

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/TM/575**

- Applicant** : Alliance Top Limited represented by Centaline Surveyors Limited
- Premises** : Ground floor (G/F) of an existing building at Lot 792 (Part) in D.D. 131 and adjoining Government Land (GL), No. 145 Tsing Shan Tsuen, Tuen Mun, New Territories
- Floor Area** : About 75m<sup>2</sup>  
(the existing building falls slightly on GL of about 0.94m<sup>2</sup> or 1.25% of the building footprint)
- Lease** : Building Lot subject to the salient condition of no grave shall be made on, nor shall any human remains be interred in, or deposited on the lot either in earthenware jars or otherwise
- Plan** : Draft Tuen Mun Outline Zoning Plan (OZP) No. S/TM/36  
(currently in force)  
  
Approved Tuen Mun OZP No. S/TM/35  
(at the time of submission)
- Zoning** : “Government, Institution or Community” (“G/IC”)  
*[Restricted to a maximum building height of three storeys excluding basement floor(s)]*  
(zoning of the site where the premises located remains unchanged)
- Application** : Columbarium

**1. The Proposal**

- 1.1 The applicant seeks planning permission for regularisation of the columbarium use at the application premises (the Premises) located at the G/F of an existing two-storey building (the Building) in Tsing Shan Tsuen (**Plan A-1**). According to the Notes of the OZP, ‘Columbarium’ use in the “G/IC” zone requires planning permission from the Town Planning Board (the Board).
- 1.2 According to the applicant, the columbarium is confined to the G/F of the Building while the 1/F is not the subject of the current application and is/will be left vacant. A total of 2,347 niches, including 18 sold niches and 2,329 unsold niches are provided in two halls of the Premises. The floor plans of the columbarium submitted

by the applicant are at **Drawings A-1 to A-3**. The status and types of these niches are as follows:

<b>Status/Types of Niches</b>	<b>Single-Urn Niches</b>	<b>Double-Urn Niches</b>	<b>Total</b>
<b>Sold</b>	16	2	<b>18</b>
<i>Occupied</i>	5	2	<b>7</b>
<i>Unoccupied</i>	11	-	<b>11</b>
<b>Unsold</b>	2,329	-	<b>2,329</b>
<b>Total</b>	<b>2,345</b>	<b>2</b>	<b>2,347</b>

- 1.3 The columbarium is accessible by a local footpath connecting to Yeung Tsing Road. To minimise the potential traffic impact generated by the columbarium, traffic and crowd management measures are proposed by the applicant. According to the submitted Traffic Impact Assessment (TIA) report and Management Plan, the major proposed measures include closure of the columbarium during Ching Ming Festival and Chung Yeung Festival and their shadow periods (i.e. two weeks before and two weeks after the festival days) and adoption of a ‘visit-by-appointment’ arrangement outside the festival days and their shadow periods. No parking space will be provided for visitors who will be encouraged to visit the columbarium by public transport.
- 1.4 According to the Environmental Assessment (EA) report submitted by the applicant, no adverse air quality impact is anticipated from the columbarium as there will be no joss paper and incense burning activity in the columbarium. No outdoor public announcement system will be installed for the columbarium and all religious/worshipping activities will be held inside the columbarium to minimise potential noise impact. Portable chemical toilets will be provided to replace the existing toilets and the sewage generated from these toilets will be stored and regularly collected by a licensed contractor employed by the applicant.
- 1.5 In support of the application, the applicant submitted the following documents:
- (a) Application form received on 14.6.2022 **(Appendix I)**
  - (b) Supplementary Information (SI) received on 16.6.2022 and 17.6.2022 **(Appendix Ia)**
  - (c) Further Information (FI) received on 22.2.2023 providing a consolidated report **(Appendix Ib)**  
*[ Exempted from publication and recounting requirements ]*  
  
*(Supporting reports of TIA and EA received on 14.6.2022 as well as FIs received on 10.10.2022, 8.11.2022, 5.12.2022, 4.1.2023 and 31.1.2023 were superseded and not attached)*
- 1.6 On 12.8.2022 and 3.2.2023, the Rural and New Town Planning Committee (the Committee) of the Board decided to defer making a decision on the application as requested by the applicant to allow time for the applicant to address departmental comments. After the deferrals, the applicant has made a number of FIs as detailed in paragraph 1.5 above. The application is scheduled for consideration by the Committee at this meeting.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in **Appendices Ia** and **Ib**, which are summarised as follows:

- (a) The applicant has submitted applications to the Private Columbaria Licensing Board (PCLB) for licence, exemption and temporary suspension of liability (TSOL).
- (b) The Premises involve both private land and government land. Consent from the private land owner has been obtained for the current application. Regarding the concerned Government land, the applicant has also submitted application to the Lands Department for Short Term Tenancy which is under processing.
- (c) The columbarium can provide niches to help meet the high demand for niches in Hong Kong. The columbarium use is compatible with the surrounding developments which are predominantly religious institutions and columbaria. A number of planning applications for columbarium use have been approved in the area.
- (d) The local access connecting the Premises to Yeung Tsing Road could serve as a fire safety escape route. If the Fire Services Department (FSD) requires any fire service installations, the applicant is ready to accept and comply with relevant approval conditions. It is anticipated that the columbarium will not induce any fire safety issue.
- (e) The columbarium will not create adverse traffic and environmental impacts.

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

The applicant is not a ‘current land owner’ but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Section 16 of the Town Planning Ordinance (TPB-PG No. 31A) by obtaining consent of the ‘current land owner’. Detailed information would be deposited at the meeting for Members’ inspection. The “Owner’s Consent/Notification” Requirements under TPB-PG No. 31A are not applicable to the GL portion.

## **4. Town Planning Board Guidelines**

The Town Planning Board Guidelines for ‘Application for Development/ Redevelopment within “G/IC” zone for Uses other than Government, Institution or Community (GIC) Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 16) is relevant to this application. The relevant assessment criteria are as follows:

- (a) as a general rule, for sites zoned “G/IC”, a major portion of the proposed development should be dedicated to GIC and other uses including public open space. Otherwise, the proposed development is considered to constitute a significant departure from the planning intention of the “G/IC” zone and, unless

with very strong justifications and under special circumstance, planning permission for such development would not be granted;

- (b) in general, sites zoned “G/IC” are intended to be developed or redeveloped solely for GIC uses unless it can be established that the provision of GIC facilities would not be jeopardised;
- (c) the proposed development should be compatible in land-use terms with the GIC uses on the site, if any, and with the surrounding areas. The scale and intensity of the proposed development should be in keeping with that of the adjacent area. The proposed scale and design should have regard to the character and massing of the buildings in the surrounding areas and should not cause significant adverse visual impact on the townscape of the area;
- (d) the proposed development should be sustainable in terms of the capacities of existing and planned infrastructure. There should be adequate provision of parking and loading/unloading facilities to serve the proposed development in accordance with the Hong Kong Planning Standards and Guidelines and to the satisfaction of the Transport Department (TD). Adequate vehicular access arrangements should be provided to the satisfaction of the TD; and
- (e) the proposed development should not cause, directly, or indirectly, the surrounding areas to be susceptible to adverse environmental impacts, otherwise adequate environmental mitigation, monitoring and audit measures must be provided.

## 5. **Background**

### *Tsing Shan Tsuen Cluster*

According to the information provided by the Food and Environmental Hygiene Department (FEHD), 13 private columbaria in Tsing Shan Tsuen (the cluster area) (**Plan A-1a**) have submitted applications for Specified Instruments under the Private Columbaria Ordinance (PCO)(Cap. 630). Out of these 13 private columbaria, three have already been refused for their specified instruments applications. For the remaining ten, seven columbaria have obtained planning approval and three are yet to obtain planning permission from the Board. FEHD advised that an overall of about 17,000 niches in the cluster area (all on the western side of Yeung Tsing Road) have already been sold. The aggregated niche data are compiled based on the niche information provided by the private columbaria in 2017 but yet to be verified by FEHD.

## 6. **Previous Application**

The Premises is not the subject of any previous application.

## 7. **Similar Applications**

- 7.1 There are 16 similar applications for columbarium use within the same “G/IC” zone. Amongst the applications, 11 of them relating to six columbaria have been approved with conditions and five of them were rejected by the Committee/Board

on review. Details of these similar applications are summarised in **Appendix II** and their locations are shown in **Plan A-1**.

#### Approved Columbaria

- 7.2 The six approved columbaria are Filial Park (思親公園)<sup>1</sup> (No. A/TM/255, 306, 316, 373 and 527 (for additional niches)), Fat Yuen Ching Shea (佛緣精舍) (No. A/TM/398), Shan Yuan (善緣) (No. A/TM/387 and 437), Shan Guo (善果) (No. A/TM/441), Sha Law Ching Shea (娑羅精舍) (No. A/TM/537) and Tai Hak Tin Temple in Lin Chi Ching Yuen (蓮池淨苑 - 大黑天殿) (No. A/TM/541). They were approved with conditions by the Committee/the Board on review in 2000 to 2021 on similar considerations including not incompatible with the surrounding land uses; generally in line with the planning intention of the “G/IC” zone; and unlikely to have any significant adverse traffic, visual or environmental impacts.

#### Rejected Columbaria

- 7.3 The three rejected columbaria are Sin Sam Tong (善心堂) (No. A/TM/434), a site located to the east of Yeung Tsing Road (No. A/TM/531) and a site to the west of Filial Park (No. A/TM/545). Application No. A/TM/434 was rejected by the Committee on 18.5.2012 for reasons of incompatibility with the adjacent developments; failure to demonstrate the pedestrian and vehicular traffic impacts could be satisfactorily addressed; and adverse environmental and landscape impacts on the surrounding areas. Application No. A/TM/531 was rejected by the Committee on 20.9.2019 as the applicant failed to demonstrate that the proposed columbarium would not cause adverse traffic impact on the surrounding area and the proposed Crowd Management Plan can be effectively implemented; the proposed columbarium is not in line with the TPB PG-No. 16 in that it is not compatible with the surrounding GIC and residential uses; and setting undesirable precedent. Application No. A/TM/545 was rejected by the Committee on 15.9.2020 as the applicant failed to demonstrate that the proposed columbarium development would not result in adverse impacts on traffic and pedestrian circulation as well as pedestrian safety in the area. The other two rejected applications (i.e. Applications No. A/TM/415 and A/TM/465) were rejected on 8.6.2012 on review and 21.8.2015 respectively but subsequently the columbaria were approved under Applications No. A/TM/441 and A/TM/541 as mentioned in paragraph 7.2 above.

## **8. The Premises and Its Surrounding Areas (Plans A-1 to A-4c)**

### **8.1 The Premises is:**

- (a) located on the G/F of an existing two-storey building and being used as a columbarium without valid planning permission;
- (b) located at the western portion of a larger paved site with a structure located to the immediate northeast of the Building currently used for staff and visitors’ toilets; and

---

<sup>1</sup> Application No. A/TM/255 was the first application approved by the Committee for the Filial Park columbarium development with 5,000 niches on 28.1.2000. Subsequently, Applications No. A/TM/306, A/TM/316 and A/TM/373 were related to minor amendments to the approved scheme.

- (c) accessible by a footpath connecting Yeung Tsing Road (**Plan A-2**).

8.2 The surrounding areas have the following characteristics (**Plans A-1 to A-3**):

- (a) the area is predominated by monasteries/temples and other religious institutions with scattered residential dwellings and unused/vacant land;
- (b) to its north, west and south are some monasteries/religious institutions such as Yuen Ming Monastery (圓明寺), Yan Chi Ching Yuen/Yan Chi Monastery (仁慈淨苑/仁慈寺) and Ling Yim Buddhism Institution (楞嚴學處) mixed with residential dwellings (**Plan A-2**);
- (c) to its further south and southwest are some columbaria with valid planning permissions including Filial Park (思親公園), Shan Guo (善果), Shan Yuen (善緣), Sha Law Ching Shea (娑羅精舍), Fat Yuen Ching Shea (佛緣精舍) and Ling Chi Ching Yuen (Tai Hak Tin Temple) (蓮池淨苑-大黑天殿); and
- (d) to its east and further southeast across Yeung Tsing Road are two secondary schools (Yan Chai Hospital No. 2 Secondary School and Ju Ching Chu Secondary School), Independent Commission Against Corruption (ICAC) Training Camp and two special schools (Hong Chi Morninglight School and Hong Chi Morninghill School).

## 9. **Planning Intention**

The planning intention of “G/IC” zone is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.

## 10. **Comments from Relevant Government Departments**

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

### **Licencing Requirements**

- 10.1.1 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 Town Planning Ordinance (TPO) 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 traffic and public transport arrangement or management, crowd management, manpower deployment on peak grave sweeping days or periods and other days or periods, 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, Hong Kong Police Force, FSD and Planning Department. If a licence application is approved by 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.

- (b) Regarding the private columbarium named Alliance Top Limited (統光有限公司) at the Premises, a set of the specified instrument (SI) application (viz. a licence, exemption and temporary suspension of liability) in respect of a pre-cut-off columbarium was received by PCLB and the applications are being processed by the PCAO. The PCLB issued the notification to the applicant on 14.1.2022, informing the applicant that the TSOL application of the above private columbarium has been approved in principle with a validity period of 3 years from 14.1.2022 to 13.1.2025.
- (c) It was preliminary noted that the total number of 2,347 niches provided by the applicant apparently tallies with that provided in the specified instrument application submitted to the PCLB. Having said that, PCAO is still in the course of detailed checking of the niche information to verify its accuracy.
- (d) As regards the applicant's proposed measures of 'not to open the columbarium development during Ching Ming and Chung Yeung Festival days and their shadow periods' and 'visit-by-appointment' arrangement, the PCAO will have no comments provided that:
  - (i) the applicant undertakes to lock up the columbarium during the proposed closure periods;
  - (ii) the proposed period of closure of the columbarium is clearly stated in the proposal;
  - (iii) as some niches in the columbarium have already been sold, the applicant undertakes to:
    - inform the affected parties (including the purchasers of the sold niches) in writing that these measures are proposed by the applicant and will be implemented if its planning and licence application are approved; and

- remind the concerned parties by letter, email, fax, SMS and any possible notification means of the total closure of the columbarium during specified periods at least one month in advance of each closure period; and
- (iv) for future buyers of the interment rights of niches in the concerned columbarium, the applicant undertakes to state clearly in the sales agreements that the columbarium will be completely closed during the specified periods and a ‘visit-by-appointment’ arrangement will be adopted and explain these arrangements to the potential buyers before entering into the sales agreements.
- (e) If the PCLB decides to approve the licence application, the approved management plan will be included in the licensing conditions for the licensee’s observance. Private Columbaria Enforcement Team officers of FEHD would conduct inspections to licensed private columbaria in the period of Ching Ming and Chung Yeung Festivals and their shadow periods. Any breach of licensing condition detected, verbal warning, written warning or enforcement notice may be issued to the licensee for rectification. A person holding a specified instrument must comply with the conditions imposed on the specified instrument. Otherwise, he/she has to bear one or more than one of the consequences under sections 40 and 64 of the PCO.

### **Land Administration**

#### **10.1.2 Comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD):**

- (a) The columbarium use on the Lot does not comply with the lease conditions governing the Lot, while no permission has been given for the occupation of the adjoining GL for such use and erection of structure.
- (b) Regularisation applications in respect of the said breach of lease conditions and unlawful occupation of the adjoining GL were previously submitted by the registered owner of the Lot, but without detailed proposal. If the Board approved the application and the PCLB considers all related requirements (except land-related requirements) are complied with, the registered owner needs to re-submit the regularisation applications together with the detailed proposal to LandsD for implementation of the proposal. However, there is no guarantee that the applications will be approved and he reserved his comments on such. In the event that the applications are approved, they would be subject to such terms and conditions as the Government shall deem fit, including among others, payment of rent, waiver fee, premium and administrative fee.
- (c) Structures including but not limited to pailou (牌樓), staircase, fences and canopies were erected on a substantial portion of Government land adjacent to the Premises without permission.



Private cars were found parked thereon. All rights of the Government are reserved.

- (d) The Premises should only be accessible through a piece of Government land branching off from Yeung Tsing Road. No right of way has been granted to the applicant and/or the registered owner of the Lot. There is no guarantee on any right of way to the Premises.
- (e) Irrespective of whether planning permission will be given, LandsD reserves the right to take any enforcement action and land control action as may be considered appropriate should any breach of lease conditions and unlawful occupation of Government land be detected.

### **Traffic**

#### 10.1.3 Comments of the Commissioner for Transport (C for T):

The columbarium will be closed at Ching Ming and Chung Yeung Festival days and their shadow periods (i.e. two weeks before and two weeks after the festival days). In addition, the columbarium will adopt 'visit-by-appointment' arrangement to control the numbers of visitors. According to the TIA, with the implementation of these arrangement and measures, the traffic impact due to the applied development would be minimal. He has no comment on the application from traffic engineering viewpoints as long as the arrangement and measures could be implemented and strictly complied with.

#### 10.1.4 Comments of the Commissioner of Police (C for P):

- (a) He has no objection to the application.
- (b) No parking facility should be provided whilst the visitors should be encouraged to travel to and from the columbarium by public transport.

### **Environment**

#### 10.1.5 Comments of the Director of Environmental Protection (DEP):

She has no objection to the application in view that the applicant confirms burning of joss paper offerings and incense sticks would be prohibited inside the columbarium, outdoor public announcement system will not be installed, all religious activities would be conducted inside the columbarium, portable chemical toilets will be used to replace the existing toilets, and 'visit-by-appointment' arrangement and closure of the columbarium during Ching Ming and Chung Yeung Festivals and their shadow periods will be adopted.

### **Building Matters**

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

- (a) There is no record of approval by the Building Authority (BA) for the existing structures at the Site and the BD is not in a position to offer comments on their suitability for the use related to the application.
- (b) If the existing structure is New Territories Exempted House (NTEH) under the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121 or the previous Cap. 322), DLO/TM should be in a better position to comment on the application.
- (c) Advisory comments are detailed in **Appendix IV**.

### **Fire Safety**

#### 10.1.7 Comments of the Director of Fire Services (D of FS):

He has no adverse comment on the application provided that:

- (i) fire services installations and water supplies for firefighting being provided to his satisfaction. Detailed fire services requirements will be formulated upon receipt of formal submission of application details; and
- (ii) enhanced fire safety provisions may be required for any deficiency of access route to reach the Premises.

### **District Officer's Comments**

#### 10.1.8 Comments of the District Officer (Tuen Mun), Home Affairs Department (DO(TM), HAD):

Although the Premises is currently being used as a columbarium, it is envisaged that the villagers living in the vicinity and adjoining schools might raise concerns about the potential adverse impacts brought by the operation of the columbarium, such as hygiene, traffic impacts, etc.

#### 10.2 The following government departments have no objection to/no adverse comment on the application:

- (a) Director of Electrical and Mechanical Services (DEMS);
- (b) Project Manager/New Territories West, Civil Engineering and Development Department (PM/NTW, CEDD);
- (c) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (d) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (e) Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD);
- (f) Chief Highway Engineer/NT West, Highways Department (CHE/NTW, HyD);
- (g) Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD);

- (h) Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office (ES(A&M), AMO); and
- (i) Director of Agriculture, Fisheries and Conservation (DAFC).

## **11. Public Comments Received During Statutory Publication Periods**

11.1 The application and its FIs were published for public inspections on 21.6.2022, 18.10.2022 and 13.12.2022. During the statutory public inspection periods, a total of 292 public comments objecting to the application were received and they are from Yan Chai Hospital No. 2 Secondary School (enclosing 147 signed standard letters) (**samples in Appendices III-1 and III-2**), Ju Ching Chu Secondary School (**Appendices III-3 to III-5**), the Incorporated Owners of Richie House (**Appendices III-6 and III-7**), a joint letter from residents of Tsing Shan Tsuen (**Appendix III-8**), Hong Chi Morninghill School (**Appendices III-9 and III-10**) and 137 individuals (some in standard letters) (**samples in Appendices III-11 to III-14**). A full set of public comments received is deposited in the Secretariat of the Board for members' inspection and reference. The major grounds for objecting the application are as follows:

- (a) as there are already many private columbaria in Tsing Shan Tsuen and there is a public columbarium in Tsang Tsui, the applied columbarium is not necessary;
- (b) the columbarium with more than two thousand niches which is close to the existing residential dwellings, two secondary schools and two special schools would create nuisance and adverse traffic and environmental impacts affecting the students and residents in the area. Traffic safety measures should be provided by the Government to ensure the safety of the students;
- (c) the columbarium is not compatible with the schools and residential dwellings in the surrounding area. There is deficit in GIC facilities provision in Tuen Mun. The "G/IC" zone should be used for development of GIC facilities;
- (d) the developments in Tsing Shan Tsuen are mainly columbaria. The needs of other stakeholders, such as schools and residents, should also be taken into account in the development of Tsing Shan Tsuen;
- (e) in view of its proximity to railway station, the subject site should be used for residential development according to the Government's housing policy;
- (f) no supporting drainage assessment for the applied use to prove the feasibility has been submitted. The applied columbarium with no parking provision would overload the surrounding transport network during the Ching Ming and Chung Yeung Festival days;
- (g) the feasibility of the traffic and crowd management measures<sup>2</sup> proposed by the applicant is in doubt because it has not obtained the agreement from other columbaria and the local residents;

---

<sup>2</sup> The applicant originally proposed to adopt temporary traffic management measures including temporary modification of existing road markings, traffic signs and railings and temporary road diversion during the Ching

- (h) the applicant claims that the columbarium was in operation since 1958 but only 16 niches are occupied by the 2017 cut-off date, there is no legitimate history to support the application; and
- (i) the application involves Government land and private land of the villagers. Prior agreement with various parties is necessary before submitting the current application.

## **12. Planning Considerations and Assessments**

- 12.1 The application is for regularisation of a columbarium with 2,347 niches at the G/F of an existing two-storey building which falls within an area zoned “G/IC” zone on the Tuen Mun OZP (**Plan A-1**).

### *Planning Intention*

- 12.2 The planning intention of the “G/IC” zone is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments. The acceptability of the proposal should be comprehensively assessed taking into account the land use compatibility of the columbarium with its neighbouring uses, and the traffic and environmental impacts arising from the development.

### *Land Use Compatibility*

- 12.3 The Premises falls within an area which is predominated by religious uses and GIC facilities including approved columbaria (i.e. Filial Park (思親公園), Shan Guo (善果), Shan Yuan (善緣), Fat Yuen Ching Shea (佛緣精舍), Sha Law Ching Shea (娑羅精舍) and Ling Chi Ching Yuen (Tai Hak Tin Temple) (蓮池淨苑-大黑天殿); other monasteries, temples and religious institutions; schools, training camp and scattered residential structures (**Plans A-1a** and **A-2**). In general, the applied columbarium use is not incompatible with religious uses and GIC facilities in the surrounding areas.

### *Traffic Impact*

- 12.4 In order to resolve traffic concerns on the increased road traffic and the capacity of the road network in the area, the applicant proposes to close the existing columbarium for visitors during Ching Ming and Chung Yeung Festivals and their shadow periods and adopt ‘visit-by-appointment’ arrangement for the rest of the operation days in the future. No parking space will be provided for visitors who will be encouraged to visit the columbarium by public transport. In this regard, C for T and C of P have no adverse comment on the application as the potential traffic impact caused by the columbarium is not significant as long as the traffic and crowd management measures would be implemented and strictly complied with. In this connection, DFEH advises that if the PCLB decides to

---

Ming and Chung Yeung Festival days. To address departmental and public comments, the applicant proposed to close the columbarium on Ching Ming and Chung Yeung Festival days and their shadow periods instead.

approve the licence application, the PCAO will oversee the monitoring of the implementation of the approved management plan (including the traffic and crowd management measures accepted by the relevant departments) in coordination with other departments. Besides, the approved management plan will be included in the licensing conditions. Private Columbaria Enforcement Team of FEHD will conduct inspections to the licenced private columbaria during Ching Ming and Chung Yeung Festivals and their shadow periods. If any breach of licensing condition detected, verbal warning, written warning or enforcement notice may be issued to the licensee for rectification.

#### *Town Planning Board Guidelines*

- 12.5 According to the TPB PG-No. 16 for application for development/redevelopment within “G/IC” zone for uses other than GIC uses, the applied use should not cause significant adverse visual impact, should be sustainable in terms of capacities of existing and planned infrastructure, and should not cause adverse environmental impacts. The applied use is situated at the G/F of an existing two-storey buildings and no significant visual impact arising from the columbarium is anticipated. Besides, the applicant confirms that there will be no burning of joss paper and all religious activities will be held inside the columbarium, and portable chemical toilets would be provided for visitors. In view of these measures, DEP has no objection to the application. Other concerned government departments including CE/MN of DSD and CE/C of WSD have no comment on/no objection to the columbarium regarding the sewerage, drainage and water supply aspects. The application is considered not in conflict with TPB PG-No. 16.

#### *Similar Applications*

- 12.6 The Committee/Board has previously approved a number of similar applications involving six columbaria within the same “G/IC” zone on considerations that the columbarium is not incompatible with the surrounding land uses; generally in line with the planning intention of the “GIC” zone; and unlikely to have any significant adverse traffic, visual or environmental impacts. Approval of the current application is in line with the previous decisions of the Committee/Board for similar approvals.

#### *Public Comments*

- 12.7 There are 292 public comments objecting to the application mainly on grounds summarised in paragraph 11 above. The planning considerations and assessments in paragraphs 12.1 to 12.6 above are relevant.

### **13. Planning Department’s Views**

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 10.1.8 and 11 above, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, no time clause for commencement for the development is proposed as the columbarium use under

application is already in operation. The following approval conditions and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the maximum number of niches within the application premises should not exceed 2,347; and
- (b) the submission and implementation of fire services installations and water supply for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

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

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

**14. Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

**15. Attachments**

<b>Appendix I</b>	Application form on 14.6.2022
<b>Appendix Ia</b>	SI received on 16.6.2022 and 17.6.2022
<b>Appendix Ib</b>	FI received on 22.2.2023 (consolidated report)
<b>Appendices II</b>	Similar applications within the same "G/IC" zone
<b>Appendices III-1 to III-14</b>	Public comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Layout Plan
<b>Drawings A-2 and A-3</b>	Floor Plans
<b>Plans A-1</b>	Location Plan
<b>Plan A-1a</b>	Location of Columbaria which Have Submitted Applications for Specified Instruments to PCLB
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to A-4c</b>	Site Photos