

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/TW/543

<u>Applicant</u>	: Longest Profit (Hong Kong) Limited represented by Casa Design International Limited
<u>Site</u>	: Lots 613 RP (Part), 614 and 1229 in D.D. 453 and Adjoining Government Land, Lo Wai, Tsuen Wan
<u>Site Area</u>	: About 2,250m ² (including about 660m ² of Government land (29%))
<u>Lease</u>	: Lots 613RP and 614 in D.D. 453 (a) Old Schedule Lots held under Block Government Lease (b) expires on 30.6.2047 (c) restricted to agricultural purpose Lot 1229 in D.D. 453 (a) held under New Grant No. 4363 (b) expires on 30.6.2047 (c) restricted to private residential purpose (d) not more than 4 village houses and building height (BH) not exceeding 25 feet (e) no grave shall be made, nor shall any human remains be interred therein or deposited thereon
<u>Plan</u>	: Draft Tsuen Wan Outline Zoning Plan (OZP) No. S/TW/38 [currently in force] Approved Tsuen Wan OZP No. S/TW/37 [in force at the time of submission. The zoning and development restrictions for the application site remain unchanged on current OZP]
<u>Zoning</u>	: “Government, Institution or Community (10)” (“G/IC(10)”) [restricted to a maximum gross floor area (GFA) of 1,900m ² and maximum BH of 2 storeys including car park]
<u>Application</u>	: Proposed Columbarium

1 The Proposal

- 1.1 The applicant seeks planning permission for a proposed private columbarium at the application site (the Site) located at the foothill of Fu Yung Shan at the northern fringe of Tsuen Wan New Town (**Plan A-1**). The foothill of Fu Yung Shan is characterised by a

temple/monastery cluster and their associated social welfare facilities, forming part of the Fu Yung Shan/Lo Wai ‘monastery belt’ (**Plans A-1 and A-1a**). The Site which is currently largely vacant, has a total area of about 2,250m² and falls within an area zoned “G/IC(10)” on the draft Tsuen Wan OZP No. S/TW/38. A section 12A (s.12A) application No. Y/TW/15 for rezoning the Site from “Green Belt” (“GB”) to “G/IC(10)” for a proposed private columbarium was partially agreed by the Metro Planning Committee (the Committee) of the Town Planning Board (the Board) on 25.6.2021 (details in paragraph 4.3 below). According to the indicative scheme of the application, the Site would be developed into a 2-storey columbarium with not more than 3,000 niches and a GFA of not more than 1,900m². The Site was subsequently rezoned from “GB” to “G/IC(10)” in April 2023 to take forward the decision of the Committee^[1]. According to the Notes of the OZP for “G/IC(10)” zone, ‘Columbarium’ is a Column 2 use, which requires planning permission from the Board.

- 1.2 According to the applicant, the proposed columbarium comprises three blocks of 1 to 2 storeys and has a total GFA of about 1,880 m², accommodating a total of 4,250 niches. The major development parameters of the proposed columbarium are summarised below. Relevant floor plans, sections, elevations, landscape master plan (LMP), landscape sections and elevation, artists’ renderings and photomontages are at **Drawings A-1 to A-11c**:

Major Development Parameters	
Site Area	About 2,250m ²
Total GFA	About 1,880m ²
Plot Ratio (PR)	About 0.84
Site Coverage (SC)	About 42%
No. of Blocks	3
No. of Storeys - Block 1 (columbarium) - Block 2 (for registration use) - Block 3 (for carparking, toilets and storage uses)	2 1 2
Maximum BH - Block 1 (columbarium) - Block 2 (for registration use) - Block 3 (for carparking, toilets and storage uses)	9.6m ^[2] and not more than 118.1mPD 5m ^[2] and not more than 113.5mPD 5.85m and not more than 114.35mPD
No. of Niches	4,250 niches ^[3] (comprising 2,125 single-urn niches and 2,125 double-urn niches)
Parking Spaces	

^[1] Under application No. Y/TW/15, the applicant proposed to provide not more than 3,000 niches and include ‘Columbarium’ under Column 2 use to allow flexibility for providing additional niches. On 25.6.2021, the Committee decided to stipulate ‘Columbarium’ under Column 2 use for better scrutiny of the development details (including the number of niches) and other technical aspects of the proposed columbarium development in the planning application stage under section 16 of the Town Planning Ordinance.

^[2] The floor to floor heights of respective blocks are subject to agreement of the Buildings Department at general building plan submission stage.

^[3] It includes 70 niches to be offered free of charge to local villagers with financial problem or for other charitable purpose. According to the applicant, this arrangement will be specified in the Management Plan to be submitted to the PCLB at licencing stage.

Major Development Parameters	
<ul style="list-style-type: none"> Private car Motorcycle 	4 (including 1 disabled parking space) 3
Loading /Unloading Spaces <ul style="list-style-type: none"> Light Goods Vehicle (LGV) Taxi lay-by 	1 1 (10m in length)

- 1.3 According to the submitted Traffic Impact Assessment (TIA), in order to cope with the future possible traffic demand, it is proposed to widen the local track between the Site and Lo Wai Road to a 2-lane carriageway of minimum 7.3m wide (**Drawing A-13**) with a 1.5m wide pedestrian footpath on the southern kerbside. The applicant also proposes to design, construct and maintain the widened local track at his own cost and to the satisfaction of relevant Government departments. 28-seater shuttle bus service will also be provided between the Site and the Mass Transit Railway (MTR) Tsuen Wan Station to cater for the additional traffic demand generated by the proposed development (**Drawing A-14**).
- 1.4 According to the Landscape Proposal (LP), edge plantings are proposed along the major portion of the site boundary, particularly at the western edge close to existing temporary structures to serve as a green buffer (**Drawing A-6**). Ornamental shrubs and groundcover plantings will also be planted within the Site. A vertical green wall with about 2.5m is also proposed at the columbarium block to further soften the building edge (**Drawings A-6, A-9 and A-10**). 9 out of 10 existing trees (not Old and Valuable Trees (OVT) nor protected species) within the Site will be affected by the proposed columbarium. Two of them will be transplanted within the Site and seven of them which are in poor to fair conditions will be felled (**Drawing A-12**). 25 new trees in heavy standard size are proposed to be planted within the Site (**Drawing A-6**).

Management Plan

- 1.5 To support the application, the applicant has proposed a number of operation and crowd management related arrangements in the draft Management Plan (**Appendix 6 of Appendix Ia**), which will be submitted to the Private Columbaria Licensing Board (PCLB) for approval. The major measures are summarised as follows:

Crowd Control Arrangement

- (a) the operating hours of the proposed columbarium will be from 9:00am to 5:30pm, 7 days a week. To mitigate additional traffic in the Lo Wai area, the proposed columbarium will be closed during Ching Ming and Chung Yeung festival days, the immediate Saturdays and Sundays before and after the festival days, as well as the public holidays in between (shadow periods). The applicant will notify all buyers one month in advance regarding the special arrangement during the shadow periods each year. The opening hours during Chinese New Year and Yu Lan Festival will also be flexibly arranged and announced to buyers separately;
- (b) a ‘visit-by-appointment’ system is proposed requiring visitors to make an appointment at least 2 working days in advance before the visit. Each worship session will be 60 minutes and visitors can reserve a maximum of two consecutive

worship sessions each time. Only owners of niches and their friends/relatives who have made appointments will be allowed to enter the Site. The proposed columbarium will not be open to other members of the public;

- (c) visitors will be encouraged to use public transport. Visitors requiring to visit by private vehicle (such as visitors with disabilities) must reserve parking spaces in advance, otherwise they will be refused to enter. Shuttle service will also be provided as mentioned in paragraph 1.3 above;

Operation Arrangement

- (d) no burning of incense, joss papers or candles will be allowed and no burning facilities will be provided within the Site; and
- (e) it is proposed to limit the selling of niches to not more than 500 per year such that the overall operation performance in accordance with the final Management Plan could be closely monitored by the PCLB. The selling limit could be reduced at any stage when necessary.

1.6 In support of the application, the applicant submitted the following documents:

- (a) Application form received on 22.8.2024 (Appendix I)
- (b) Further Information (FI) received on 19.3.2025 providing responses to departmental comments and a consolidated supplementary planning statement (SPS) ^[4] which supersedes the original SPS and all previous FI submissions (Appendix Ia)

1.7 On 4.10.2024 and 24.1.2025, 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 detailed in the consolidated SPS in **Appendix Ia**, which are summarised below:

- (a) The Site was previously occupied by a 2-storey columbarium named Wing Shing Yuen without planning permission. The applicant arranged settlement with previous buyers and demolished the 2-storey structure at the Site in February 2024;
- (b) the proposed private columbarium will increase supply of niches, alleviating the current shortage. It is in line with the Government policy of promoting cremation over burial. Also, the proposed columbarium can better utilise land resources and maximise the development potential of the limited land suitable for columbarium use;

^[4] Prior to the submission of the consolidated SPS, the applicants submitted four Further Information (FI) submissions (received on 28.10.2024, 4.12.2024, 28.1.2025 and 7.3.2025) to respond to departmental comments and revise relevant technical assessments. The FI received on 7.3.2025 was accepted and exempted from publication and recounting requirement while other FIs were accepted but not exempted from recounting requirement.

- (c) a large cluster of monasteries and temples with columbarium facilities is located near the Site. The proposed columbarium, which is a two-storey low-rise development, is compatible with the surrounding rural environment. The architectural and landscape design of the proposed columbarium blends seamlessly with nearby developments;
- (d) the proposed columbarium will comply with relevant Government departments' regulations and the Private Columbarium Ordinance (PCO) under the Food and Environmental Hygiene Department (FEHD) licensing procedure. The Management Plan, which includes a traffic and crowd management plan and operation arrangement (paragraph 1.5 refers), will be submitted to the PCLB for approval and future monitoring and enforcement purposes. The requirement of offering 70 niches free of charge to local villagers with financial problem or for other charitable purpose will be specified in the Management Plan to be submitted to the PCLB at licencing stage. Adequate parking and loading/unloading provisions will be made to the satisfaction of the Transport Department (TD); and
- (e) the proposed columbarium will not cause adverse environmental impacts. There is no active industrial chimney or any other air and odour emission source within 200m from the Site. Since the proposed columbarium development will not have openable windows, mechanical ventilation and air conditioning system with filters for particulate matter and gaseous pollutants will be installed. Noise nuisance from the proposed columbarium is not anticipated and necessary control measures for any potential noise sources will be implemented to meet relevant standards. Assessments conducted under previous application (paragraph 4.3 refers) indicated that the proposed columbarium will not adversely affect the local sewage, drainage or water supply system. Green building approaches will also be integrated into the design and operation to minimise environmental impacts.

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

The applicant is the sole “current land owner” of the private lots. Detailed information would be deposited at the meeting for Members’ inspection. For the Government land portion, the “Owner’s Consent/Notification” requirements are not applicable.

4 Previous Applications

- 4.1 The Site is the subject of two previous s.12A applications (No. Y/TW/9 and Y/TW/15) submitted by the same applicant of the current application (**Plan A-1**). Both applications proposed to rezone the Site from “GB” to “G/IC(10)” to facilitate the redevelopment of the 2-storey columbarium building with not more than 3,000 niches.
- 4.2 The s.12A application (No. Y/TW/9) was not agreed by the Committee on 17.2.2017 mainly due to failure to demonstrate that the proposed traffic management measures were practical, implementable and enforceable and the proposed columbarium development would not have adverse traffic impact on the surrounding area. Also, approval of the application would set an undesirable precedent for similar applications, and the cumulative impacts of the proposal would result in overstraining the traffic capacity hence causing adverse traffic problem to the area.

- 4.3 The s.12A application (No. Y/TW/15) was partially agreed by the Committee on 25.6.2021 on the grounds that the columbarium use might not be incompatible with the surroundings in terms of land use compatibility and development intensity. Relevant technical assessments on traffic, drainage, sewerage, water supply, visual and landscape aspects had also demonstrated the technical feasibility of the proposal. According to the indicative scheme of the application, a 2-storey private columbarium, with a GFA of not more than 1,900m² and BH of 2 storeys, would be developed with provision of not more than 3,000 niches. It was also proposed to stipulate 'Columbarium (with a total of not exceeding 3,000 niches, of which not less than 50 niches should be offered free of charge to local villagers with financial difficulties)' as a Column 1 use and also included 'Columbarium' use under Column 2 to allow flexibility for providing additional niches through Section 16 (s.16) planning application. However, having regard to the fact that the applicant's proposal for stipulating 'Columbarium' as a Column 1 use would generally deviate from the Master Schedule of Notes for the "G/IC" zone, the Committee decided to stipulate 'Columbarium' as a Column 2 use for better planning control. The development details and other technical aspects of the proposed columbarium development would be subject to the scrutiny of the Committee in the planning application stage under s.16 of the Town Planning Ordinance (the Ordinance).

5 Similar Applications

- 5.1 There are three similar s.16 applications for columbarium use in "G/IC" zones on the Tsuen Wan OZP (**Plan A-1**).
- 5.2 S.16 application No. A/TW/379 for proposed religious institution (i.e. temples, library study, museum and administration office, etc.) together with a 20,000-niche columbarium, ancillary retail shops, public coach park, access road and taxi rank within an area predominantly zoned "G/IC(3)" to the north of the existing Yuen Yuen Institute (YYI) was approved with conditions by the Board upon review on 12.1.2007, on the grounds that the proposed development might not be incompatible with the surrounding areas, scale of the proposed development was appropriate and no insurmountable impacts on various technical aspects were anticipated. The applicant proposed to provide designated dropping-off and picking-up spaces, turn-around area for vehicles and visitor gathering/waiting area within the application site, and demonstrated in the TIA that the proposed use would not create adverse traffic impact on Lo Wai Road. The general building plans for the proposed development were approved by the Building Authority from 2009 to 2011. The building works have not been commenced yet.
- 5.3 S.16 application No. A/TW/530 for regularisation of columbarium use at Western Monastery (WM) (zoned "G/IC(4)") was approved with conditions by the Committee on 6.5.2022, on the grounds that the columbarium might not be incompatible with the surrounding GIC uses and no insurmountable traffic impact was anticipated. The application premises was about 280m² in area and comprised about 11,046 niches. Under the application, the applicant proposed to provide shuttle bus service between MTR Tsuen Wan West Station and WM, as well as taxi lay-bys within WM during the festival periods, and demonstrated in the TIA that the columbarium use would not induce insurmountable traffic impact on Lo Wai Road. License application is being processed by the PCLB.

- 5.4 S.16 application No. A/TW/535 for columbarium use at Tung Lum Nien Fah Tong (TLNFT) zoned “G/IC(8)” was approved with conditions by the Committee on 26.1.2024 on similar grounds as application No. A/TW/530. Under the application, the application premises was about 295.38m² in area and comprised 6,052 niches. The applicant proposed to provide shuttle bus service between MTR Tsuen Wan Station and TLNFT, implement ‘visit-by-appointment’ arrangement and temporary traffic arrangement to restrict vehicles entering the application site during the festival periods and their shadow periods. License application is being processed by the PCLB.

6 The Site and Its Surrounding Areas

6.1 The Site:

- (a) is located at the foothill of Fu Yung Shan at the northern fringe of Tsuen Wan New Town (**Plan A-1**);
- (b) is connected to the upper section of Lo Wai Road through a local track on Government land between the Site and Lo Wai Road, which is share-used by the adjacent developments (**Plans A-2 and A-5**); and
- (c) was previously occupied by a columbarium namely “Wing Shing Yuen” without planning permission and the application for specified instrument was refused under PCO on 24.5.2021 (paragraph 8.1.1(b) refers). That columbarium was subsequently ceased operation and the previous 2-storey columbarium building at the Site was demolished. Currently, the Site is largely vacant with some formed platforms, statues and temporary structures remained therein (**Plans A-6 and A-7**).

6.2 The surrounding areas have the following characteristics:

- (a) the foothill of Fu Yung Shan is characterised by a temple/monastery cluster (including YYI, WM) and their associated social welfare facilities (such as Yuen Yuen Home for the Aged and Yuen Yuen Care and Attention Home for the Aged) to the north of the Site (**Plan A-2**) that forms part of the Fu Yung Shan/Lo Wai ‘monastery belt’ (**Plans A-1 and A-1a**);
- (b) according to the information provided by FEHD, there are nine columbaria for specified instrument applications under PCO within the Fu Yung Shan and Lo Wai clusters (**Plan A-1a**). These columbaria include YYI, WM and TLNFT which have fulfilled planning related requirement under PCLB, and other columbaria which have not yet fulfilled planning related requirement, including Po Kwong Yuen, Tung Kwok Shim Lam and Tung Po Tor Monastery within the Lo Wai cluster, and Chuk Lam Sam Yuen, Nam Tin Chuk and Wing Mau Yuen within the Fu Yung Shan cluster;
- (c) to the southeast and south across Sam Dip Tam (a watercourse abutting the eastern boundary of the Site) is a number of small-scale temples/monasteries in individual “G/IC(8)” zones (**Plans A-2 and A-3**);

- (d) two village clusters (i.e. Lo Wai and Sai Lau Kok Tsuen / Pak Tin Pa Tsuen / Muk Min Ha Tsuen) zoned “V” are located in the lower foothill to the south of the Site abutting Cheung Pei Shan Road (**Plan A-1**); and
- (e) green minibus servicing between the Site and Tsuen Wan Town Centre via Lo Wai Road is available (**Plan A-8**).

7 Planning Intention

The planning intention of the “G/IC(10)” is intended primarily for the provision of columbarium. Some other community and social welfare facilities may be permitted on application to the Board.

8 Comments from Relevant Government Departments

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

Columbarium Policy and Licensing

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

- (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 Ordinance (Cap. 131) and other requirements prescribed in the PCO or specified by the PCLB, including land-related, building-related, right to use the columbarium premises, deed of mutual covenant (if applicable), fire safety, etc. 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 the holding capacity for visitors and admission control, the traffic and public transport arrangement or management, crowd management, security management, manpower deployment on peak grave sweeping days or periods and other days or periods, a contingency plan in the event of fire or other emergency situations, etc. 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 TD, the Police Force, the Fire Services Department (FSD) and 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; and

- (b) according to our record, the application for specified instruments of the previous columbarium situated at the Site was refused on 24.5.2021. The PCLB did not receive any new application of specified instruments concerning the Site thereafter.

Land Administration

8.1.2 Comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (DLO/TW&KT, LandsD):

- (a) no objection to the application;
- (b) the Site comprises the lots and adjoining Government land. The proposed columbarium development contravenes the existing lease conditions governing the lots. Besides, no permission has been given for the proposed development on the adjoining Government land. The applicant also proposed to widen an existing local track branching off from Lo Wai Road. The proposed access road falls outside the Site boundary and is on Government land. Neither has permission been given to carry out works to effect the road widening proposal. In the event that the s.16 application is approved by the Board, the owner of the lots is required to apply to his office for a land exchange for the implementation of the columbarium development. It must be emphasised that the proposal will only be considered upon receipt of the valid application from the owner of the lots. There is no guarantee that the land exchange application involving adjoining Government land, if received by LandsD, will be approved and his office reserves comment on such. The land exchange application involving adjoining Government land will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that the application is approved, it will be subject to such terms and conditions as the Government shall deem fit to do so, including, among others, the payment of premium and administrative fee;
- (c) there is no guarantee that the applicant's proposal including but not limited to the site layout, tree felling proposal, road widening proposal will be accepted by LandsD irrespective of whether planning permission will be given or not. Details will be examined and he reserves his position to comment on the proposal at a later stage;
- (d) the site layout and information including the site area figures of the lots and adjoining Government land have not been checked and are subject to verification which will be addressed when handling the land exchange application. The site area and site boundary will be further reviewed and would be subject to changes;
- (e) the ownership of the proposed surrender lots will be examined when a land exchange application is accepted to be proceeded. The lot owner is obliged to prove his title to the private lots concerned if the land exchange is pursued; and

- (f) he reserves his comment on the proposed schematic design which would only be examined in detail during the building plan submission stage upon completion of the land exchange application. There is no guarantee that the schematic design as presently proposed in the subject s.16 application will be acceptable under lease.

Traffic

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

no in-principle objection to the application from traffic engineering and transport operation point of view with the following conditions:

- (a) according to the submitted TIA, the applicant undertakes to widen the local track between the Site and Lo Wai Road to a 2-lane carriageway of minimum 7.3m (**Drawing A-13**) with a 1.5m wide pedestrian footpath on the southern kerbside at his own cost. The following operation and crowd management measures are also proposed by the applicant: (i) the closure of the proposed columbarium during Ching Ming and Chung Yeung festival days, the immediate Saturdays and Sundays before and after the festival days, as well as the public holidays in between; (ii) the adoption of “visit-by-appointment” system to control the number of visitors and to reserve parking spaces for visitors; (iii) the provision of 28-seater shuttle bus service between the Site and MTR Tsuen Wan Station (the frequency is subject to further review); and (iv) limiting the selling of niches to not more than 500 per year; and
- (b) as proposed by the applicant, the proposed operation and crowd management measures would be included in the management plan to be submitted to PCLB during licensing stage.

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

- (a) no comment on the application from highway maintenance point of view; and
- (b) it is noted that the applicant will improve the vehicular access to meet the current HyD standards and relocate the lamppost No. W3725 (**Drawing A-1**) and will submit the design proposal in the detail design stage for HyD's approval.

Environment

8.1.5 Comments of the Director of Environmental Protection (DEP):

- (a) no objection to the application;
- (b) there is no environmental complaint against columbarium use at the Site in recent years;

- (c) according to the applicant, burning activity will not be allowed at the Site. As such, no adverse air quality is expected due to the operation of the proposed columbarium. The columbarium will also be closed during Ching Ming and Chung Yeung festival days, the immediate Saturdays and Sundays before and after the festival days, as well as the public holidays in between. No adverse environmental impact due to additional traffic is expected during the peak seasons; and
- (d) it is also noted that a mechanical ventilation and air conditioning system equipped with filters for particulate matter and gaseous pollutants will be installed to ensure compliance with relevant air quality criteria.

Urban Design and Landscape

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

Urban Design and Visual

- (a) The Site, with an area of about 2,250m², is located at a hilly area surrounded by a number of temples and monasteries. The existing developments in the area are generally with building heights ranging from 1 to 4 storeys, except the WM to the northeast of the site with a building height of 12 storeys;
- (b) The proposed columbarium does not involve additional BH beyond that is permitted in the OZP. Notwithstanding the slight increase in building height from the previous approved rezoning Application No. Y/TW/15 from 117.4mPD to 118.1mPD, the proposed development remains low-rise in nature. Given the site context and as illustrated in the sections, artists' renderings (**Drawings A-10**) and photomontages (**Drawings A-11a to A-11c**), the proposed development shall be able to blend in with the surrounding rural setting;

Landscape

- (c) no comment on the application from landscape planning perspective;
- (d) the Site is situated in an area of urban peripheral village landscape character predominated by "GB", "Residential (Group B)8", and GIC developments. According to the LMP (**Drawings A-6**), water feature, garden, edge planting verges, vertical greening and zen courtyard are proposed on the ground floor of the proposed development; and
- (e) it is noted from the LP that there are 10 existing trees within the Site, including one tree (T01) to be retained in-situ, two trees to be transplanted and seven trees to be felled (**Drawing A-12**). For new tree planting, 25 trees in heavy standard size will be provided (**Drawing A-6**). No OVT or protected species has been identified within the Site.

8.1.7 Comments of the Chief Architect/Advisory and Statutory Compliance Division, Architectural Services Department (CA/ASC, ArchsD):

- (a) no comment from architectural and visual impact point of view; and
- (b) it is noted that the proposed columbarium mainly consists of a 2-storey columbarium building and two 1 to 2 storey ancillary buildings. From the photomontages provided (**Drawings A-11a to A-11c**), it appears that the proposal may not be incompatible with the surrounding rural setting.

Building Matters

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

- (a) no objection to the application; and
- (b) it is noted that 3 structures are proposed. Before any new building works (including containers / open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out at the Site, prior approval and consent of the Building Authority should be obtained, otherwise they are unauthorised building works under the Buildings Ordinance (BO). An authorised person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.

Fire Safety

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

no objection to the application subject to water supplies for firefighting and fire service installations being provided to the satisfaction to the D of FS at general building plan submission stage.

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

- (a) Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (d) Project Manager (West), CEDD;
- (e) Chief Engineer/Lighting (CE/Lighting), HyD;
- (f) Commissioner of Police (C of P);
- (g) Director of Agriculture, fisheries and Conservation (DAFC); and
- (h) District Officer (Tsuen Wan), Home Affairs Department (DO(TW), HAD).

9 Public Comments Received During Statutory Publication Periods

9.1 During the statutory publication periods, a total of 33 public comments were received, including 27 supportive comments (**Appendix IIa**) from individuals, village

representatives / residents of Lo Wai and local residents concern group, two objecting comments (**Appendix IIb**) from individuals, and four comments providing suggestions/views on the application (**Appendix IIc**) from ‘三疊潭村居民關注組’.

Supporting Views (27)

9.2 The supporting comments are summarised as follows:

- (a) the proposed development could help alleviate the shortage of private columbaria in Hong Kong and accommodate the demand for niches from Lo Wai villagers;
- (b) the scale and proposed use of the proposed development are compatible with the religious institutions in the surroundings and would not pose adverse impacts on the community. The mitigation measures proposed by the applicant can minimise the traffic and environmental impacts of the proposed development; and
- (c) the proposed development is supported by the residents of Lo Wai and it can provide job opportunities to local residents. The applicant has negotiated with the villagers of Lo Wai and agreed to offer free niches to local villagers in need.

Objecting Views (2)

9.3 The objecting comments are summarised as follows:

- (a) the 2-storey structure previously built on the Site was operated as columbarium illegally without obtaining necessary permissions from BD and LandsD. The selling of niches was suspended due to non-compliance with lease conditions;
- (b) with the approval of the provision of 3,000 niches in the previous rezoning application, the current application, which proposes 4,250 niches, would encourage other columbaria to apply for an increase in niches; and
- (c) the proposed development will cause traffic congestion on Lo Wai Road, especially during Ching Ming and Chung Yeung Festivals, which will bring inconvenience to nearby residents, as Lo Wai Road is the sole access road to Tsuen Wan Town Centre.

Providing Suggestions/Views (4)

9.4 The public comments providing suggestions/views on the application are summarised as follows:

- (a) more public transport services should be provided to accommodate the additional traffic demand posed by the proposed development. The environmental nuisance generated during the construction stage should be treated properly to minimise the disturbance to residents; and
- (b) the proposed management and operation measures should be included as

approval conditions for licence application. Relevant authority should also be responsible for monitoring whether the measures proposed by the applicant are implemented and establish mechanism to allow public to express opinions during the operational stage of the proposed development.

10 Planning Considerations and Assessment

- 10.1 The current application is for the proposed columbarium in the “G/IC(10)” zone with a maximum BH of not more than 2 storeys and maximum GFA of about 1,880m². According to the Notes of the OZP for the “G/IC(10)” zone, development within the zone is subject to maximum GFA of 1,900m² and maximum BH of 2 storeys including car park. ‘Columbarium’ is a Column 2 use, which requires planning permission from the Board. According to the applicant, a total of 4,250 niches will be provided in the proposed columbarium, among which 70 niches will be offered free of charge to local villagers with financial problem or for other charitable purposes, which will be specified in the management plan to be submitted to PCLB.

Planning Intention and Land Use Compatibility

- 10.2 The Site is located at the foothill of Fu Yung Shan in the northern fringe of Tsuen Wan New Town. The planning intention of the “G/IC(10)” zone is intended primarily for the provision of columbarium. The Fu Yung Shan area, except the villages at the lower foothill along Tsuen Kam Interchange and Cheung Pei Shan Road, is predominated by a number of monasteries/temples and elderly homes (**Plans A-1 to A-3**), forming the ‘monastery belt’ in Lo Wai and Fu Yung Shan. The Site is also away from the Lo Wai and San Tsuen village clusters to the southeast and southwest respectively by about 100m to 120m (**Plan A-3**). The columbarium use under application is in line with the planning intention of the “G/IC(10)” zone and is compatible with the ‘monastery belt’. The proposed columbarium development also conforms with the development restrictions of the “G/IC(10)” zone.
- 10.3 Under the previous s.12A application (No. Y/TW/15), the applicant proposed to provide not more than 3,000 niches and include ‘Columbarium’ under Column 2 use to allow flexibility for providing additional niches. On 25.6.2021, the Committee decided to stipulate ‘Columbarium’ under Column 2 use for better scrutiny of the development details and other technical aspects of the proposed columbarium development in the planning application stage under s.16 of the Ordinance. In the current application, the proposed columbarium development, comprising a total of 4,250 niches and supported by technical assessments, is considered not unacceptable by relevant Government departments.

Urban Design, Visual and Landscape

- 10.4 The proposed columbarium involves the construction of three building blocks with BHs of not more than 2 storeys. As illustrated in the submitted artists’ renderings (**Drawing A-10**) and photomontages (**Drawings A-11a to A-11c**), the proposed development is generally in line with the BHs ranging from 1 to 4 storeys in the area. Various landscape treatments such as edge plantings, vertical greening and new trees planting are also proposed. According to the LMP (**Drawing A-6**) and the tree survey plan (**Drawing A-12**), among the 10 existing trees within the Site, one tree will

be retained, two trees will be transplanted and remaining seven trees which are in poor to fair conditions will be felled. 25 trees in heavy standard size are proposed to be planted within the Site. CTP/UD&L of PlanD considers that the proposed development is low-rise in nature and will be able to blend in with the surrounding rural setting, and has no comment from the landscape planning perspective.

Traffic and Crowd Management

- 10.5 At present, the Site is connected to the upper section of Lo Wai Road through a local track on Government land. The applicant has proposed to widen the local track to a 2-lane carriageway of minimum 7.3m wide (**Drawing A-13**) with a 1.5m wide pedestrian footpath on the southern kerbside. Besides, to address potential traffic and crowd management concerns, the applicant proposes a number of measures as indicated in paragraph 1.5 above. The submitted TIA has demonstrated that the columbarium would not induce insurmountable traffic impact onto the surrounding road network during operation stage with the implementation of the aforesaid arrangements and measures. C for T has no objection to the application from traffic engineering and transport operation points of view. C of P has no comments on the application. DFEH indicates that a management plan including the crowd and traffic management measures should be submitted to PCLB for approval. PCAO will oversee the monitoring of the licensee's implementation of the approved management plan in coordination with other concerned departments.

Other Technical Aspects

- 10.6 DEP has no objection to the application and there is no environmental complaint against columbarium use at the Site in recent years. Other Government departments including HyD, BD, FSD, DSD and WSD have no objection to/adverse comment on the application.

Similar Applications

- 10.7 There are three similar applications approved with conditions by the Committee / upon review by the Board for columbarium use in the 'monastery belt' including the Fu Yung Shan and Lo Wai clusters (see paragraph 5 above). Approval of the current application is in line with the Committee / Board's previous decisions for similar applications given the land use compatibility and acceptable traffic and crowd management.

Public Comments

- 10.8 The supporting comments are noted. Regarding the objections/suggestions/views raised by the public concerning the possible adverse traffic and environmental impacts, the monitoring of the future management and operation issues, as well as the illegal operation of the previous columbarium on the Site, the concerned planning assessments above and departmental comments in paragraphs 8 are relevant.

11 Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the public comments mentioned in paragraph 9 above, PlanD 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 28.3.2029, 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 condition of approval and advisory clauses are suggested for Members' reference:

Approval condition

the total number of niches concerning the columbarium use at the application site should not exceed 4,250.

Advisory clauses

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

- 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 received on 22.8.2024
Appendix Ia	FI Received on 19.3.2025 Providing Responses to Departmental Comments and a Consolidated SPS
Appendices IIa to IIc	Public Comments Received by the Board
Appendix III	Recommended Advisory Clauses
Drawings A-1 to A3	Floor Plans
Drawings A-4 to A5	Section and Elevation Diagrams
Drawing A-6	Landscape Master Plan
Drawings A-7 to A8	Landscape Sections
Drawing A-9	Landscape Elevation of the Vertical Green Wall
Drawing A-10	Artists' Renderings
Drawings A-11a to 11c	Photomontages

Drawing A-12	Tree Survey Plan
Drawing A-13	Proposed Traffic Layout
Drawing A-14	Proposed Preliminary Shuttle Service Routing
Plan A-1	Location Plan
Plan A-1a	Location of Columbarium which have submitted applications for Specified Instruments to PCLB
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4 to A-7	Site Photos
Plan A-8	General Routing of Public Transport to/from the Site

**PLANNING DEPARTMENT
MARCH 2025**