maintenance of Vegetation and Hard Landscape Features, and
- LAO Practice Note No. 7/2007 – Tree Preservation and Tree Removal Application for Building Development in Private Projects.

(c) Preservation of Existing Trees

Although no works are proposed at the landscaped areas, existing trees will be carefully protected and maintained to avoid disturbance like encroachment of machinery and materials. In this proposal, a total of 4 nos. of existing trees are proposed to be retained in situ. It is suggested that no works or materials should be encroached to 2m from the tree trunks so as to preserve these trees in situ. All the existing trees will be protected and maintained by the lot owners during and after construction.

(d) Planting of New Trees

In order to provide quality landscape for the proposed development, soft landscape works will be the major landscape element of the landscaping proposal and satisfy the following criteria:

- To enhance the ecological value of the existing plantation;
- To provide an effective screening effect and to soften the architectural hard lines of the existing buildings as well as to reduce visual impact to the nearby residents/visitors; and
- To enhance the existing greenery setting of the area.

The proposed development would not disturb any existing vegetation within and outside site boundary. Besides, additional trees, shrubs and groundcover are proposed at periphery of the buildings. It will help in creating a soft planted edge to the buildings along its interface with the natural context to blend with the adjoining context. Moreover, the heavy standard trees along the boundary will also form a green buffer to alleviate the visual intrusion of the existing buildings from short to medium views. They will be protected and maintained by the lot owners during and after construction.

Majority of the proposed plantings will be planted at the planting beds at periphery. Tree, shrub and groundcover plantings will be planted at at-grade planting beds with 1,200mm deep soil, excluding the drainage layers. It will also help to promote a tranquil and harmonic environment to the residents nearby. The refined paving and selection of plant combination enrich the colour complexity and visual gradation of the development.

The proposed irrigation system will be by tap water pipe for manual operation. Lockable water points will be provided at 40m centres covering the entire site. The proposed source of water supply is subject to final approval from the Water Services Department.

(e) Visual Impact

Although the proposed development is near to a low-rise low-density development, the proposed planting shall reflect local native species, The proposed tree species will be selected to reflect those on the local hillside and with an intention to create the native woodland in the long-term.

For the entire landscape area, where practicable, heavy standard trees, medium shrubs and foliage plants are proposed. Those soft landscape measures will ensure that the hard lines of the build form are visually softened. The use of planting in semi-mature size would be encouraged to provide a more instant effect.

The existing buildings are low-rise and low density in nature It is similar to the nearby residential development.

The existing trees on site enhance the natural and peaceful atmosphere of the application site (Enclosure 5 – Existing Landscape on Site).

7. LOCAL CONSULTATION

SCHEME TO HELP LOCAL PEOPLE

7.1 Consultations – Local Leaders

Local leaders had been consulted in 2013 regarding the proposed columbarium, among them are:

Mr. Leung Chi Cheung Justice of peace, Resident of Tan Kwai Village

Mr. Chan Yuen Wah Justice of peace, Resident of Tan Kwai Village

The general response is that they have no adverse view on the proposal. They requested that the proposal must comply with the laws of Hong Kong and permitted by the Tower Planning Board.

8. PLANNING JUSTIFICATION

The study on the planning background, existing site conditions and the development proposal presented in the previous sections has demonstrated that the proposed development is technically feasible and will not generate adverse impact on the environment.

8.1 The Columbarium will be run by a Recognised Religious Institution

Yat Tak Kwun (The applicant) is a member of Hong Kong Taoist Association and a recognized religious institution. The proposed columbarium run by Yat Tak Kwun is in line with the policy initiative of the HKSAR Government. The consultation paper "Public Consultation on Review of Columbarium Policy" refers. In this paper religious bodies are encouraged to develop more columbarium facilities at suitable sites or expand their existing facilities to increase the supply of columbarium facilities in a speedy manner to meet the needs of the community.

8.2 Harmonic Design of the Development

The area is quiet and low-density. The height of the buildings on site is lower than the neighbouring residential complex and is therefore, secluded from the neighbouring environment.

8.3 Easy and Convenient Accessibility

The TIA report refers. The subject site is well-served by road-based public transport and there are numerous franchised bus, green minibus (GMB), red minibus(RMB), and MTR light Rail Transit (LRT)

8.4 Considerate Mode of Operation of the Columbarium

No joss paper is allowed to be burned on site. There will be minimal impact on air and noise.

8.5 No visual impact

The building has been in existence for years. Residents are familiar with its shape and appearance. Tall trees between the site and neighbouring buildings provide a screening to shield the view of the buildings from the neighbouring residents.

These are initiatives of the applicant to show good will and consideration to the neighbouring residents.

8.6 Appropriate Form of Development

The development proposal is a low density one, with a plot ratio of 0.29, a site coverage of 19%, and a maximum building height of 7.62m.

The existing zoning on the OZP, i.e. "R(B)3" zone, allows maximum plot ratio of 1, maximum site coverage of 40%, maximum building height of 36m and 12 storeys. The dimensions of the proposed development have a much smaller density and height. Thus, the form of development will not have any adverse impact to the vicinity in terms of design and height.

8.7 No Adverse Impacts

The traffic, environment, sewage and landscape assessments show that the proposed columbarium will not impose adverse traffic, environmental, sewage, landscape or visual impacts to the area.

8.8 Planning Gain

The lack of supply and the keen demand for columbaria has become a serious social and political problem for the society and the government. The Government wishes every district to take up its share of responsibility to erect columbaria in each district. District Councils refuse to accept columbaria in their districts because they consider them offence.

To approve this columbarium will attain a significant planning gain:

He also offers 50 free niches to the Lord Grace Church of Hong Kong (a Christian community) for those who cannot afford a niche.

a. Social Aspect

The columbarium helps to meet the keen demand for the niches in North West New Territories,

b. Local Welfare Aspect

The proposed columbarium will be locally based, focusing on serving Yuen Long District and nearby area, and

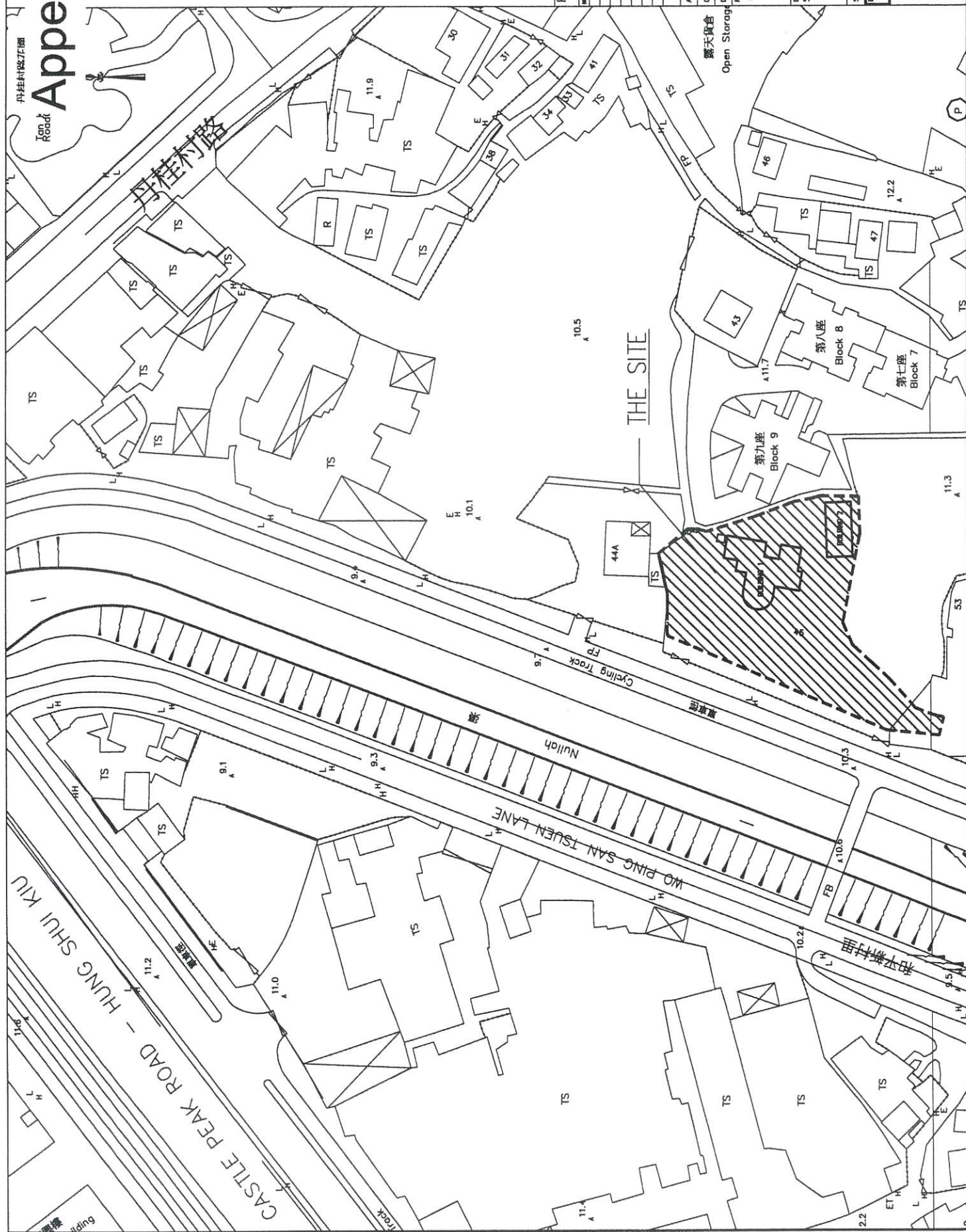
c. Public Policy Aspect

It allows districts to share their responsibility of setting up columbaria in their districts. Such act would help to promote Government's vision of sharing responsibility by putting up such facilities in each district.

Appendix A

Location Plan No. 4420-GP-01

丹桂村路花園

[illegible]

Appendix B

New Grant No. 238

NEW GRANT NO. 231 - 240

(CONDITIONS OF)

DISTRICT:

SURVEY/DEMARCATON DISTRICT NO.

LOT NO.

OWNER

TERM

- ☐ 75 YEARS FROM 1ST JULY 1898 RENEWABLE FOR A FURTHER TERM OF 24 YEARS LESS THE LAST 3 DAYS THEREOF
- ☐ 99 YEARS FROM 1ST JULY 1898 LESS THE LAST 3 DAYS THEREOF

☐

(☐ tick where applicable)

CROWN RENT \$ PER ANNUM

PREMIUM

REFER TO VOL. FOLIO

Entered and Indexed

MEMORANDUM OF AGREEMENT BY THE PURCHASER GRANTEE.

Government Notification No. 364 of 1934 as amended by Government Notification No. 50 of 1940)

Memorandum that Chung Yin Yung
 of 155 Johnston Road, 2nd floor, Hong Kong
 the person(s) whose name(s) is ~~(are)~~ hereunder written has ~~(have)~~ been this day ~~declared the highest bidder(s)~~ ^{granted} for the Lot(s) described in the Particulars of Sale and hereunder specified opposite to his ~~(their)~~ ^{for} said name(s) and signature(s), and does ~~(do)~~ hereby agree to become the Lessee(s) thereof, under and subject to the General and Special Conditions of Sale of such Lot(s) ^{grant} and on his ~~(their)~~ ^{to be bound specified} ~~part~~ to perform and abide by the said Conditions ^{and by the Additional Special Conditions specified overleaf.}

Registry No.		Annual Rental		Amount of Premium at which purchased		Signature of Purchaser Grantee
D. D. No.	Lot No.	\$	p	\$	p	
124	3971	148	00	4500	00	鍾燕容
more clearly delineated and coloured Red on the plan attached hereto having an area of 1617 sq. ft.		this being a grant in exchange of the same site in lieu of conversion by the issue of a Building Licence.		8322400		

General Conditions Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 & 16 of Government Notification No. 364 of 1934 mutatis mutandis.

Dated this 3rd day of March, 1953.

Witness to Signature of Purchaser(s).
Grantee.

for District Commissioner, New Territories.

Witness to Signature of District Commissioner, N.T.

ADDITIONAL SPECIAL CONDITIONS.

1. The sum to be expended on the building lot in rateable improvements, in accordance with General Condition No. 5 in Government Notification No. 364 of 1934 shall not be less than

\$ 30000.00

2. Before beginning to build, the Grantee shall obtain the District Commissioner's permission in writing to do so.

3. No building or site development shall be commenced on the lot until the District Commissioner shall have approved in writing the plans submitted in accordance with the Special Condition No. 2(b) in Government Notification No. 364 of 1934.

4. Within two weeks of the completion of the building, the Grantee shall inform the District Commissioner, in writing, of the fact.

5. The Grantee shall maintain the building, when built, and the whole property concerned in a good state of repair, to the satisfaction of the District Commissioner.

vide letter dated 28.7.83, copy of which is hereto annexed. 6. The lot(s) is(are) subject to Special Conditions Nos. 2(a) and (b), 3 and 4 in Government Notification No. 364 of 1934 as amended by Government Notification No. 50 of 1940.

25
plus
17.8.83

3/7/73

REGISTERED

(27) in LK 45/YLF/61

Tel. : 0-792261

Messrs. T.S. Tong & Co.,
Solicitors & Notaries,
Wing Lung Bank Building, 8th Floor,
No. 45, Des Voeux Rd., Central,
Hong Kong.

28 JUL 1983

Dear Sirs,

Lot 3971 in D.D. 124
New Grant No. 238

I refer to your letter dated 26th May, 1983 in this series concerning the above lot.

Having carefully considered the circumstances of this matter, I regret that it is not now possible to issue a Certificate of Compliance which confirms that the general and special conditions contained in the above New Grant No. 238 have been complied with.

I must point out that according to my records the existing structures which are believed built before 1960 do not appear to have been constructed in accordance with the general and special conditions of the above New Grant.

Nevertheless Government is prepared to tolerate the above-mentioned existing structures for private residential purposes and such toleration is only for the lifetime of the structures. I must advise that I am unable to confirm that the existing structures are safe for human habitation; any occupation of the existing structures of the above lot must therefore be entirely at your client's own risk and at the risk of any future occupier(s).

In other respects, your client may assume that all general and special conditions pertaining to the above New Grant were complied with at that time. This does not imply that the boundaries of the above lot as now occupied are correct.

Government expressly excludes any and all liability in respect of any actions, costs, claims, demands or liability or expense whatsoever and howsoever arising from the use of such premises for the use of human habitation.

Yours faithfully,

(C.M. LAU)

for District Lands Officer, Yuen Long

c.c. HG (10/YL)
CML/lw

Appendix C

Layout Plan No. 4420-GP-02

Appendix C

LEGEND: -- BUILDING

LOCATION OF EXISTING SEPTIC TANK

Block 9 (第九座)

Block 8 (第八座)

Block 7 (第七座)

Block 6 (第六座)

Building 1

Building 2

43

44A

52

53

56

WO PING SAN TS

Cycling Track

50000

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[illegible]

		NAME & DESIGNATION	INITIAL	DATE
AUTHORISED				
CHECKED				
DRAWN				

PROJECT
REZONING APPLICATION FOR YAT TAK KWUN AT
NO. 45 TAN KWAI TSUEN, HUNG SHUI, PING
SHAN, YUEN LONG, NEW TERRITORIES IN D.D.
NO. 124 LOT 3971 R.P.

DRAWING TITLE
LAYOUT PLAN

SCALE	1:500 (A4)
DRAWING NO.	4420-GP-02

DERKON CONSULTANT LTD.
Flat E1, 11/F, Wing King Industrial Building, 2-4 Tai Yau Street, San Po Kong, Kowloon, Hong Kong
Tel: 3177 5768 Fax: 2151 1018
E-mail address: office@derkon.com.hk
copyright reserved

Appendix D

Extract of OZP No. S/YL-TYST/13 at Tan Kwai Tsuen

< S/YL-TYST/14 - Tong Yan San Tsuen

S/YL-TYST/14 - Tong Yan San Tsuen

Gazetted under Section 9(1)(a) on 20/08/2021

Statutory Plan gazetted under section 9(1)(a) of Town Planning Ordinance

Download

Notes

Map



Latest



Index



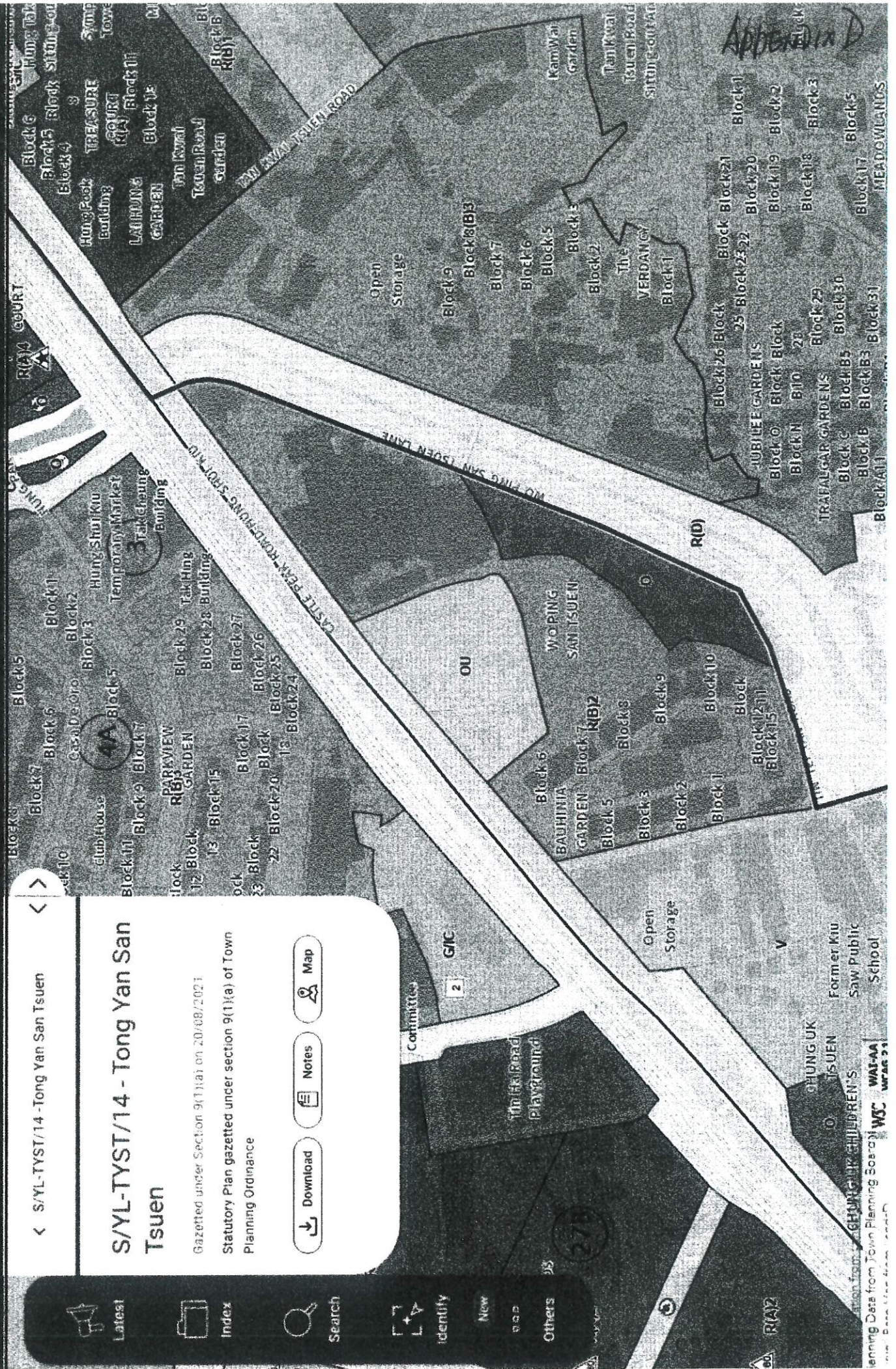
Search



Identity

New

Others



Appendix E
Schedule of Niche Count

Appendix E

骨灰安置所名稱： 一德觀

骨灰安置所地址： 新界元朗洪水橋丹桂村45號
(丈量約份第124約地段3971號餘段(部分))

附錄 1

龕位	單人位		雙人位		其他 (請註明類型及 龕位數目 / 骨灰份數)		龕位數目 (合計)	骨灰份數 (合計)
	龕位數目	骨灰份數	龕位數目	骨灰份數	龕位數目	骨灰份數		
2017年6月30日之前已出售的龕位，並已安放骨灰；	8	8	0	0	0	0	8	8
2017年6月30日之前已出售的龕位，但尚未安放骨灰；	524	524	50	100	0	0	574	624
仍未出售的空置龕位；	2623	2623	1251	2502	0	0	3874	5125
總數	3155	3155	1301	2602	0	0	4456	5757

龕位數目總數 =	4456 個
骨灰份數總數 =	5757 份

*其他(請註明類別: ____人位)	龕位數目:	____(個)	可安放骨灰總份數:	____(份骨灰)
	在截算時間前已售出的龕位數目:	____(個)	可安放骨灰總份數:	____(份骨灰)
	刊憲日期當日開始時已售出的龕位數目:	____(個)	可安放骨灰總份數:	____(份骨灰)
所有龕位類別	龕位總數目:	4456 (個) ^(E)	可安放骨灰總份數 (即骨灰安放容量):	5757 (份骨灰) ^(E)
	在截算時間前已售出的龕位數目:	8 (個)	可安放骨灰總份數:	8 (份骨灰)
	刊憲日期當日開始時已售出的龕位總數目:	582 (個)	可安放骨灰總份數	632 (份骨灰)

(註): 根據申請人已提交的建議圖則

21-8-2023

日期 (日/月/年)

童亮

申請人(如屬自然大) / 獲授權人士 / 獲授權夥大 *姓名及簽署

香港身份證號碼 / 旅遊證件號碼*



法人團體 / 合夥*印章(如適用)

*請刪去不適用者

Appendix F

Letter ref (9) in FEHD PC 72-40/62/2018/009 Pt.2 dated 15

August, 2019

覆函請寄交食物環境衛生署並引用本署檔案編號

本署檔號: (9) in FEHD PC 72-40/62/2018/009 Pt. 2

掛號郵件

—德觀
新界元朗洪水橋丹桂村45號
(丈量約份第124約地段3971號餘段)
—德觀管理有限公司
(獲授權人士: 童堯先生)

童堯先生:

根據《私營骨灰安置所條例》(第630章)(《條例》)

申請指明文書

—德觀

新界元朗洪水橋丹桂村45號
(丈量約份第124約地段3971號餘段)

關於你在2018年1月30日就上述私營骨灰安置所向私營骨灰安置所發牌委員會(發牌委員會)提交牌照及暫免法律責任書申請,私營骨灰安置所事務辦事處(骨灰所辦)已分送到相關部門,由各有關部門審核屬於其範疇的證明文件及資料,並就申請是否符合該範疇的要求給予意見。規劃署就你提交的文件及資料提出的意見詳情列於附件一。就關乎規劃的規定牌照申請人須注意事項,請參閱附件二。

如需要就規劃署要求澄清及/或補交所須文件及資料等事項回應及補充文件和資料,請盡快向骨灰所辦提交回應及補充文件和資料,以便本署送交有關部門跟進上述申請。若你對規劃署的意見有任何疑問,請致電2158 6172與城市規劃師/新界區總部2張銘傑先生聯絡。

申請人是否因應上述部門的意見而進行某些跟進工作(例如改動處所/裝置的工程)純屬申請人的決定,完成某些跟進工作並不保證上述指明文書申請一定最終獲批。各有關部門就該申請是否符合該部門範疇的要求給予的意見會提交發牌委員會考慮。當發牌委員會就某項指明文書申請作出定奪時,該項申請必須已提交足夠證明致使委員會信納該申請符合《條例》指明的所有規定及發牌委員會的所有相關要求,發牌委員會才會考慮是否批出指明文書。在作出決定時,發牌委員會須顧及公眾利益及可顧及任何其他相關因素。

以上並非涵蓋所有相關部門就上述私營骨灰安置所提交的牌照及暫免法律責任書申請的意見，當骨灰所辦陸續收到其他有關部門的意見時，會盡快通知申請人。此外，在處理有關指明文書申請的過程中，各部門有可能因應新的資訊及/或最新的情況而修訂其意見及/或建議的要求/條件。

若有任何疑問，請致電 2350 7321 或電郵發送致 pc_app@fehd.gov.hk 與個案經理盧志良先生聯絡。

食物環境衛生署署長

(朱俊禧



代行)

2019 年 8 月 15 日

重要事項

《私營骨灰安置所條例》第 99 條 — 提供虛假或具誤導性的資料的罪行

- (1) 任何人如 —
 - (a) 根據本條例，就某骨灰安置所提出申請，而在該申請中，或在與該申請相關的情況下，提供在要項上屬虛假或具誤導性的資料；或
 - (b) 在知悉某資料在要項上屬虛假或具誤導性的情況下，根據本條例，向署長、獲授權人員或公職人員，提供該資料，
即屬犯罪。
- (2) 任何人犯第(1)款所訂罪行，一經定罪，可處罰款五十萬元及監禁 2 年。

重要提醒

- (1) 任何私營骨灰安置所在2018年3月29日之後，如果沒有暫免法律責任書申請在處理中，亦未取得任何指明文書，便不能繼續營辦。任何人士在沒有指明文書的情況下營辦、維持、管理或以任何方式控制骨灰安置所即屬違法，循簡易程序定罪，可處罰款二百萬元及監禁3年；如循公訴程序定罪，則可處罰款五百萬元及監禁7年。
- (2) 在寬限期後而沒有持有任何指明文書的情況下繼續營運骨灰安置所，或停辦骨灰安置所，營辦人須根據《私營骨灰安置所條例》附表5的「訂明骨灰處置程序」處置存放於該骨灰安置所內的骨灰，否則即屬犯罪，違例者可被檢控，循簡易程序定罪，可處最高罰款二百萬元及監禁3年；而循公訴程序定罪，則可處最高罰款五百萬元及監禁7年。

副本送(如適用)：

暫免法律責任書申請檔案：FEHD PC 72-40/64/2018/009

附件 1

規劃署對根據《私營骨灰安置所條例》(《條例》)(第630章)
就骨灰安置所/截算前骨灰安置所*提交的牌照/牌照及暫免法律責任書/牌
照/豁免書及暫免法律責任書*申請的意見

骨灰安置所名稱：一德觀

申請人姓名：一德觀管理有限公司

骨灰安置所地址：新界元朗洪水橋丹桂村45號 (丈量約份第124約地段3971號餘段)

檔號：(79) in FEHD PC 72-40/62/2018/009 (牌照)

檔號：() in FEHD / / (豁免書)*

檔號：(25) in FEHD PC 72-40/64/2018/009 (暫免法律責任書)*

本署對題述申請(包括申請人就申請提交的建議圖則)的意見如下：

I. 是否有《條例》第17條所述的指明執法行動針對有關骨灰安置所？

[請在以下其中一個方格內加上✓號。]

☒ 沒有《條例》第17條所述就違例發展採取的指明執法行動針對有關骨灰安置所。

☐ 有《條例》第17條所述就違例發展採取的指明執法行動針對有關骨灰安置所，詳情載於附錄3。

II. 關乎規劃要求內有關「骨灰安置」的規定：

(1) 是否准許在牌照申請範圍內存放骨灰？

☐ 是 ☒ 否

(2) 如上述第(II)部問題(1)的答案為「是」，請在適當方格內加上✓號：

☐ 在有關分區計劃大綱圖內，存放骨灰屬經常准許的用途
(如有特定限制，請註明：)

☐ 已獲城市規劃委員會根據《城市規劃條例》第16條批准規劃許可申請

附件 1

☐ 屬現有用途

- (3) 如在上述第(II)部問題(1)的答案為「是」，有否註明在牌照申請範圍內准許骨灰龕位數目上限？

☐ 有，請註明准許骨灰龕位數目上限：_____ 個

☐ 否

- (4) 如在上述第(II)部問題(1)的答案為「是」，有否註明在牌照申請範圍內准許安放骨灰份數(或骨灰甕數)上限？

☐ 有，請註明准許上限：_____ 份骨灰/個骨灰甕

☐ 否

- (5) 如上述第(II)部問題(1)的答案為「否」，理由如下：

「靈灰安置所」並非相關法定圖則下的准許用途。

- (6) [如申請人須提供進一步資料，請在以下方格內加上✓號]

☒ 申請人須提供進一步資料，以便本署審核申請是否符合《條例》內關乎規劃的要求內有關「骨灰安置」的規定。所需資料載列於附錄1(見第V部)。

III. 對申請人就牌照申請提交的建議圖則的意見

[請在以下其中一個方格內加上✓號。]

☐ 本署對上述牌照申請的建議圖則並無意見。

☒ 本署對上述牌照申請的建議圖則有以下意見：
請參閱上列第 II 部分的意見。

IV. 對牌照申請人所提交的管理方案的意見

[請在適當方格內加上✓號。]

☐ 本署對上述管理方案並無意見。進一步的意見將會於根據城市規劃條例第 12A 條或第 16 條提出的申請獲批准後提供(如有)。

附件 1

☐ 本署對上述管理方案有以下意見：

☐ 沒有提交管理方案。請要求申請人提交管理方案，以便進一步處理／在根據城市規劃條例第 12A 條或 16 條提出規劃申請時提交可容納的訪客量及入場管制／交通及公共運輸安排／人流管理／應對火警或其他緊急情況的應變方案等資料*。

☐ 管理方案沒有提供以下的資料：可容納的訪客量及入場管制／交通及公共運輸安排／人流管理／應對火警或其他緊急情況的應變方案／其他(請註明：_____)*。請要求申請人提交已包括上述資料的修訂管理方案。

☐ 管理方案沒有提供下列的資料：可容納的訪客量及入場管制／交通及公共運輸安排／人流管理／應對火警或其他緊急情況的應變方案／其他(請註明：_____)*。請要求申請人在根據城市規劃條例第 12A 條或第 16 條提出的規劃申請時提交所有上述資料。

☒ 其他意見：

本署現階段對上述管理方案未能提供意見。有關意見將會於根據城市規劃條例第12A條或第16條提出的申請獲批准後提供(如有)。

V. 對將列入“須符合的要求的通知書”內的要求的意見

[請在以下其中一個方格內加上✓號。]

☐ 就牌照的申請，本署對將列入“須符合的要求的通知書”內的要求並無意見。

☒ 本署建議把附錄 1所載的要求列入發給申請人的“須符合的要求的通知書”。

VI. 建議對將發出的牌照(如批准)施加的條件

如私營骨灰安置所發牌委員會決定批准這宗申請，

[請在以下其中一個方格內加上✓號。]

附件 1

- ☐ 本署建議對牌照施加附錄 2所載的條件。
- ☐ 本署對施加於牌照的條件並無任何建議。
- ☒ 本署會待牌照的申請人報告已符合“須符合的要求的通知書”內關乎規劃的要求後，才提出建議(見附錄 1)。

VII. 對暫免法律責任書申請人所提交有關符合申請牌照要求的行動計劃(如適用)的意見

[請在適當方格內加上✓號。]

- ☒ 本署對申請人的行動計劃並無意見。
- ☐ 本署對申請人的行動計劃有以下意見：

VIII. 訴訟程序[#]

[請在以下其中一個方格內加上✓號。]

- ☒ 本署與上述申請指明文書的私營骨灰安置所或申請人現時沒有進行訴訟程序。
- ☐ 本署與上述申請指明文書的私營骨灰安置所或申請人現正進行訴訟程序，詳情如下：

IX. 其他意見

請申請人注意，在根據《城市規劃條例》第 12A 條/第 16 條向城市規劃委員會（城規會）提交規劃申請前，應先向發牌委員會就牌照申請提交已獲合資格人士核證的建議圖則（包括龕位資料），並在骨灰所辦完成審核及接納龕位資料後，才向城規會提交規劃申請。

附件 1

在提交規劃申請時，申請人應利用夾附在申請指引附件 8 中附錄 1 的表格一併提交龕位數目的詳情，並應提交可容納的訪客量及入場管制／交通及公共運輸安排／人流管理／應對火警或其他緊急情況的應變方案等資料。

首份涵蓋有關地點的法定圖則的公告在憲報刊登的日期是 1993 年 6 月 18 日。申請人如要求享有「現有用途」權利，須提供足夠有力證據以證明該申請處所在有關首份法定圖則刊憲之前已被用作並在其後一直持續用作「靈灰安置所」用途，主要詳情如下：

- 在緊接首份涵蓋申請地點／處所的法定圖則的公告在憲報刊登前已被用作「靈灰安置所」用途及其規模（即地點／處所的範圍及龕位數目）的證明；及
- 自首份涵蓋申請地點／處所的法定圖則的公告在憲報刊登以來一直持續進行「靈灰安置所」用途及其規模（即地點／處所的範圍及龕位數目）的證明。

有關證明包括布局圖、地點／處所的照片／航攝照片、已批准的建築圖則、短期豁免書、短期租約、租賃協議、商業登記申請表、土地業權證明及單據等。

規劃署向私營骨灰安置所事務辦事處提出上述意見的日期：2/8/2019

*刪去不適用者

*指除第 I 部分所述的執法行動以外的法律事宜。

附錄 1

根據《私營骨灰安置所條例》(第630章)
規劃署建議列入“須符合的要求的通知書”內的關乎規劃的要求

就~~骨灰安置所~~／~~截至前~~骨灰安置所*申請牌照／牌照及暫免法律責任書
／~~牌照、豁免書及暫免法律責任書*~~

骨灰安置所名稱：一德觀

申請人姓名：一德觀管理有限公司

骨灰安置所地址：新界元朗洪水橋丹桂村45號(丈量約份第124約地段3971號餘段)

檔號：(79) in FEHD PC 72-40/62/2018/009 (牌照)

檔號：() in FEHD / / (豁免書)^a

檔號：(25) in FEHD PC 72-40/64/2018/009 (暫免法律責任書)*

項目	申請人須符合的要求
1	<p>申請人可：</p> <p>a. 根據《城市規劃條例》第12A條向城規會提出修訂法定圖則申請，每宗申請將按其個別情況作考慮。請注意縱使城規會同意/部份同意有關申請，亦不一定代表可即時符合「關乎規劃的要求」：</p> <p>i) 若城規會同意把「靈灰安置所」用途納入擬議地帶的第一欄用途之內，相關法定圖則須在作出修改後(即直至草圖刊憲後)，方可視為完全符合「關乎規劃的要求」；或</p> <p>ii) 若城規會同意把「靈灰安置所」用途納入擬議地帶的第二欄用途之內，申請人仍須根據《城市規劃條例》第16條向城規會提交規劃許可申請。若城規會在有附帶條件下批給許可，申請人須在完全履行附帶的條件後，方可視為符合「關乎規劃的要求」。</p> <p>及/或</p> <p>b. 要求享有法定圖則下「現有用途」權利。請注意任何人士如要求享有「現有用途權利」，須提供足夠證據，以證明確有資格享有這項權利。</p>

規劃署向私營骨灰安置所事務辦事處提出上述意見的日期：2/8/2019

*刪去不適用者

關乎規劃的規定
牌照申請人須注意事項

《私營骨灰安置所條例》（第 630 章）（《條例》）：

根據《條例》第18(1)(a)(ii)條及附表2第2條，申請牌照的私營骨灰安置所須符合《城市規劃條例》(第131章)的規定。

如果牌照申請涉及的骨灰安置所處所的用途並不符合《條例》內關乎規劃的規定，申請人須按照規劃署的意見（附件 1/附錄 1）去採取行動（包括向城市規劃委員會提出修訂圖則／規劃許可申請、履行規劃許可的附帶條件等）。

請注意：申請人如要求享有「現有用途」權利，須提供足夠有力證據以證明該申請處所在有關首份法定圖則刊憲之前已被用作並在其後一直持續用作「靈灰安置所」用途，主要詳情如下：

- 在緊接首份涵蓋申請地點／處所的法定圖則的公告在憲報刊登前已被用作「靈灰安置所」用途及其規模（即地點／處所的範圍及龕位數目）的證明；及
- 自首份涵蓋申請地點／處所的法定圖則的公告在憲報刊登以來一直持續進行「靈灰安置所」用途及其規模（即地點／處所的範圍及龕位數目）的證明。

有關證明包括布局圖、地點／處所的照片／航攝照片、已批准的建築圖則、短期豁免書、短期租約、租賃協議、商業登記申請表、土地業權證明及單據等。

提交管理方案事宜

就申請牌照的「截算前骨灰安置所」在符合規劃規定時是否須提交交通影響評估方面，政府在2017年11月22日公布政策措施。因應這項政策措施的相關安排，請參閱私營骨灰安置所發牌委員會（發牌委員會）公布的《私營骨灰安置所牌照及其他指明文書申請指引》（《申請指引》）的第18章，該章已在2018年1月公布，而當時私營骨灰安置所事務辦事處（骨灰所辦）亦已向就「截算前骨灰安置所」申請牌照的申請人發出通知信；當中內容提及下列安排：

- 如果「截算前骨灰安置所」並未符合關乎規劃的規定，申請人在向發牌委員會提交管理方案前，應先向城規會提交規劃申請並取得城規會的同意/批准。

- 如果該規劃申請只包括在 2017 年 6 月 30 日前已出售的龕位，在就規劃申請提供意見時，相關部門不會要求申請人遞交交通影響評估。
- 申請人在向城規會提交規劃申請前，應先向發牌委員會就牌照申請提交已獲合資格人士核證的建議圖則(包括龕位資料)，並在骨灰所辦完審核龕位資料及接納以該些資料作為進一步處理其牌照申請的基礎後，才向城規會提交規劃申請。
- 申請人在獲得城規會的同意/批准後，向發牌委員會提交管理方案，並在管理方案內加入城規會審批規劃申請時相關部門及城規會接納的人流及交通管理措施(及所施加的條件(如有)) 和在《申請指引》)的第 18 章和附件 16 內指明的所須資料。
- 如果申請人在未獲規劃署確認其牌照申請符合規劃規定前已向發牌委員會提交了管理方案，有關部門可能會待牌照申請獲規劃署確認符合規劃規定後才就管理方案提供意見。申請人應盡快採取行動以符合規劃規定。

私營骨灰安置所發牌委員會

Appendix G1

E-mail from Hong Kong Post Office dated 16.4.2013 and
25.4.2013



rich Golt <goldrichplanners@gmail.com>

Fw: 香港郵政通函郵寄服務

2 封郵件

hkpcs_crm@hkpo.gov.hk <hkpcs_crm@hkpo.gov.hk>

2013年4月16日下午12:01

收件者: goldrichplanners@gmail.com

親愛的客戶:

你好, 多謝查詢香港郵政通函郵寄服務。

隨函附上投寄地區之數目, 詳情請參閱附件。

此外, 我們已推出了一個「香港郵政通函郵寄服務」網上平台, 客戶可透過這系統自行制定投寄名單和直接辦理網上申請手續, 快捷方便。請即於網頁<https://www.circular.hongkongpost.com/hkpcs/chi/index.htm>開設使用帳戶, 體驗多種網上功能和服務好處。

為讓我們能更有效率地處理你的申請, 敬請於準備投寄前參閱有關資料。

如有任何查詢, 歡迎致電2921 6526。

謝謝!

香港郵政通函郵寄服務

香港郵政

地區/街道/屋苑名稱	所屬派遞局	於地下的信箱數目
元朗 丹桂村	YLG	320
丹桂軒 丹桂村50號	YLG	120
丹桂苑 丹桂路	YLG	50
麗虹花園	YLG	132
偉景園	YLG	36
和平新村	TCL	50



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