

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H20/200

- Applicant** : The Hong Kong Buddhist Association (HKBA) represented by Albert So Surveyors Limited
- Site** : Inland Lot (IL) 7755 RP (Part) and Adjoining Government Land (GL) between IL 7755 RP and IL 7713, Cape Collinson Road, Chai Wan
- Site Area** : 456m² (about) (including about 404m² of GL)
- Land Status** : (I) IL 7755 RP (about 52m² or 11.4% of the Site)
(a) Conditions of Grant No. 7934 dated 18.3.1963 as varied or modified by a Deed of Variation dated 8.3.1988
(b) restricted for the burial of members of the Buddhist Community of Hong Kong
(c) no building shall be constructed thereon other than columbaria, a temple, staff quarters and out-buildings necessary for the proper functioning and maintenance of the Hong Kong Buddhist Cemetery

(II) GL (about 404m² or 88.6% of the Site)
- Plan** : Approved Chai Wan Outline Zoning Plan (OZP) No. S/H20/27
- Zoning** : “Other Specified Uses” annotated “Cemetery” (“OU(Cemetery)”) *[Restricted to a maximum building height (BH) of 2 storeys (disregarding any basement floor) or the height of the existing building, whichever is the greater]*
- Application** : Proposed Minor Relaxation of BH Restriction (BHR) from Two Storeys to Four Storeys for Permitted Columbarium Use

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of the BHR from two storeys to four storeys (excluding a basement floor) (i.e. +2 storeys or +100%) for permitted columbarium use at the application site (the Site), which falls within an area zoned “OU(Cemetery)” on the approved Chai Wan OZP No. S/H20/27 (**Plan A-1**). According to the Notes of the OZP for “OU(Cemetery)” zone, ‘Columbarium’ is a Column 1 use which is always permitted. To facilitate the development of a four-storey columbarium above one basement floor

accommodating ancillary supporting facilities and on-site sewage treatment plant and a box culvert (**Drawing A-1**) (basement floor excluded from calculation of the BHR according to the Notes of the OZP), which exceeds the BHR of 2 storeys as stipulated on the OZP, planning permission for minor relaxation of the BHR from the Town Planning Board (the Board) is required. The Site is currently vacant, partly occupied by a walkway and partly covered by some vegetation and a stream (**Plans A-2 to A-5**).

- 1.2 According to the applicant, the proposed four-storey columbarium above one basement floor will accommodate about 17,095 niches for members of the Hong Kong Buddhist Community in response to the Food and Environmental Hygiene Department (FEHD)'s advice to review the feasibility of increasing the BH of the proposed columbarium to accommodate more niches to meet the pressing demand in the territory¹. As an extension to the existing three-storey Columbarium Block 3 (CB3) of Hong Kong Buddhist Cemetery adjoining the Site (**Plans A-2 to A-4**), parts of the walls of the existing CB3 to the immediate west of the Site would be removed for connection with the proposed new columbarium on 1/F, 2/F, 3/F and R/F (**Drawings A-2 to A-6**). To divert an existing stream running through the Site, a new culvert will be constructed within the Site at the basement level to connect with the existing underground box culvert at Cape Collinson Road (**Drawings A-7 and A-8**). The E&M room, store room, on-site sewage treatment plant and lavatories will also be provided at the basement level. The existing walkway will be retained on G/F and decked over by the proposed building above (**Drawings A-2 and A-7**). The proposed development is anticipated to be completed in 2029.
- 1.3 The floor plans and section plans of the proposed development submitted by the applicant are at **Drawings A-1 to A-7** and the major development parameters of the proposal are summarised below:

Site Area	about 456m ² #
Gross Floor Area (GFA)	about 1,640m ²
Plot Ratio (PR)	about 3.6 #
Site Coverage (SC)	about 83.33%
BH	4 storeys (excluding 1 storey of basement) <i>[Not more than 131.03mPD or 13.98m (from ground level to roof)]</i>
Number of Block	1

¹ According to the applicant, FEHD and HKBA consulted the then Planning, Works and Housing Committee (PWHC) of the Eastern District Council (EDC) on the application of proposed lot extension of IL 7755 RP for construction of a new two-storey columbarium (for provision of about 9,700 niches) in 2021. PWHC members generally supported the application and some even recommended to provide more niches by increasing the BH of the proposed columbarium to meet the huge demand for niches. Given the overarching principle of maximizing the use of valuable land resources, HKBA's original two-storey columbarium proposal was subsequently not taken forward, and FEHD then engaged HKBA to review the feasibility of the provision of a four-storey columbarium to meet the pressing demand for niches in the territory.

Number of Niches	17,095
- <i>Double niches (interment of 2 sets of ashes)</i>	16,014
- <i>Quadruple (Family) niches (interment of 4 sets of ashes)</i>	1,081
Floor Uses	
- <i>B/F</i>	Lavatories, E&M Room, On-site Sewage Treatment Plant, Store Room, Box Culvert
- <i>G/F</i>	Walkway, Niches
- <i>1/F to 2/F</i>	Niches, VR Worship Room
- <i>3/F</i>	Niches
Open Space	
- <i>private (on rooftop)</i>	about 335m ²
- <i>public</i>	about 92m ²

According to the Building Department (BD), the proposed columbarium building is not an independent development and would be considered as an extension to the existing CB3 under the Buildings Ordinance. Hence, the development potential of the proposed columbarium building would be considered based on the total site area of the combined site, and the existing buildings on the combined site should be taken into account. In this regard, the proposed site area of 456m² and the proposed PR of 3.6 for the proposed columbarium building, as indicated in the application, should be clarified in the building plan submission stage.

- 1.4 The opening hours of the proposed columbarium would be 8:30a.m. to 5p.m. daily, and extended to 7a.m. till 6p.m. on Ching Ming Festival and Chung Yeung Festival and the weekends and public holidays during the grave sweeping festival periods². According to the applicant, burning of joss sticks or other paper offerings would not be allowed within the Site, and no joss paper burner/ furnace would be installed in the proposed development. According to the Sewerage Impact Assessment (SIA), an on-site sewage treatment plant (STP) is proposed to treat the sewage generated by the proposed development, and portable toilets would be arranged during the grave sweeping festival periods to cater for additional sewage generated by visitors.
- 1.5 The Site is accessible via Cape Collinson Road, connecting Lin Shing Road in the east and Shek O Road in the west (**Plan A-1**). Although no parking and loading/unloading (L/LU) facilities would be provided within the proposed development, there are seven parking spaces to the immediate northwest of the Site across Cape Collinson Road under the management of HKBA. During the grave sweeping festival periods, five of these existing parking spaces would be used for the L/UL area and the remaining two would be reserved for placing portable toilets (**Drawing A-9**). The applicant undertakes to carry out improvement works, including hard paving and levelling of the surface for the sections of the footpath along Cape Collinson Road outside CB3 and the proposed columbarium building where existing temporary bus stops are located (**Drawing A-10**).
- 1.6 According to the Traffic Impact Assessment (TIA), visitors could only access the Site via franchised buses (Routes No. 388 and 389), minibuses (Routes No. 16A,

² Grave sweeping festival periods refer to the four weeks before and after Ching Ming Festival and Chung Yeung Festival.

16M and 16X) or on foot during Ching Ming Festival and Chung Yeung Festival. During the grave sweeping festival periods, a visit-by-appointment system with 200 visitors per session³ would be implemented by the applicant to control the number of visitors entering the proposed columbarium. Each appointment would be limited to a maximum of five visitors per niche and 40 appointments would be available per session. Booking by website, telephone and WhatsApp messages would be available for all visitors. Upon arrival, visitors would be directed to the waiting area outside an existing temple (地藏殿) to the immediate east of CB3 for registration (**Drawings A-11 and A-12**). The applicant will notify the niches' owners about the traffic and visit-by-appointment arrangements during grave sweeping festival periods, and the visit-by-appointment arrangement would be stipulated in the purchase agreement of niches.

- 1.7 The proposed development would incorporate various design and landscaping features/ mitigation measures to enhance visual and landscape amenity (**Drawing A-15**) including sensitive design (e.g. on façade treatment, paving, signage and lighting) with natural materials that respond to the existing context, buffer planting on the site perimeter and roof planting. According to the Landscape and Visual Impact Assessment (LVIA) and Landscape Proposal submitted by the applicant, 30 trees within the Site will be affected by the proposed development. All affected trees within the Site, including two *Artocarpus hypargyreus* (白桂木) (**Drawing A-13**) which are listed as Near Threatened in "Rare and Precious Plants of Hong Kong" (AFCD 2003), are proposed to be felled due to direct conflict with the proposed development and are not suitable to be transplanted. Six compensatory trees, including one *Artocarpus hypargyreus* and one *Aquilaria sinensis* (土沉香) are proposed to be planted within the Site at G/F (**Drawing A-14**). According to the applicant, 1:1 tree compensation in terms of quantity within the Site may not be achievable due to site constraints, and the landscaped area for on-site compensatory tree planting has been maximized. The LVIA also concludes that with the implementation of the aforementioned mitigation measures, the overall landscape and visual impacts of the proposed development would be minimized and the proposed development would be harmonized with and form an integrated part of its environs.
- 1.8 According to the Ecological Impact Assessment (EcoIA), a total of seven species of conservation importance were recorded within the Site (**Drawing A-22**)⁴. With the implementation of recommended ecological mitigation measures (including transplanting, compensatory tree planting, translocation, and proper construction practices, etc.), the proposed development is not anticipated to lead to any significant adverse ecological impacts.
- 1.9 Other technical assessments including the Geotechnical Planning Review Report (GPRR) and Natural Terrain Hazard Study (NTHS) have also been submitted by the applicant to support the application.

³ One session per hour, including 30 minutes for ancestor worship, followed by 15 minutes for dispersal (staff at each floor of the proposed columbarium to inform and ensure visitors depart when each session ends), and another 15 minutes for the registration of the following session.

⁴ These include four flora species: *Artocarpus hypargyreus* (白桂木), *Cibotium barometz* (金狗毛蕨), *Pavetta hongkongensis* (香港大沙葉) and *Diospyros vaccinioides* (小果柿) and three fauna species: Lesser Spiny Frog (小棘蛙), Short-nosed Fruit Bat (短吻果蝠) and Least Pipistrelle (小伏翼).

1.10 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 16.5.2024 **(Appendix I)**
- (b) Supplementary Planning Statement (SPS) received on 16.5.2024 enclosing TIA, EcoIA, GPRR, NTHS, SIA, LVIA and Landscape Proposal **(Appendix Ia)**
- (c) Supplementary Information received on 22.5.2024 **(Appendix Ib)**
- (d) Further Information (FI) received on 27.6.2024[#] **(Appendix Ic)**
- (e) FI received on 21.8.2024^{*} **(Appendix Id)**
- (f) FI received on 4.12.2024[#] **(Appendix Ie)**

[#] *accepted but not exempted from the publication and recounting requirements*

^{*} *accepted and exempted from the publication and recounting requirements*

1.11 On 16.8.2024 and 4.10.2024, the Metro Planning Committee (the Committee) of the Board agreed to defer making a decision on the application each for two months as requested by the applicant.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the SPS and FIs at **Appendices Ia, Ic, Id and Ie**, which are summarised as follows:

Growing demand for niches

- (a) the number of deaths in Hong Kong is expected to rise due to the aging population. As for the short-term supply of public niches under the Government's columbarium development plan, about 274,895 new niches would be provided between 2019 and 2025, with only 25,000 niches being provided at Cape Collinson. The proposed development, which has obtained policy support from the Government and would provide an additional approximately 17,000 niches, could meet the increasing local demand for affordable niches;

Response to the Government and community's concern

- (b) the then PWHC of EDC was consulted in November 2021 and members generally supported the originally proposed 2-storey columbarium but suggested increasing the BH to provide more niches in view of the huge demand. The applicant was subsequently advised by FEHD to review the feasibility of increasing the BH of the proposed columbarium for accommodating more niches. The proposed minor relaxation of the BHR therefore is a response to the community's concerns;

Compatibility with surrounding uses

- (c) the columbarium use is in line with the planning intention of the “OU(Cemetery)” zone and is compatible with the surrounding areas that include cemeteries, crematorium and columbarium uses;
- (d) the form and design of the proposed development would be carefully considered to blend in harmoniously with the adjacent buildings and the surrounding environment in the detailed design stage;

Visit-by appointment system

- (e) The Hong Kong Buddhist Cemetery is a private cemetery in Part 2 of the 5th Schedule of Public Health and Municipal Services Ordinance (Cap. 132), which is regulated under the Private Cemeteries Regulation (Cap. 132BF), and the applicant commits to strictly implementing the proposed visit-by-appointment system and other related crowd management measures;

No insurmountable adverse impact anticipated

- (f) the submitted technical assessments demonstrate that no adverse traffic, geotechnical and sewerage impacts would be anticipated. Regarding the ecological impact, the proposed development at the Site would cause loss of small portions of woodland and watercourse. Nevertheless, the Site is generally of “Low” ecological value with limited number of wildlife recorded. *Artocarpus hypargyreus* (白桂木) is considered common in Hong Kong, and the loss of two *Artocarpus hypargyreus* trees is not expected to cause a significant impact on its local population, and direct ecological impact resulting from their mortality would be low. With proper and strict implementation of recommended ecological measures, the proposed development is not anticipated to lead to any significant adverse ecological impacts. For geotechnical impact, NTHS concludes that debris of potential open hillslope landslide hazard may reach the site boundary. Erection of a rigid debris-resisting barrier would be adopted to mitigate the hazard; and

Utilization of the Site

- (g) with no insurmountable technical impacts anticipated, the proposed development would optimize the use of land resources and help meet the surging demand for niches.

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

The applicant is the sole “current land owner” of the private lot (about 11.4%) within the Site. Detailed information would be deposited at the meeting for Members’ inspection. The remaining of the Site is Government land (about 88.6%) and the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) are not applicable.

4. Previous Application

There is no previous application at the Site.

5. Similar Application

There is no similar application for minor relaxation of BHR for columbarium use within Chai Wan OZP.

6. The Site and Its Surrounding Areas (Plans A-1 and A-2, Aerial Photo on Plan A-3 and Site Photos on Plans A-4 and A-5)

6.1 The Site:

- (a) is currently vacant, partly occupied by a walkway and partly covered by some vegetation and a stream;
- (b) adjoins the existing three-storey CB3 of Hong Kong Buddhist Cemetery with a temple (地藏殿) located immediately to the west of CB3; and
- (c) is accessible by Cape Collinson Road.

6.2 The surrounding areas of the Site are mainly cemeteries (including Hong Kong Buddhist Cemetery, Holy Cross Catholic Cemetery, and Chai Wan Muslim Cemetery), columbaria (columbarium blocks of Hong Kong Buddhist Cemetery and Holy Cross Catholic Cemetery), and crematorium (Cape Collinson Crematorium) with BHRs ranging from two to seven storeys, and a government facility (Tai Tam Gap Correctional Institution) with a BHR of four storeys.

7. Planning Intention

7.1 The “OU(Cemetery)” zone is intended to reserve land for cemetery use.

7.2 As stated in paragraph 7.9 of the Explanatory Statement (ES) of the OZP, a minor relaxation clause in respect of BHRs is incorporated into the Notes of the OZP to provide incentive for developments/redevelopments with planning and design merits. Each application for minor relaxation of BHR will be considered on its own merits and the relevant criteria for consideration of such application are as follows:

- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
- (b) accommodating the bonus PR granted under the Buildings Ordinance (BO) in relation to surrender/ dedication of land/area for use as a public passage/ street widening;
- (c) providing better streetscape/ good quality street level public urban space;

- (d) providing separation between buildings to enhance air ventilation and visual permeability;
- (e) accommodating building design to address specific site constraints in achieving the permissible plot ratio under the OZP; and
- (f) other factors such as need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality and would be cause adverse landscape and visual impacts.

8. Comments from Relevant Bureau/ Government Departments

- 8.1 The following bureau/ Government departments have been consulted and their views on the application and public comments received are summarised as follows:

Columbarium Policy and Licensing

- 8.1.1 Comments of the Secretary for Environment and Ecology (SEE) and the Director of Food and Environmental Hygiene (DFEH):

- (a) with a growing and ageing population in Hong Kong, the numbers of deaths and cremations have been rising year by year. The number of cremations in 2023 was 52,795, accounting for 93% of the death toll (56,776) of the year. He expects the number of cremations will rise to over 60,000 in the coming decade (i.e. in 2033), increasing by about 14% as compared with 2023, accounting for 95% of the death toll of 2033 (about 63,500 according to the Census and Statistics Department's latest population projections). There is a growing demand from the public for facilities for handling the cremated ashes of the deceased;
- (b) at present, there are two public columbaria in the Chai Wan area, namely the Cape Collinson Columbarium and the Cape Collinson – San Ha Columbarium. There are three private cemeteries with columbarium facilities in the Chai Wan area, namely the Hong Kong Buddhist Cemetery, the Holy Cross Catholic Cemetery Cape Collinson and the Cape Collinson Chinese Permanent Cemetery. All of these cemeteries and public columbaria are for serving citizens of Hong Kong on a territory-wide basis. The proposed columbarium development of the HKBA, which is to be situated in the vicinity of its existing private cemetery, is the only proposed columbaria project in the Chai Wan Area at the time being;
- (c) it is considered that the proposed columbarium development would contribute to the supply of niches in Hong Kong, which helps alleviate the general demand for public niches. FEHD has no objection to the application and the proposed columbarium

development by HKBA at the subject site has Environment and Ecology Bureau (EEB)'s policy support;

- (d) it is noted from the revised TIA (**Appendix 1e**) that HKBA will clearly state and explain to the potential buyers before entering into the Sales Agreement about the special traffic arrangements and the visit-by-appointment system arrangement during grave sweeping festival periods. Niche buyers must also accept a set of House Rules at the time of purchase, which are intended to regulate the use of the niches by buyers. It is understood that HKBA is preparing to amending the House Rules to incorporate the special traffic arrangements and the visit-by-appointment system arrangement during grave sweeping festival periods for these niches;
- (e) private cemeteries, including the Hong Kong Buddhist Cemetery, are currently regulated by the Private Cemeteries Regulation (Cap. 132BF), which amongst others, require them to submit to DFEH rules providing for the management and control of the cemetery. HKBA commits to strictly implement the proposed visit-by-appointment and related measures and would study how to amend the rules to include the special traffic arrangements and the visit-by-appointment systems, which are applicable to these niches. If HKBA submits amendments to the rules and incorporates the visit-by appointment system as stated in the revised TIA, FEHD will process the application pursuant to s.3(3)(c) of the Private Cemeteries Regulation (Cap. 132BF). Such would align with the existing regulatory regime over private cemeteries; and
- (f) HKBA had consulted members of the current District Facilities and Works Committee (DFWC) of EDC for construction of four-storey columbarium block at the Site on 14.5.2024 and members supported the proposal.

Land Administration

8.1.2 Comments of the District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD):

- (a) the application site:
 - (i) partly falls within the Remaining Portion of Inland Lot (IL) No. 7755 (IL 7755 RP). IL 7755, having an area of 6.54 acres (about), i.e. about 26,466.44m², was granted to the HKBA for a lease term of 75 years from 26.1.1961. The Lot is governed by the Conditions of Grant No. 7934 dated 18.3.1963 as varied or modified by a Deed of Variation dated 8.3.1988 for the purpose of burial of members of the Buddhist Community of Hong Kong and no buildings shall be constructed thereon other than columbaria, a temple, staff quarters and out-buildings necessary for the proper functioning and maintenance of the Cemetery; and

- (ii) partly falls within unleased and unallocated Government Land (UUGL) sandwiched between IL 7755 RP and IL 7713 granted to the Bishop of the Roman Catholic Church in Hong Kong together with an existing slope feature (i.e. Slope Feature No. 11SE-D/C69(1)) (**Plan A-2**). In this connection, he is processing an application from the applicant (The HKBA) for granting additional land of about 504.5m² (including UUGL and Slope Feature No. 11SE-D/C69(1) in the Site and other adjoining UUGL) by way of lot extension to IL 7755 RP to implement a 2-storey columbarium development (excluding a basement floor) (the Proposed Lot Extension);
- (b) should the Board approve the subject planning application, the applicant should submit to LandsD for the necessary amendments (if any) to the development conditions under the Proposed Lot Extension. However, there is no guarantee that the said application will be approved. Such application, if received, will be dealt with by LandsD acting in its capacity as the landlord at its absolute discretion, and if it is approved, it will be subject to the approval from the higher authority and such terms and conditions including, among others, payment of premium and other applicable fees, to be imposed by LandsD at its sole discretion; and
- (c) detailed comments are at **Appendix II**.

Traffic

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

- (a) no objection in principle to the application, the revised TIA, the response-to-comment table, as well as the traffic management plan to be implemented by the applicant upon the operation of the columbarium (**Appendix Ie**) from traffic engineering and transport operational viewpoints;
- (b) it is understood from SEE's comments (Paragraph 8.1.1) that the applicant is required to submit to DFEH operating rules providing for the management and control of the cemetery, including the visit-by appointment; and
- (c) it is suggested to include an approval condition that the design and implementation of the proposed road improvement works at Cape Collinson Road and the existing Hong Kong Buddhist Cemetery along Cape Collinson Road as detailed in the revised TIA report, as proposed by the applicant, be implemented before operation of the proposed use to his satisfaction or of the Board.

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

no specific traffic comment on the TIA (**Appendix Ie**) at this stage. Each Temporary Traffic Arrangement involving works on footpath and/or

carriageway should be submitted to his office and Transport Department for comment before implementation.

Urban Design, Visual and Landscape

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

Urban Design and Visual

- (a) the Site is located in the cemetery area at Cape Collinson and is bounded by Cape Collinson Road to the north, the Holy Cross Catholic Cemetery to the northeast, woodland on the hillside of Mount Collinson to the southeast and the Hong Kong Buddhist Cemetery settlements as well as the Tai Tam Gap Correctional Institution to the west. The proposed development with a roof level of 131.03mPD is slightly higher than the roof level of the adjacent Hong Kong Buddhist Cemetery CB3 (127.88mPD);
- (b) according to the submitted LVIA (**Appendix Id**), the proposed development would cause slightly adverse to moderately adverse visual impacts to the selected public viewing points (VPs) which include five VPs from cemeteries and crematorium in the vicinity and one VP from a trail about 80m to the southwest of the Site (**Drawings A-16 to A-21**). Mitigation measures including on-site compensatory tree planting, sensitive design with natural materials to minimise potential adverse visual impacts, buffer planting, roof planting to promote visual integration with the surroundings, etc. are proposed (**Drawing A-15**). The overall visual impact of the proposed development is considered to be slightly adverse as it results in some negative visual effects to most of the identified key VPs;

Landscape

- (c) based on the aerial photo (**Plan A-3**), the Site is located in an area of Cemetery Landscape character surrounded by cemeteries and woodlands. The proposed development under the subject application is considered not incompatible with its surrounding environment;
- (d) according to the aerial photo (**Plan A-3**), most of the Site is covered by existing trees and vegetation. According to the LVIA and Landscape Proposal (**Appendix Id**), a total of 30 existing trees within the Site were surveyed. Among the trees surveyed within the Site, two *Artocarpus hypargyreus* (白桂木) (Tree ID No. AH1 and AH2) are listed as Near Threatened in “Rare and Precious Plants of Hong Kong” (AFCD 2003), and the remaining trees are common species and no registered Old and Valuable Trees (OVTs) were identified (**Drawing A-13**). All surveyed trees within the Site are proposed to be felled as they would be unavoidably affected by the proposed site formation works, temporary and permanent

construction works and are not suitable to be transplanted. Impact on existing landscape resources within the Site arising from the proposed development is anticipated;

- (e) two planting areas with trees and shrub planting are proposed at Level +117.05mPD (G/F) and a communal roof garden with seating area are proposed at +131.05mPD (R/F). Landscape Areas at G/F and R/F will be accessible to the public and visitors. Six compensatory trees of native and exotic species are proposed to be planted within the Site at G/F. The proposed new tree planting ratio can only achieve a ratio of 1:0.2 in terms of number within the Site due to site constraints and the tree planting areas available within the Site. According to the LVIA, there is currently no suitable receptor site for offsite compensatory planting in the vicinity. In addition, shrubs/groundcovers of both native and exotic species (with a high proportion of native species) are proposed at G/F and R/F;
- (f) approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease, if any. The applicant is reminded to seek approval for any proposed tree works (including any proposed felling of/compensatory tree planting for trees with conservation status) from relevant department(s)/authority(ies)/Tree Works Vetting Panel (TWVP(s)) prior to commencement of works; and
- (g) detailed comments from landscape planning perspectives are at **Appendix II**.

8.1.6 Comments of the Chief Architect/Advisory & Statutory Compliance Division, Architectural Services Department (CA/ASC, ArchSD):

- (a) no comment from architectural and visual impact point of view; and
- (b) based on the information provided, it is noted that the maximum BH of the proposed development is proposed to be relaxed from 2 storeys to 4 storeys. According to the LVIA (**Appendix Id**), the overall visual impact of the proposal from different vantage points of VP1 to VP6 on the surrounding context would range from slight to moderate. It appears that the proposed development may not be incompatible with the surrounding environment. However, the applicant may wish to consider the treatment/articulation of the building form and elevation design in the detailed design stage to blend in more harmoniously with the surrounding environment.

Nature Conservation

8.1.7 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

in view that the Site is in vicinity of developed area, he has no comment on the application and the associated EcoIA. Approval condition could be

imposed to ensure the implementation of the ecological mitigation measures proposed by the applicant.

Building Matters

8.1.8 Comments of the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department (CBS/HKE&H, BD):

- (a) no in-principle objection to the application under the BO subject to the proposed columbarium building is in compliance with the BO; and
- (b) detailed comments are at **Appendix II**.

Fire Safety

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

- (a) no comment on the application subject to fire service installations and equipment being provided to the satisfaction of his department. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and
- (b) the applicant should observe the requirements of emergency vehicular access as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by BD.

Others

8.1.10 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) no adverse geotechnical comment on the application, GPRR and area and depth of the proposed excavation;
- (b) the potential adverse impacts on the existing geotechnical features affecting or affected by the proposed works at the Site have been discussed in the GPRR. These will be further assessed in detail in the geotechnical assessment report to BD;
- (c) it is noted that a NTHS Report will be submitted to BD for approval in the detailed design stage and detailed comment on the NTHS would be further provided upon receiving the NTHS Report referred from BD; and
- (d) detailed comments on the applicant's submission are at **Appendix II**.

8.1.11 Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) no comment on the application from electricity supply safety aspect; and

- (b) in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the subject application should approach the electricity supplier (i.e. HK Electric) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the concerned site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.

District Officer’s Comments

8.1.12 Comments of the District Officer (Eastern), Home Affairs Department (DO(E), HAD):

- (a) no objection to the application; and
- (b) the application was discussed in the DWFC meeting on 14.5.2024 and the EDC members generally supported the proposal. Members of Yee Wan Area Committee also have no comment on the application.

8.2 The following Government departments have no objection to/no comments on the application:

- (a) Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD);
- (b) Director of Environmental Protection (DEP);
- (c) Director of Leisure and Cultural Services;
- (d) Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD);
- (e) Chief Engineer/Construction, Water Supplies Department; and
- (f) Project Manager (South), CEDD.

9. Public Comments Received During the Statutory Publication Periods

On 24.5.2024, 5.7.2024 and 13.12.2024, the application and FIs were published for public inspection. During the statutory public inspection periods, a total of two public comments were received from individuals, with one objecting to the application (**Appendix IIIa**) on the grounds that the proposed extension of the columbarium would lead to an increase in vehicular flow and vehicle-pedestrian conflicts; the proposed use would affect public order and safety; a number of columbaria would be provided by the Government; and there are better choices of columbaria in the Greater Bay Area. The remaining commenter (**Appendix IIIb**) expressed a supportive view of increasing the supply of niches to cater for demand by increasing the BH.

10. Planning Considerations and Assessments

- 10.1 The application is for the minor relaxation of the BHR from 2 storeys to 4 storeys (i.e. +2 storeys or +100%) (excluding basement floor) to facilitate extension and expansion of the existing columbarium block of the Hong Kong Buddhist Cemetery to accommodate more niches to meet the pressing demand in the territory. According to the Notes of the OZP for the “OU(Cemetery)” zone, ‘Columbarium’ use is always permitted. The proposed development is in line with the planning intention of the “OU(Cemetery)” zone, which is intended to reserve land for cemetery use. Minor relaxation of the BHR may be considered by the Board based on individual merits of the redevelopment proposal.

Policy Aspect

- 10.2 The proposed four storeys columbarium by the HKBA, which will accommodate about 17,095 niches for members of the Hong Kong Buddhist Community, has gained the EEB’s policy support. In view of a growing and ageing population in Hong Kong, the numbers of deaths and cremations have been rising year by year, and there is a growing demand from the public for facilities for handling the cremated ashes of the deceased. As advised by FEHD, the proposed columbarium development is the only proposed columbarium project in the Chai Wan Area at this time and would contribute to the supply of niches in Hong Kong, which helps alleviate the general demand for public niches. FEHD has no objection to the application.

Minor Relaxation of BHR

- 10.3 The applicant proposes to relax the BHR from two storeys to four storeys to accommodate about 8,000 more niches (from about 9,000 to 17,095 niches based on the applicant’s estimation) within the Site. The Site is located in the cemetery, columbarium and crematorium area at Cape Collinson, surrounded by cemeteries including the Hong Kong Buddhist Cemetery (with a BHR of two storeys) and the existing columbarium block of the Hong Kong Buddhist Cemetery (with a BHR of four storeys), Holy Cross Catholic Cemetery, and Chai Wan Muslim Cemetery (both with BHR of two storeys), and Cape Collinson Crematorium (with BHR of four to seven storeys) (**Plans A-1 and A-2**). The proposed columbarium development under the current application, with a proposed BH of four storeys, is considered not incompatible with the surrounding areas.
- 10.4 The LVIA conducted by the applicant demonstrates that the proposed development with a BH of four storeys would cause slightly adverse to moderately adverse visual impacts to the selected public VPs which are mainly from cemeteries and crematorium in the vicinity (**Drawings A-16 to A-21**). According to the LVIA, the overall visual impact of the proposed development is slightly adverse as it will result in some negative visual effects to most of the identified key VPs. CTP/UD&L, PlanD and CA/ASC of ArchSD have no particular comment on the proposed minor relaxation of BHR from two storeys to four storeys (excluding basement floor) from visual and architectural impact perspectives.

- 10.5 To enhance visual and landscape amenity, the proposed development would incorporate various design and landscaping features/ mitigation measures (**Drawing A-15**), including sensitive design (e.g. on façade treatment, paving, signage and lighting) with natural materials that respond to the existing context, buffer planting on the site perimeter and roof planting to promote visual integration with the surroundings.

Traffic and Crowd Management

- 10.6 The Site is fronting Cape Collinson Road. In view of a large number of grave sweepers that are expected to head to cemeteries and columbaria along Cape Collinson Road during the grave sweeping festival periods, the applicant has proposed in the TIA a number of traffic and crowd management measures for the proposed columbarium during the grave sweeping festival periods, which include temporary traffic arrangement to prohibit parking of vehicles at the existing parking spaces outside the Site at the Hong Kong Buddhist Cemetery, and a visit-by-appointment system (**Drawings A-11 to A-12**). The applicant also undertakes to implement improvement works for the section of footpath along Cape Collinson Road outside CB3 and the proposed columbarium building where the existing temporary bus stops are located (**Drawing A-10**). C for T has no objection in principle to the application and suggests to incorporate an approval condition relating to the design and implementation of the proposed road improvement works. C of P and CHE/HK of HyD also have no objection in principle to or any adverse comment on the application and the TIA.
- 10.7 The applicant has committed to implementing temporary traffic arrangements and visit-by-appointment system during the grave sweeping festival periods as well as road improvement works. According to FEHD, the applicant would state and explain to the potential buyers before entering into the Sales Agreement about the special traffic arrangements and the visit-by-appointment system arrangement during the grave sweeping festival periods, and the applicant is preparing to amend the House Rules to incorporate the special traffic arrangements and the visit-by-appointment system arrangement during grave sweeping festival periods for the proposed development.

Other Technical Aspects

- 10.8 According to the EcoIA submitted by the applicant, the Site is generally of “Low” ecological value with limited number of wildlife recorded. A total of seven species of conservation importance were recorded within the Site⁴ (**Drawing A-22**). While all the 30 existing trees within the Site, including two *Artocarpus hypargyreus* (白桂木) which are listed as Near Threatened in “Rare and Precious Plants of Hong Kong” (AFCD 2003), are proposed to be felled due to direct conflict with the proposed development and are not suitable to be transplanted, the applicant has submitted a revised LVIA and Landscape Proposal with a compensatory planting plan (**Drawing A-14**) for planting six compensatory trees, including one *Artocarpus hypargyreus* and one *Aquilaria sinensis* (土沉香), at G/F of the proposed development at the Site. While CTP/UD&L, PlanD advises that impact on existing landscape resources within the Site arising from the proposed development is anticipated, the EcoIA concludes that *Artocarpus*

hypargyreus is considered common in Hong Kong, and the loss of the two *Artocarpus hypargyreus* trees is not expected to cause a significant impact on its local population, and direct ecological impact resulting from their mortality would be low. With the implementation of ecological measures as recommended in the EcoIA, the proposed development is not anticipated to lead to any significant adverse ecological impacts. DAFC has no comment on the application and suggests to incorporate an approval condition relating to the submission and implementation of a detailed proposal of ecological mitigation measures. Approval for any proposed tree works (including any proposed felling of/compensatory tree planting for trees with conservation status) from relevant department(s)/authority(ies)/ TWVP(s) should also be sought prior to commencement of works.

- 10.9 Other technical assessments, including GPRR, NTHS and SIA, conclude that no insurmountable geotechnical and sewerage impacts are anticipated. Concerned government departments including H(GEO), CEDD, DEP and CE/HK&I, DSD have no objection to or no adverse comment on the application.

Public Comments

- 10.10 Regarding the adverse public comment (**Appendix IIIa**), the planning assessments, the applicant's justification, and the comments of the relevant government departments above are relevant.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 above and having taken into account the public comments mentioned in paragraph 9, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 24.1.2029, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the design and implementation of the proposed road improvement works at Cape Collinson Road and the existing Hong Kong Buddhist Cemetery along Cape Collinson Road as detailed in the revised Traffic Impact Assessment report, as proposed by the applicant, be implemented before operation of the proposed use to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- (b) the submission and implementation of a detailed proposal of ecological mitigation measures, as proposed by the applicant, to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix IV**.

11.3 There is no strong reason to recommend rejection of the application.

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 12.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

13. Attachments

Appendix I	Application Form with attachments received on 16.5.2024
Appendix Ia	SPS received on 16.5.2024 enclosing TIA, EcoIA, GPRR, NTHS, SIA, LVIA and Landscape Proposal
Appendix Ib	Supplementary Information received on 22.5.2024
Appendix Ic	FI received on 27.6.2024
Appendix Id	FI received on 21.8.2024
Appendix Ie	FI received on 4.12.2024
Appendix II	Detailed Departmental Comments
Appendices IIIa and IIIb	Public comments received during the publication periods
Appendix IV	Recommended Advisory Clauses
Drawings A-1 to A-5	Proposed Floor Plans
Drawing A-6	Proposed Elevation Plan
Drawing A-7	Proposed Section Plan
Drawing A-8	Proposed Diversion of Stream
Drawing A-9	Proposed Internal Transport Facilities
Drawing A-10	Proposed Improvement Works
Drawings A-11 and A-12	Proposed Pedestrian Routing under Visitor-by-appointment System
Drawing A-13	Proposed Tree Treatment Plan
Drawing A-14	Proposed Compensatory Planting Plan
Drawing A-15	Proposed Landscape Plan and Mitigation Measures
Drawings A-16 to A-21	Photomontages
Drawing A-22	Habitat Map and Locations of Species of Conservation Importance
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo

Plans A-4 and A-5

Site Photos

**PLANNING DEPARTMENT
JANUARY 2025**