

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

APPLICATION NO. Y/YL-TYST/11

- Applicant** : Fast Strong Limited represented by Yat Tak Kwun Management Limited
- Plan** : Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/14
- Site** : Lot 3971 RP in D.D. 124, Tan Kwai Tsuen, Yuen Long
- Site Area** : 1,397 m² (about)
- Lease** : New Grant No. 238
- (a) no building erected on the lot shall be used as a “Chai Tong” or for any other purpose of a similar nature;
 - (b) the height of any building shall not exceed 25 feet nor 2 storeys;
 - (c) open space shall be provided at the rear of the building(s) having area not less than one-third of the lot area; and
 - (d) no grave shall be made on, nor shall any human remains be interred in, or deposited on the lot sold either in earthenware jars or otherwise
- Zoning** : “Residential (Group B) 3” (“R(B)3”)
[restricted to a maximum plot ratio (PR) of 1, a maximum site coverage (SC) of 40% and a maximum building height (BH) of 12 storeys including car park (36m)]
- Proposed Amendment** : To rezone the application site from “R(B)3” to “Other Specified Uses” annotated “Columbarium” (“OU(Columbarium)”)

1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) from “R(B)3” to “OU(Columbarium)” to regularise the current Taoist columbarium use under the name of Yat Tak Kwun (一德觀), providing 4,456 niches (**Plan Z-1**). The applicant has proposed a set of Notes for the proposed “OU(Columbarium)” zone (**Appendix II**), under which ‘Columbarium’ would be a Column 1 use permitted as of right, while ‘Public Utility Installation’ and ‘Utility Installation for Private Project’ would be the only Column 2 uses which require planning permission from the Town Planning Board (the Board). A maximum SC restriction of 20% is proposed for the “OU(Columbarium)” zone.

- 1.2 The Site is currently occupied by two existing buildings, including a two-storey building and a single-storey building (not exceeding 4m to 7.62m in height) with a total floor area of about 305.6m², which are both being used as niche halls of columbarium (**Drawings Z-3 to Z-5, Plans Z-2 to Z-4c**). According to the applicant, the Site has been occupied for columbarium use since 2007 and the current application is submitted to comply with the regulatory requirement of the Private Columbaria Ordinance (PCO) (Cap. 630). There are a total of 4,456 niches¹ under the current application, including 3,155 single-urn niches and 1,301 double-urn niches. The breakdown of their occupation conditions (as at 30.6.2017) as provided by the applicant is as follows:

Classification	Single-Urn Niches	Double-Urn Niches	Total
No. of Sold & Occupied Niches	8	0	8
No. of Sold but Not Yet Occupied Niches	524	50	574
No. of Unsold Niches	2,623	1,251	3,874
Total No. of Niches	3,155	1,301	4,456

- 1.3 The Site is accessible via a footpath leading from Castle Peak Road – Hung Shui Kiu section to its north, or via a pedestrian footbridge across the nullah leading from Wo Ping San Tsuen Lane (i.e. a two-lane single carriageway) to its west (**Plans Z-2 and Z-3**). As the Site is not directly served by any vehicular access, visitors shall take public transport (e.g. MTR Light Rail Transit, franchised buses and red/green minibuses) and then walk to the Site. The footpath leading from Castle Peak Road – Hung Shui Kiu to the Site is about 200m long (or equivalent to about 3 minutes walking time) (**Drawings Z-1 and Z-2**). While public/private hourly car parking spaces are available in the vicinity of the Site (e.g. metered parking at Hung Shun Road and Beauty Court (麗珊園) Car Park) (**Plan Z-3**), no car parking and loading/unloading (L/UL) facilities will be provided at the Site. The opening hours of the columbarium are from 9:00 a.m. to 5:00 p.m. daily², including the Ching Ming and Chung Yeung festival periods (i.e. three weekends before and after the Ching Ming and Chung Yeung Festival Days). In order to minimise the potential traffic impact on the pedestrian network nearby, the applicant proposes the following measures under the Traffic Impact Assessment (TIA) and Management Plan (MP):

- (a) a visit-by-appointment system will be implemented during the festival periods, in which a maximum of 55 persons will be allowed to visit the Site for each 20-minute session;
- (b) a waiting/ queuing area of about 600m² will be provided within the Site, which is capable of holding approximately 2,400 visitors in total (**Drawing Z-1**);
- (c) an on-site one-way pedestrian routing arrangement will be implemented;

¹ Out of the 4,456 niches, 2,464 niches are located on the G/F of the two-storey building and 1,992 niches are located in the single-storey building respectively.

² Except that the open hours of the columbarium will be from 9:00 a.m. to 3:00 p.m. during Lunar New Year Period (i.e. from the 29th day of the 12th lunar month to the 3rd day of the Lunar New Year).

- (d) a traffic advice note will be issued to remind the no car parking policy to all registered visitors;
- (e) data collection and review of the special traffic arrangement to be done for each festival period to improve the overall operation efficiency; and
- (f) a total of eight staff will be arranged to regulate the visitor flow within the Site with the use of temporary marquee and metal barriers.

1.4 According to the Supplementary Planning Statement submitted by the applicant, no joss paper furnace will be provided and burning of joss paper with worship and memorial services will be prohibited at the Site. Also, no kitchen and catering services or food will be provided at the columbarium. There is an existing toilet located at the first floor of the two-storey building. Additional mobile toilets will be provided during festival periods for visitors and the sewage will be collected and disposed by licensed collectors. A total of four existing trees will be retained in situ and soft landscape works, including planting of new trees, shrubs and groundcover, will be carried out within the Site to minimise the visual impact to the surrounding areas. In terms of fire safety measures, adequate fire extinguishers and emergency escape signs will be provided at the Site (**Drawings Z-6 to Z-7**), and an outdoor assembly point is designated outside the columbarium buildings in the event of emergency (**Drawing Z-8**) and fire drills will be conducted at least twice a year.

1.5 The Site was involved in a previous s.12A planning application (No. Y/YL-TYST/1) for rezoning the Site from “R(B)3” to “OU(Columbarium)” rejected by the Rural and New Town Planning Committee (the Committee) of the Board in 2013 (details at paragraph 5 below). Compared with the previous planning application, the current application is submitted by the same applicant on the same site. A summary of the key development parameters of the indicative schemes under application No. Y/YL-TYST/1 and current application is as follows:

Application No.	Y/YL-TYST/1	Y/YL-TYST/11 (current application)
Proposed Amendment	To rezone the Site from “R(B)3” to “OU(Columbarium)”	
Site Area	1,397 m ² (about)	
Total Gross Floor Area (GFA)	388.9m ² (about)	305.6 m ² (about)
PR	0.28 (about)	0.22 (about)
SC	18% (about)	13% (about)
BH	Not exceeding 2 storeys	
No. of Niches	7,983	4,456
- single-urns niches	7,983	3,155
- double-urns niches	0	1,301

- 1.6 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 23.5.2025 **(Appendix I)**
 - (b) Supplementary Planning Statement (SPS) **(Appendix Ia)**
 - (c) Supplementary Information (SI) received on 3.6.2025 **(Appendix Ib)**

- (d) Further Information (FI) received on 18.9.2025* (Appendix Ic)
 - (e) FI received on 6.1.2026# (Appendix Id)
- # accepted but not exempted from recounting requirements
* accepted and exempted from recounting requirements

1.7 On 18.7.2025 and 7.11.2025, the Committee agreed to defer making a decision on the application for two months each as requested by the applicant.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are mainly detailed in the SPS, SI and FIs (**Appendices Ia to Id**). They can be summarised as follows:

- (a) Yat Tak Kwun is a recognised religious institution and a member of the Hong Kong Taoist Association. The current application is in line with the government's policy objectives to increase the supply of columbarium facilities to meet the needs of the community at suitable site;
- (b) the Site is suitable for columbarium use as this low-rise development is located at a secluded location but in close proximity to public transport facilities;
- (c) the buildings on-site have been in existence for years and the development has a much lower density and height than the maximum permitted PR, SC and BH under the OZP for "R(B)3" zone. Tall trees between the Site and neighbouring buildings have provided a screening effect;
- (d) the columbarium will focus on serving the Yuen Long District and nearby areas, which is in line with the government's vision of promoting each district to set up their own columbarium facilities. Moreover, the applicant also pledges to provide 50 free niches to the Lord Grace Church of Hong Kong for those who cannot afford a niche; and
- (e) there will be minimal traffic, environmental, sewage, landscape and visual impacts arising from the proposal.

3. **Compliance with the "Owner's Consent/Notification" Requirements**

The applicant is the sole "current land owner". Detailed information would be deposited at the meeting for Members' inspection.

4. **Background**

Zoning History of the Site

- 4.1 The Site was involved in a previous rezoning request (No. Z/YL-TYST/1) for rezoning the Site and its neighbouring areas from "Residential (Group B)1" ("R(B)1") to "R(B)3" to facilitate the relaxation of PR restriction from 1 to 2.1 and BH restriction from four storeys over single-storey carport (15m) to 12 storeys

excluding carport (**Plan Z-1**). The application was partially agreed by the Committee on 8.12.2000 to relax the BH restriction of the site to the level of the adjoining developments to the north and northeast (i.e. 12 storeys), but not to agree to the proposed relaxation of the PR restriction. The amendment proposal was subsequently incorporated into the draft Tong Yan San Tsuen OZP No. S/YL-TYST/6 which was exhibited for public inspection on 19.10.2001. On 22.10.2002, the Chief Executive in Council approved the draft Tong Yan San Tsuen OZP, which was subsequently renumbered as S/YL-TYST/7. Since then, the “R(B)3” zoning and development restrictions of the Site have remained unchanged.

PCO

- 4.2 The PCO, which regulates the operation of private columbaria through a licensing scheme, has come into operation from 30.6.2017. On 22.11.2017, two policy initiatives were announced by the Government to address the land premium and TIA issues of pre-cut-off columbaria (i.e. a columbarium which was in operation before 8:00 a.m. on 18.6.2014 with interred ashes in the niches) seeking a licence. For the policy initiative relating to TIA, the Government has decided to use an empirical evidence approach as the basis for assessing traffic impacts in processing the licence application from a pre-cut-off columbarium whose operation only involves the number of niches sold before 30.6.2017. When departments assess applications involving private columbaria, the niches sold before 30.6.2017 will be treated as the baseline level that the TIA requirement can be exempted. Notwithstanding, operators of individual columbaria still have the responsibility to provide practicable mitigation measures within their capability and submit a management plan setting out such measures during the licence application stage. The government departments will provide to the Private Columbaria Licensing Board (PCLB) their views on suitable mitigation measures that should be followed up by individual cases.

5. Previous Application

The Site was involved in a previous s.12A application No. Y/YL-TYST/1 submitted by the same applicant for rezoning the Site from “R(B)3” to “OU(Columbarium)” for provision of 7,983 niches at the same site with similar layout. Details of the previous application are summarised in **Appendix III** and the boundary of the site is shown on **Plan Z-1**. The application was rejected by the Committee on 27.9.2013 mainly on the grounds that the columbarium development is incompatible with the existing and future surrounding sub-urban medium-density residential developments; insufficient information in the submission to demonstrate that the development would not pose adverse vehicular and pedestrian traffic impacts and cause nuisance to nearby residents particularly during the Ching Ming and Chung Yeung Festivals; there are doubts on the monitoring and enforceability of the traffic management plan proposed by the applicant; and setting an undesirable precedent for other similar applications.

6. Similar Application

There is no similar planning application within the subject “R(B)3” zone on the OZP.

7. The Site and Its Surrounding Areas (Plans Z-1 to Z-4c)

7.1 The Site is:

- (a) accessible via an existing 6m-wide footpath leading from Castle Peak Road – Hung Shui Kiu section or via a pedestrian footbridge across the nullah leading from Wo Ping San Tsuen Lane (**Plans Z-2 and Z-3**); and
- (b) currently occupied by two existing buildings which are being used as niche halls of columbarium (**Plans Z-2 to Z-4c**).

7.2 The surrounding areas have the following characteristics:

- (a) comprise predominantly medium-density residential developments, including The Verdancy (丹桂軒) to its southeast, intermixed with scattered residential structures, open storage/storage yards, a vehicle repair workshop, agricultural land and vacant land/structures within the subject “R(B)3” zone (**Plans Z-2 and Z-3**);
- (b) to the immediate east is a residential block (i.e. Block 9) of The Verdancy, which is separated from the Site by a boundary wall and some vegetation (**Plan Z-3**); and
- (c) to its west is a nullah with a pedestrian footbridge serving as a link between Wo Ping San Tsuen Lane and the area to its east. To its further west across the nullah in the “Residential (Group B) 2” zone of the draft Lam Tei and Yick Yuen OZP No. S/TM-LTYYY/13 are some residential structures of Wo Ping San Tsuen and residential development, intermixed with storage uses, car servicing, workshop and a restaurant. To its south in the same “R(B)3” zone are some residential structures and vacant land, intermixed with vegetations, trees and shrubs (**Plans Z-1 to Z-3**).

8. Planning Intention

The planning intention of the “R(B)” zone is primarily for sub-urban medium-density residential developments in rural areas where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

9. Comments from Relevant Government Bureau/Departments

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

Land Administration

9.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) he has adverse comment on the application;

- (b) the Site comprises Lot 3971 RP in D.D. 124 held under New Grant No. 238 dated 3.3.1953 subject to Government Notification No. 364 of 1934 as amended by Government Notification No. 50 of 1940;
- (c) the New Grant contains, inter alia, the following conditions:
 - (i) except with the written permission of the District Officer, no building erected on the lot shall be used as a “Chai Tong” or for any other purpose of a similar nature;
 - (ii) the height of any building shall not exceed 25 feet nor 2 storeys;
 - (iii) open space shall be provided at the rear of the building(s) having area not less than one-third of the lot area; and
 - (iv) without the consent of the District Officer no grave shall be made on, nor shall any human remains be interred in, or deposited on the lot sold either in earthenware jars or otherwise;
- (d) there is unauthorised columbarium use in the existing buildings on the lot, namely “Yat Tak Kwun”, which is already subject to lease enforcement actions according to case priority. The lot owner should immediately rectify/regularise the lease breaches as demanded by LandsD; and
- (e) his detailed comments are at **Appendix IV**.

Licensing Requirement

9.1.2 Comments of the Director of Food and Environmental Hygiene (DFEH):

Provision and licensing requirement for private columbaria

- (a) under the PCO, only private columbaria that have obtained a licence may sell or newly let out niches. Any private columbarium which applies for a licence must comply with the Town Planning Ordinance (Cap. 131) and other requirements prescribed in the PCO or specified by the Private Columbaria Licensing Board (the PCLB), including land-related, building-related, right to use the columbarium premises, deed of mutual covenant (if applicable), fire safety, etc.;
- (b) section 18(2) of the PCO stipulates that the PCLB may grant a licence only if a management plan submitted by the applicant has been approved by the PCLB. The management plan submitted to the PCLB should cover matters including traffic and public transport arrangement or management, crowd management, manpower deployment on peak grave sweeping days or periods and other days or periods, etc.;
- (c) for cases in which planning permission has been given by the Board, the management plan should include the crowd and traffic management measures accepted (and the conditions imposed) by the

relevant departments and the Board when the Board approved the planning application. In considering the management plan submitted by a licence applicant, the PCLB will take into account comments provided by concerned departments including Transport Department, the Hong Kong Police Force, Fire Services Department and Planning Department (PlanD). If a licence application is approved by the PCLB, the Private Columbaria Affairs Office (PCAO) will oversee the monitoring of the licensee's implementation of the approved management plan in coordination with other concerned departments;

Site-specific comments

- (d) regarding the private columbarium named Yat Tak Kwun at Lot 3971 RP (Part) in D.D. 124, a set of specified instrument application, namely a Licence and Temporary Suspension of Liability (TSOL), in respect of pre-cut-off columbarium to the PCLB and the applications are being processed by PCAO. PCLB has granted an "Approval-in-principle of TSOL Application" to the subject columbarium with a validity of three years from 14.3.2022 to 13.3.2025, and has agreed to extend the validity for another three years from 14.3.2025 to 13.3.2028. During the validity period, the applicant should take all necessary steps with reasonable expedition in accordance with the action plan with timetable (as submitted to and accepted by the PCLB for compliance with the relevant application requirements of TSOL) to comply with the requirements for the Licence application. These include, but not limited to the planning-related requirements under Section 18(1)(a)(ii) of the PCO; and
- (e) based on the niche information and proposed plans submitted by the applicant on 29.7.2021 and 29.3.2022 respectively in support of the specified instrument applications, it was preliminary noted that the niche information (number and status) tally with the details provided in the planning statement and application form. The submitted information is still subject to detailed verification by PCAO, including on-site inspection.

Traffic

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

- (a) according to the applicant's TIA and MP, the applied number of niches within the Site is 4,456 niches (i.e. 8 niches sold and occupied; 574 niches sold but vacant and 3,874 niches unsold);
- (b) according to the MP, the visiting capacity of the columbarium will be sufficient to meet the expected visiting demand, which will be distributed in three weekends before and three weekends after the festival days. Mandatory no car parking policy will be adopted, and one-way pedestrian flow will be implemented. Eight staff members will be deployed to regulate the visitor flow;

- (c) according to the TIA, the levels of service (LOS) of the existing footpaths along the nullah between Yat Tak Kwun and Castle Peak Road-Hung Shui Kiu, along Castle Peak Road – Hung Shui Kiu westbound between Tan Kwai Tsuen Road and nullah, and along Castle Peak Road – Hung Shui Kiu westbound between nullah and Wo Ping San Tsuen Lane (**Drawing Z-9**) would be of desirable level during peak hours; and
- (d) having reviewed the TIA, MP and on the basis that the number of visitors would be regulated during Ching Ming and Chung Yeung Festival via mandatory visit-by-appointment arrangement; and the Site does not provide any car parking facilities, he has no comment on the application from traffic engineering and transport operation points of view.

9.1.4 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) no adverse comment on the application;
- (b) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains; and
- (c) HyD shall not be responsible for the maintenance of any access connecting the Site and nearby public footpath maintained by his office.

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

No comment on the application from the crowd and traffic management management perspectives.

Environment

9.1.6 Comments of the Director of Environment Protection (DEP):

- (a) no objection to the application on the understanding that no public address system is used within the Site; desludging services will be arranged for the use of existing septic tank to prevent spillage and odour nuisance; and no burning of incense paper or joss stick is allowed within the Site; and
- (b) his detailed comments are at **Appendix IV**.

Urban Design and Landscape

9.1.7 Comments of the Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD):

Urban Design and Visual

- (a) no comment on the application from the urban design and visual perspectives;
- (b) being located in the low to medium-rise residential neighbourhood to the southeast of Castle Peak Road – Hung Shui Kiu section, the Site abuts on an existing nullah and cycling track to its immediate east and is mainly surrounded by residential developments (e.g. The Verdancy, Jubilee Gardens, Bauhinia Garden and Lai Hung Garden, etc.) and village settlements (about 1 to 6 storeys/13mPD to 49mPD in building heights intermixed with some temporary structures and vegetated land;
- (c) according to the submission, the proposal aims to regularise the existing columbarium use at the Site and does not involve any alteration of existing building. Besides, the Site is fenced by solid wall, this together with the tall trees (which would not be disturbed) between the Site and neighbouring buildings provide screening effects;

Landscape

- (d) according to the aerial photo of 2024 (**Plan Z-3**), the Site is situated in an area of rural fringe landscape predominated by temporary structures, open vehicle parks, village houses, residential blocks and scattered tree groups. With reference to the site photos taken on 6.6.2025 (**Plans Z-4a to Z-4c**), the Site is mostly hard paved with existing structures. Existing trees and vegetation are observed;
- (e) according to the submission, there are four existing trees within the Site and all of them are proposed to be retained; and
- (f) no significant adverse landscape impact arising from the application is anticipated.

Drainage

9.1.8 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- (a) no in-principle objection to the application from a drainage point of view; and
- (b) his detailed comments are at **Appendix IV**.

Fire safety

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

- (a) no comment on the application;
- (b) fire service installations and water supplies for firefighting shall be provided to his satisfaction. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans or referral of application via relevant licensing authority; and
- (c) the provision of emergency vehicular access shall comply with the requirements as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by the Building Authority (BA).

Building Matters

9.1.10 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) no-principle objection to the application under the Buildings Ordinance (BO);
- (b) there is no record of approval by the BA for the structures existing at the Site;
- (c) the subject premises are subject to an application for SI under the PCO. BD has no objection to the Licence application which has been provided to the Food and Environmental Hygiene Department;
- (d) a private columbarium eligible to apply for a Specified Instruments under the PCO can be (i) a building or building works which complies with the requirements for approval and consent to the commencement of building works under section 14 of the BO; (ii) a Certifiable Building or (iii) a part or the whole of Structures Certifiable for Pre-cut-off Columbarium (SCPC). When the SCPC are covered by a Specified Instrument or the application of such, they are not subject to the BD's enforcement under section 24(1) or 24C(1) of the BO on the ground of contravening section 14(1) of the BO. However, should they become dangerous or likely to cause danger, they will have to be removed under the relevant provisions of the BO; and
- (e) his detailed comments are at **Appendix IV**.

District Officer's Comments

9.1.11 Comment of the District Officer (Yuen Long), Home Affairs Department (DO/YL, HAD):

it is anticipated that relevant stakeholders, including but not limited to the residents nearby, village representative and villagers of Tan Kwai Tsuen may raise objections to the development at the Site. Local consultation is recommended to be conducted with the Ping Shan Rural Committee and stakeholders at an appropriate time. His office would be prepared to offer assistance in respect of liaison and/or consultation if and when requested.

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

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (c) Head of Geotechnical Engineering Office (H(GEO)), CEDD;
- (d) Director of Electrical and Mechanical Services (DEMS); and
- (e) Director of Agriculture, Fisheries and Conservation (DAFC).

10. Planning Considerations and Assessments

The Proposal

- 10.1 The applicant proposes to rezone the Site from “R(B)3” to “OU(Columbarium)” to regularise the current Taoist columbarium use under the name of Yat Tak Kwun with a total of 4,456 niches, including 582 sold before 30.6.2017 at the Site. According to the proposed set of Notes for the proposed “OU(Columbarium)” zone submitted by the applicant (**Appendix II**), ‘Columbarium’ would be a Column 1 use which is permitted as of right, while ‘Public Utility Installation’ and ‘Utility Installation for Private Project’ would be Column 2 uses which require planning permission from the Board.

Land Use Compatibility

- 10.2 The surrounding areas comprise predominantly medium-density residential developments intermixed with scattered residential structures, open storage/storage yards, a vehicle repair workshop, agricultural land and vacant land/structures. Although the Site is located to the immediate west of Block 9 of The Verdancy (**Plan Z-2**), the Site is fenced off by said walls and accessible via separate routes leading from Castle Peak Road – Hung Shui Kiu section and Wo Ping San Tsuen Lane, while The Verdancy is mainly accessible via a local road branching off from Tan Kwai Tsuen Road.
- 10.3 The Site is currently occupied by two existing buildings, including a two-storey building and a single-storey building (not exceeding 4m to 7.62m in height), which are being used for columbarium use. According to the applicant, the columbarium use shall be confined within the two existing buildings. No change to the existing scale and intensity and no additional buildings are proposed. The applicant also

proposes to retain the existing trees and plant new trees, shrub and groundcover to maximise the soft landscape and to mitigate the potential visual impact. In view of the above and considering the scale and low-rise nature of the existing buildings at the Site, the proposed development is considered not incompatible with the surrounding areas from the urban design, visual and landscape perspectives. CTP/UD&L of PlanD has no comment on the application in this regard.

Traffic Impact and Crowd Management

- 10.4 The Site is accessible via existing footpath/pedestrian bridge leading from Castle Peak Road – Hung Shui Kiu Section and Wo Ping San Tsuen Lane. No parking and L/UL facilities would be provided within the Site and the Site is not accessible directly by vehicular traffic. Visitors are expected to take public transport (e.g. MTR Light Rail Transit, franchised buses and red/green minibuses) and then walk to the Site (**Drawings Z-1 and Z-2**). According to the TIA and MP submitted by the applicant, all visitors are required to make appointment in advance during the Ching Ming and Chung Yeung Festival periods, and a maximum of 55 persons will be allowed to visit the Site for each 20-minute session. With the implementation of the proposed traffic and crowd management measures under the MP, the LOS of the footpaths leading to the Site would all operate within the capacity with the columbarium development during peak hours. Adverse traffic impact caused by the columbarium under the current application is not anticipated. Having reviewed the TIA and MP submitted by the applicant, the C for T and C of P have no comment on the application from traffic engineering and transport operation points of view respectively. DFEH also advises that should PCLB decide to approve the license application, the approved MP (including the traffic and crowd management measures proposed by the applicant) will be included in the licensing conditions and the licensee will be required to implement the approved MP. In view of the proposed traffic and crowd measures and availability of separate access to the Site, the potential nuisance to the surroundings in terms of intermixing of grave sweepers and local residents at the location is expected to be limited and could be addressed by the applicant's MP and conditions to be imposed under the licence to be granted under PCO in consultation with relevant government departments as appropriate.

Other Technical Aspects

- 10.5 According to the applicant, no joss paper furnace will be provided and burning of joss paper with worship and memorial services will be prohibited at the Site. Additional mobile toilets would be provided during festival periods and the sewage will be collected and disposed by licensed collectors. Adequate fire service installations will also be provided at the Site. In this regard, other concerned government departments consulted, including the DEP, D of FS and CE/MN, DSD have no objection to or no adverse comment on the application from environmental, fire safety and drainage aspects respectively. As for DLO/YL, LandsD's concerns on the unauthorised columbarium use on the Site, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.

Proposed Notes and Schedule of Uses

- 10.6 As mentioned in paragraph 10.1 above, ‘Columbarium’ is proposed as a Column 1 use which is permitted as of right, while ‘Public Utility Installation’ and ‘Utility Installation for Private Project’ are proposed as Column 2 uses which require planning permission from the Board. Since the applicant has not proposed any change to the existing development scale and intensity or additional buildings, the maximum SC of 20% for the “OU(Columbarium)” zone as proposed by the applicant may not be necessary. Should the Committee agree to the application, consideration could be given to stipulate appropriate development restrictions including PR/GFA, BH and/or number of niches in the Notes for the proposed “OU(Columbarium)” zone at the OZP amendment stage with reference to other columbarium developments. Concerned government departments will be further consulted on the above control in the subsequent OZP amendment process, which will also be subject to public scrutiny.

Previous Application

- 10.7 The Site is the subject of a previous s.12A application No. Y/YL-TYST/1 for rezoning the site from “R(B)3” to “OU(Columbarium)” submitted by the same applicant which was rejected by the Committee on 27.9.2013 (i.e. before PCO came into effect on 30.6.2017) mainly on the grounds as detailed in paragraph 5.2 above. Compared to the previously rejected application, the circumstances of the current application are different in that the applicant has submitted a detailed proposal with supporting technical assessments and relevant government departments, including C for T, have no in-principle objection to or adverse comment on the application. Besides, with PCO came into effect on 30.6.2017, the PCAO will undertake the monitoring of implementation of the MP if the licence application and the associated MP are approved by PCLB. In terms of land use compatibility, the Site is served with a separate access and the licensing regime of PCO could ensure that potential nuisance to the surroundings would be properly managed and controlled through the implementation of MP and relevant mitigation measures proposed by the applicant. Taking account into the above, the current application may warrant different considerations and agreement of this application is not in conflict with the Committee’s previous decision.

11. Planning Department’s Views

- 11.1 Based on the assessments made in paragraph 10 above, PlanD has no in-principle objection to the application and recommends the Committee to partially agree to the application to rezone the Site to “OU(Columbarium)” with stipulation of appropriate development restrictions.
- 11.2 Should the Committee decide to agree or partially agree to the application, details of the amendments to the Tong Yan San Tsuen OZP, together with the revised Notes and ES, will be submitted to the Committee for approval prior to gazetting under the Town Planning Ordinance.
- 11.3 Alternatively, should the Committee decide not to agree to the application, the following reason is suggested for Members’ reference:

the Site falls within an area zoned “R(B)3” which is primarily for sub-urban medium-density residential developments in rural areas where commercial uses serving the residential neighbourhood may be permitted on application to the Board. The current “R(B)3” zoning is considered appropriate and there is no strong planning justification given in the submission for rezoning the Site from “R(B)3” to “OU(Columbarium)”.

12. Decision Sought

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

13. Attachments

Appendix I	Application Form received on 23.5.2025
Appendix Ia	Supplementary Planning Statement
Appendix Ib	SI received on 3.6.2025
Appendix Ic	FI received on 18.9.2025
Appendix Id	FI received on 6.1.2026
Appendix II	Proposed Schedule of Uses for “OU(Columbarium)” zone
Appendix III	Previous Application covering the Site
Appendix IV	Detailed Departmental Comments
Drawing Z-1	Proposed Pedestrian Routing to the Site
Drawing Z-2	Plan showing Locations of Existing Public Transport Facilities
Drawing Z-3	Site Layout Plan
Drawings Z-4 and Z-5	Floor Plans
Drawings Z-6 and Z-7	Plans showing Evacuation Routes
Drawing Z-8	Location of the “Designated Assembly Point”
Drawing Z-9	Plan showing the surveyed footpaths
Plan Z-1	Location Plan
Plan Z-2	Site Plan
Plan Z-3	Aerial Photo
Plans Z-4a to Z-4c	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2026**