

**SECTION 16 PLANNING APPLICATION
TOWN PLANNING ORDINANCE (CAP. 131)**

**PROPOSED COLUMBARIUM USE
AT OF G/F OF TWO EXISTING BUILDINGS,
AT LUNG NGAM MONASTERY,
NO. 47 WANG HANG VILLAGE, TAI O,
NEW TERRITORIES (LOT NO. 47 (Part) IN DD 313)**

**IN RESPECT OF “GOVERNMENT, INSTITUTION OR COMMUNITY”
ZONE UNDER THE APPROVED TAI O FRINGE OUTLINE ZONING PLAN
NO. S/I-TOF/2**

SUPPLEMENTARY PLANNING STATEMENT

Executive Summary

This planning statement is prepared in support of a planning application for **Proposed Columbarium Use at G/F of Two Existing Buildings at Lung Ngam Monastery, 47 Wang Hang Village, Tai O, New Territories (Lot 47 (Part) in DD 313)**. The application premises is zoned “Government, Institution or Community” (“G/IC”) on the Approved Tai O Fringe Outline Zoning Plan No. S/I-TOF/2 (“the OZP”).

The subject two buildings are existing 2-storey buildings (“Building 1” and “Building 2”) locating within an existing religious institution, namely Lung Ngam Monastery, at the eastern fringe of Tai O area. The Monastery has been administered by managers of Shing Sum Tong (formed from groups of local fishermen of Tai O) since 1932. To the immediate north of the Monastery are burial grounds for indigenous villagers of Tai O and Tai O Cemetery.

Building 1 is columbarium confirmed by Planning Department as ‘Existing Use’ and currently accommodating 901 nos. of niches at its G/F and 1/F. G/F and 1/F of Building 2 is currently vacant. This planning application is proposing relocating the existing 901 nos. of niches from the 2-storey Building 1 to G/F of Building 1 and Building 2 for building and structural safety reason.

The proposed columbarium use at the application premises is justified mainly on the following grounds:-

- (i) Operation of the proposed columbarium under planning control and licensing regime under the Private Columbaria Ordinance (Cap. 630) would facilitate control over the existing niches at the subject land lot from environmental, traffic, fire and building safety perspectives;
- (ii) The existing 901 nos. of niches at Building 1 are the interments rights of Tai O fishermen/residents who had made donation for construction of Lung Ngam Monastery, there is genuine need of retaining the columbarium at the subject land lot to serve the local residents;
- (iii) The proposed columbarium is addressing the social needs (need of worship, reminiscence and remembrance of ancestors) among the Tai O local fishermen/residents, it should be considered conforming to the planning intention of the subject “G/IC” zone;
- (iv) The proposed use is considered compatible to its immediate adjoining uses which is rural nature;
- (v) No building construction works would be required in the development, building construction waste from the proposed development shall be minimal;
- (vi) The submitted Environmental Assessment confirms the acceptability of the proposed development from environmental engineering point of view;
- (vii) The submitted Traffic Impact Assessment demonstrated that no significant traffic impact will be generated from the proposed development;
- (viii) The current planning application with less total number of niches is considered more desirable than the previous planning application; and
- (ix) The proposed development is considered complying with the criteria under The Town Planning Board Guidelines for ‘Application for Development/Redevelopment within “G/IC” zone for uses other than Government, Institution or Community Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 16).

In view of the justifications throughout this planning statement, we sincerely hope that members of the Board will approve this application.

行政摘要

此規劃報告書旨在支持新界大嶼山大澳橫坑村47號(丈量約份第313約地段47號(部分))中兩座現有建築物的地下擬議靈灰安置所用途。申請處所位於大澳邊緣分區計劃大綱核准圖編號 S/I-TOF/2上(分區計劃大綱圖)的「政府、機構或社區」地帶。

兩座現有建築物為兩層建築物（「一號樓」及「二號樓」），位於大澳東部邊緣的一所宗教機構內，名為龍巖寺(寺院)。該寺院自1932年起由誠心堂（由大澳當地漁民組成的團體）之管理人管理。寺院正北面為大澳原居民之墓地及大澳墳場。

1號樓現時是靈灰安置所，地下及一樓現放置共901個骨灰龕位，已經規劃署確認為“現有用途”。2號樓之地下及一樓現時空置。出於建築及結構安全原因，是次規劃申請擬議把現有901個骨灰龕位從1號樓遷移至1號樓地下及2號樓地下。

本規劃報告書提出的規劃理據如下：

- (i) 擬議的骨灰安置所將受規劃管制及根據《私營骨灰安置所條例》(第630章)的發牌制度運作，從環境、交通、消防及樓宇安全角度，有利於監管該地段的現有骨灰龕位；
- (ii) 1號樓現有之901個骨灰龕位是大澳漁民/居民因曾捐款龍巖寺作與建費用而獲得之安放權，確實有需要保留該地段的骨灰安置所以服務大澳當地居民；
- (iii) 擬議的骨灰安置所是為了滿足大澳當地漁民/居民的社會需要（祭祀、懷鄉和追思祖先的需要），應被視為符合「政府、機構或社區」地帶的規劃意向；
- (iv) 擬議的用途與毗鄰的鄉郊用途相容；
- (v) 擬議發展將不涉及建築工程，只會產生少量建築廢料；
- (vi) 已提交的環境影響評估報告確認擬議發展從環境工程角度是可接受的；
- (vii) 已提交的交通影響評估報告表示，擬議發展不會對交通產生重大影響；
- (viii) 跟先前的規劃申請相比，現時的規劃申請的骨灰龕位總數較少及較為可取；
- (ix) 擬議發展符合《城市規劃委員會規劃指引編號16 - 擬在「政府、機構或社區」地帶內發展／重建作「政府、機構或社區」用途以外的用途而按照城市規劃條例第16條提出的規劃申請》。

以此理據，此敬希各城規會成員能批准本用途申請。

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RAYMOND CHAN SURVEYORS LIMITED

July 2024

**SECTION 16 PLANNING APPLICATION
UNDER TOWN PLANNING ORDINANCE (CHAPTER 131)
SUPPLEMENTARY PLANNING STATEMENT**

**PROPOSED COLUMBARIUM USE AT G/F OF TWO EXISTING BUILDINGS,
AT LUNG NGAM MONASTERY, NO. 47 WANG HANG VILLAGE,
TAI O, NEW TERRITORIES (LOT NO. 47 (PART) IN DD 313) IN RESPECT OF
“GOVERNMENT, INSTITUTION OR COMMUNITY” ZONE
UNDER THE APPROVED TAI O FRINGE OUTLINE ZONING PLAN
NO. S/I-TOF/2**

1 INTRODUCTION

- 1.1 This application is submitted to seek planning permission from the Town Planning Board (“the Board”) in support of **Proposed Columbarium Use at G/F of Two Existing 2-Storey Buildings at Lung Ngam Monastery, No. 47 Wang Hang Village, Tai O, New Territories** (hereafter referred to as “the application premises”) pursuant to section 16 of the Town Planning Ordinance (CAP 131). The location of the application premises is shown per **Plan 1, Plan 2 and Plan 3**.
- 1.2 The application premises falls within an area zoned “Government, Institution or Community” (“G/IC”) under the Approved Tai O Fringe Outline Zoning Plan No. S/I-TOF/2 (“OZP”) (**Plan 3**). According to the Notes in the OZP for “G/IC” zone, ‘Columbarium’ is listed under Column 2 use (**Appendix I**). Planning approval from the Board for the proposed use is required.
- 1.3 The subject two existing 2-storey buildings (Building 1 and Building 2) are located within an existing religious institution, namely Lung Ngam Monastery (the Monastery), at the eastern fringe of Tai O area. The Monastery falls on private land lot, Lot No. 47 in DD 313, and has been administered by managers of Shing Sum Tong (formed from groups of local fishermen of Tai O) since 1932. To the immediate north of the Monastery are burial grounds for indigenous villagers of Tai O and Tai O Cemetery.

1.4 Building 1 and Building 2 are situated at the immediate southwest of the main building of the Monastery. Building 1 was confirmed by Planning Department as ‘Existing Use’ under the **Table 1 of Information on Private Columbaria – Part A : Private Columbaria Compliant with User Restrictions in the Land Leases and the Statutory Town Planning Requirements and are not illegally Occupying Government Land issued by the Development Bureau in December 2011 (Appendix II)** and currently accommodating 901 nos. of niches at its G/F and 1/F. G/F and 1/F of Building 2 is currently vacant. This planning application is proposing relocating the existing 901 nos. of niches from the 2-storey Building 1 to G/F of Building 1 and Building 2 as follows:-

	Existing Columbarium Use	Proposed Columbarium Use
Location of Niches	<u>G/F & 1/F of Building 1</u> 901 nos. of niches	<u>G/F of Building 1 (with floor area of about 62.5 sq.m)</u> 385 nos. of niches <u>G/F of Building 2 (with floor area of about 60.8 sq.m)</u> 516 nos. of niches
Total No. of Niches	901 nos. of niches	901 nos. of niches

1.5 This planning statement provides site context, planning context, as well as planning justifications with the support of Environmental Assessment (**Appendix III**) and Traffic Impact Assessment (**Appendix IV**) to facilitate the consideration of the Board and relevant government departments concerned.

2 SITE CONTEXT

2.1 The Application Premises

Location and Existing Use

- 2.1.1 The application premises lies at the ground floor of two existing 2-storey buildings (Building 1 and Building 2) within an existing religious institution, namely Lung Ngam Monastery (the Monastery), at the eastern fringe of Tai O area. The Monastery falls on private land lot, Lot No. 47 in DD 313 located at No. 47 Wang Hang Village, Tai O, New Territories.
- 2.1.2 Building 1 and Building 2 are situated at the immediate southwest of the main building of the Monastery (**Photo 3**) which is currently housing ancestral tablets and administered by managers of Shing Sum Tong. The main building of the Monastery is permitted under Building Licence No. 248.
- 2.1.3 The Monastery has been administered by managers of Shing Sum Tong since 1932. Shing Sum Tong were formed by groups of local fisherman of Tai O who joined efforts to construct the Monastery for blessing the seasonably weather and safety cum harmony of their family. The existing 901 niches at Building 1 are the interment rights of the ancestors of Tai O fishermen/residents who had made donation for construction of the Monastery and recognized by Shing Sam Tong. The columbarium use at Building 1 was in operation before 1 January 1990 and no increase of niches since 18 June 2014 (the cut-off time under the Private Columbaria Ordinance (Cap. 630)).
- 2.1.4 In the processing of enactment of Private Columbaria Ordinance, Building 1 (**Photo 1**) was confirmed by Planning Department as ‘Existing Use’ under the **Table 1 of Information on Private Columbaria – Part A : Private Columbaria Compliant with User Restrictions in the Land Leases and the Statutory Town Planning Requirements and are not illegally Occupying Government Land issued by the Development Bureau in December 2011 (Appendix II)** and currently accommodating 901 nos. of niches at its G/F and 1/F. G/F and 1/F of Building 2 (**Photo 2**) is currently vacant.
- 2.1.5 The Monastery is well fenced with proper pedestrian access.



Photo 1 Application Premises at Ground Floor of Building 1



Photo 2 Application Premises at Ground Floor of Building 2

Neighbourhood Characteristics (Plate 1)

- 2.1.6 The application premises is located at the foothill of Sze Shan at the east and facing a river channel and fishponds to its west (**Photo 5**). The surrounding areas of the application premises is rural nature. Further south to the application premises (> 30 metres away) are village houses in Wang Hang Village, which is zoned “Village Type Development”(“V”) on the OZP. Tai O Cemetery lies at about 500 m to the northwest of the application premises.



Plate 1 Neighbourhood Characteristics



Photo 3
The main building of the Monastery



Photo 4
Main entrance of the Monastery



Photo 5
River channel and fishponds to the west of the application premises



Photo 6
Footpath connecting to entrance of the Monastery



Photo 7
Footbridge leading pedestrian to/from Tai O Town Centre

Accessibility

- 2.1.7 The application premises is currently accessible via the main entrance of the Monastery at the west of the subject land lot (**Photo 4**). The main entrance of the Monastery is connected with an existing 2m footpath and an existing footbridge (**Photos 6 & 7**) leading pedestrian to/from Tai O town centre and Tai O Bus Terminal and Ferry Pier further at the west.
- 2.1.8 There is no vehicular access connecting the Monastery.

2.2 Land Status of the Application Site

- 2.2.1 The Monastery fall on private land lot, Lot No. 47 in DD 313, which are Old Schedule Lot (mixed building and agricultural lot) held under Block Government Lease of DD313 with site area of about 4,250 m² (**Appendix Va**).
- 2.2.2 The main building of the Monastery is permitted under Building Licence No. 248 (**Appendix Vb**).
- 2.2.3 The applicant is not the registered owner of the subject land lot. The subject land lot is currently administered by managers of Shing Sum Tong (**Appendix Vc**).

3 PLANNING CONTEXT

3.1 Planning History

- 3.1.1 The application premises is subject to a previous planning application (Planning Application No. A/DPA/I-TOF/5) submitted by another applicant for proposed columbarium use (proposed 1,600 nos. of niches at G/F & 1/F of Building 2 with existing 1,800 nos. of niches to be retained on G/F & 1/F of Building 1) rejected by the Board on 30 March 2012 and 18 October 2013 upon review. The previous planning application was rejected by the Board mainly due to lack of traffic impact assessment submission to demonstrate no adverse pedestrian and vehicular traffic impact to the surrounding areas.

3.2 Statutory Planning Policy

- 3.2.1 The application premises falls within an area zoned “Government, Institution or Community” (“G/IC”) under the Approved Tai O Fringe Outline Zoning Plan No. S/I-TOF/2 (“OZP”) (**Plan 3**). This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of 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, organizations providing social services to meet community needs, and other institutional establishments.

3.2.2 According to the Notes of the OZP, ‘Columbarium’ is under Column 2 of the “G/IC” zone and may be permitted with or without conditions on application to the Board. The Remarks of the Notes stipulates that:-

(a) “.....no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height in terms of number of storeys as stipulated on the Plan (2 storeys), or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.”

3.2.3 According to the Covering Notes of the OZP, “No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft development permission area plan conform to this Plan, provided such use has continued since it came into existence.....”.

3.2.4 According to the Explanatory Statement of the OZP, the draft Tai O Fringe DPA Plan No. DPA Plan No. DPA/I-TOF/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance on 4 June 2010.

3.3 Non-Statutory Planning Policy

Town Planning Board Guidelines

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

- 2.1 *For applications for development/redevelopment for non-GIC uses within a “G/IC” site, the applicant should satisfactorily demonstrate the following:-*
- a. *in the case of a “G/IC” site designated with specific uses,*
 - i. *the application site is no longer required for the designated GIC uses, or adequate re-provisioning of the designated GIC uses is provided either in-situ or elsewhere; and*
 - ii. *there is adequate provision of other GIC facilities in the district, or the application site is not suitable for other GIC facilities; or*
 - b. *in the case of an undesignated “G/IC” site, the application site is no longer required to be reserved for any GIC uses; and*
 - c. *the proposed development/redevelopment would not adversely affect the*

provision of GIC facilities in the district on a long-term basis.

- 2.2 The proposed development should not adversely affect the normal operation of the existing GIC facilities nor delay the implementation of the planned GIC facilities, if any, within the "G/IC" site. Temporary provisioning, if necessary, should be provided prior to the completion of the proposed development.
- 2.3 The proposed development should be compatible in land-use terms with the GIC uses on the site, if any, and with the surrounding areas.
- 2.4 The scale and intensity of the proposed development should be in keeping with that of the adjacent area. In this regard, development restrictions stipulated on the statutory plan for similar development in the locality and the prevailing development restrictions administratively imposed by the Government on nearby similar developments (e.g. development restrictions in Special Control Areas and plot ratios in accordance with the density zones under the HKPSG) would be taken into consideration.
- 2.5 The scale and design of the proposed development should have regard to the character and massing of the buildings in the surroundings areas and should not cause significant adverse visual impact on the townscape of the area. Where one of the planning intentions if the existing/designated GIC development on the site is to serve as a "breathing space" or visual break within a high-rise and high density environment, the proposed development should be designed in such a way that this planning intention would not be undermined.
- 2.6 The proposed development should be sustainable in terms of the capacities of existing and planned infrastructure such as drainage, sewerage, roads, water supply and utilities in the locality and its surrounding areas.
- 2.7 There should be adequate provision of parking and loading/unloading facilities to serve the proposed development in accordance with the HKPSG and to the satisfaction of the Transport Department. Adequate vehicular access arrangements should be provided to the satisfaction of the Transport Department.
- 2.8 The proposed development should be sustainable in the terms of the overall planned provision of open space and GIC facilities in the area.
- 2.9 The proposed development should not cause, directly or indirectly, the surrounding areas to be susceptible to adverse environmental impacts and should not be susceptible to adverse environmental impacts and should not be susceptible to adverse environmental impacts from pollution sources nearby including heavily trafficked road; otherwise adequate environmental mitigation, monitoring and audit measures must be provided.
- 2.10 For "G/IC" sites covered by mature trees and vegetation or located in areas of high landscape or amenity value, the design and layout of the proposed development should be compatible and should blend in well with the surrounding areas. The proposed development should not involve extensive clearance of existing natural vegetation, adversely affect the existing natural landscape, or cause adverse visual impact on the natural environment in the surrounding areas. A master landscape plan (including a detailed survey of the existing trees, proposals on preservation of the trees, tree transplanting, compensatory planting and, where appropriate, an indication of the proposed hard finishes of all landscape areas, slopes and retaining structures) should be submitted to the Board for consideration.
- 2.11 The design and layout of the proposed development should have regard to the preservation of any existing buildings of historical or architectural values on or adjoining the application site.
- 2.12 The financial viability of a development/redevelopment proposal in support of the GIC elements to be provided, the status of the land under lease and the planning gains to be brought about by the proposed development would also be part of the considerations of the Board when assessing the proposal. However, the amount of weight to be given to these considerations would depend on the circumstances and merits of each case. Under normal circumstances, planning considerations such as land-use compatibility, traffic and environmental impacts, and landscape and urban design concerns would take precedence.
- 2.13 All other statutory or non-statutory requirements of relevant Government departments should be met.

4 DEVELOPMENT PROPOSAL

4.1 Proposed Use

4.1.1 The applicant proposes columbarium use at G/F of two existing 2-storey buildings (Building 1 and Building 2) at Lung Ngam Monastery, No. 47 Wang Hang Village, Tai O, New Territories. The preliminary layout of the proposed columbarium at the application premises is shown in **Figure 1** and **Figure 2**.

4.1.2 In the process of enactment of Private Columbaria Ordinance (Cap. 630), Building 1 was confirmed by Planning Department as 'Existing Use' and currently accommodating 901 nos. of niches at its G/F and 1/F. G/F and 1/F of Building 2 is currently vacant. For building and structural safety reason, the applicant proposes vacating the 1/F of Building 1 and relocating all the existing niches to ground floors of Building 1 and Building 2.

4.1.3 This planning application is proposing relocating the existing 901 nos. of niches from the 2-storey Building 1 to G/F of Building 1 and Building 2 as follows:-

	Existing Columbarium Use	Proposed Columbarium Use
Location of Niches	<u>G/F & 1/F of Building 1</u> 901 nos. of niches	<u>G/F of Building 1 (with floor area of about 62.5 sq.m)</u> 385 nos. of niches <u>G/F of Building 2 (with floor area of about 60.8 sq.m)</u> 516 nos. of niches
Total No. of Niches	901 nos. of niches	901 nos. of niches

4.2 Proposed Operation

Visit-by-appointment arrangement

4.2.1 To minimize any traffic impact from the proposed development, the applicant proposes the proposed columbarium shall be operated with visit-by-appointment arrangement in the festival days, Ching Ming Festival and Chung Yeung Festival.

Worship, Reminiscence and Remembrance Activities

- 4.2.2 To minimize any adverse air quality impact from the proposed development, the operation of the proposed columbarium shall not involve any burning ritual papers and joss sticks nor any other incense burning activities.
- 4.2.3 To minimize any adverse noise impact from the proposed development, the operation of the proposed columbarium shall prohibit chanting activity, only quiet operation activities (i.e. worship/praying) shall be allowed.

Sewerage Disposal

- 4.2.4 Existing toilet with proper sewerage discharging system (septic tank and soakaway system) is currently provided in the Monastery.
- 4.2.5 Additional portable toilets shall be provided for visitors to help handling the sewage during the festival days as contingency measures (**Plan 4**).

Waste Management

- 4.2.6 General refuse (such as food scraps, waste paper, empty containers and packaging, etc.) from the columbarium operation shall be properly managed by suitable collectors on site.
- 4.2.7 The visitors of the proposed columbarium shall be encouraged to take their garbage home to avoid disposal at the application premises.

Operation Hour

- 4.2.8 The operation hours of the proposed columbarium shall be restricted from 9am – 5pm everyday.

4.3 Proposed Traffic and Pedestrian Arrangement

- 4.3.1 The Monastery is well fenced with proper pedestrian access. The application premises is accessible via the main entrance of the Monastery at the west of the subject land lot.
- 4.3.2 The main entrance of the Monastery is connected with an existing 2m footpath and an existing footbridge leading pedestrian to/from Tai O town centre and Tai O Bus Terminal and Ferry Pier further.
- 4.3.3 The Monastery is not provided with vehicular access and no parking facilities shall provided for the proposed columbarium.

4.4 Building Services Requirements

- 4.4.1 Building services requirements on electrical installations, mechanical ventilation installation, plumbing and drainage installation would be fully addressed by qualified persons.

4.5 Fire Safety Measures

- 4.5.1 All the fire service installations in the application premises will be upgraded to fulfill the requirements of Fire Services Department to ensure fire safety of the proposed use.

4.6 Implementation

- 4.6.1 Upon approval of this application, the applicant shall submit application to the Private Columbarium Licensing Board for licence/exemption to allow operation and management of the proposed columbarium use at the application premises under the Private Columbaria Ordinance (Cap. 630). The details of management plan shall be submitted to the Private Columbaria Licensing Board for review and approval.

5 JUSTIFICATIONS

5.1 Continual of ‘Existing Use’ with Building Safety

5.1.1 The columbarium use at Building 1 was in operation before 1 January 1990 and no increase of niches since 18 June 2014, the cut-off time under the Private Columbaria Ordinance (Cap. 630).

5.1.2 In the processing of enactment of Private Columbaria Ordinance, Building 1 was confirmed by Planning Department as ‘Existing Use’ under the **Table 1 of Information on Private Columbaria – Part A : Private Columbaria Compliant with User Restrictions in the Land Leases and the Statutory Town Planning Requirements and are not illegally Occupying Government Land issued by the Development Bureau in December 2011 (Appendix II)** and currently accommodating 901 nos. of niches at its G/F and 1/F. The applicant proposes vacating 1/F of Building 1 and relocating all the existing niches to ground floors of Building 1 and Building 2 for building and structural safety reasons.

5.2 Facilitate Statutory Development Control on Private Columbarium

5.2.1 Private Columbaria Ordinance (Cap. 630) was enacted in 2017 to delegate power to the government departments to regulate the columbarium existed at the time of enactment of the subject Ordinance and new columbarium development in the territory. Approval of this planning application is the prerequisite for application to the Private Columbaria Licensing Board for licence/exemption to allow proper operation and management of the existing columbarium use at the application premises under the Private Columbaria Ordinance (Cap. 630).

5.2.2 Operation of the proposed columbarium at the application premises with planning approval from the Town Planning Board and management plan accepted by Private Columbaria Licensing Board could facilitate control over the existing niches at subject land lot from environmental, traffic, fire and building safety perspectives.

5.3 Fulfill the Genuine Local Needs of Tai O Fishermen/Residents

5.3.1 The Lung Ngam Monastery has been administered by managers of Shing Sum Tong since 1932. Shing Sum Tong were formed by groups of local fisherman of Tai O who joined efforts to construct the Monastery for blessing the seasonably weather and safety cum harmony of their family. The existing 901 niches at Building 1 are the interment rights of the ancestors of Tai O fishermen/residents who had made donation for construction of the Monastery and recognized by Shing Sam Tong.

5.3.2 The main building of the Monastery to the northeast of the application premises is currently housing ancestral tablets and administered by managers of Shing Sum Tong. The subject land lot is held under land trust by managers of Shing Sum Tong for worship of named ancestor and upkeeping of niches by Tai O fishermen/residents. This type of Chinese customary fund on land holding for religious/welfare beneficiaries to traditional Chinese in New Territories is not uncommon and there is genuine need of retaining the columbarium at the subject land lot to serve the local needs.

5.4 Conform to the Planning Intention of the Subject “G/IC” Zone

5.4.1 The subject “G/IC” zone is intended primarily for the provision of Government, institution or community facilities serving the needs of 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, organizations providing social services to meet community needs, and other institutional establishments. The proposed columbarium use at the application premises is administered by groups of Tai O fishermen/residents and fulfilling social needs (need of worship, reminiscence and remembrance of ancestors) among the residents in the Tai O district, it should be considered conform to the planning intention of the subject “G/IC” zoning.

5.5 Compatible to Adjoining Land Uses

5.5.1 The application premises is located at the foothill of Sze Shan at the east and facing a river channel and fishponds to its west. Tai O Cemetery lies at about 500 m to the northwest of the application premises. The surrounding areas of the application premises is rural nature.

5.5.2 The application premises is situating immediate next to the main building of Lung Ngam Monastery which is housing ancestral tablets of named ancestor for worship by their descendants originated from Tai O. The application premises fall within the same land lot of the Monastery and well fenced. The proposed columbarium use at the application premises is considered compatible with the adjoining land uses.

5.6 No Building Construction Works for the Proposed Columbarium

5.6.1 Building 1 and Building 2 are two existing 2-storey buildings on site. Under this planning application, the applicant proposes vacating the 1/F of Building 1 and relocating all the existing niches to ground floors of Building 1 and Building 2 for building and structural safety reasons. No building construction works would be required in the development, only building upgrading, refurbishment and renovation works at the application premises for fulfilling licensing requirements would be involved. Building construction waste from the proposal development shall be minimal.

5.7 No Unacceptable Environmental Impacts from/to the Surrounding Area

5.7.1 With the administrative environmental measures proposed by the applicant, the Environmental Assessment (**Appendix III**) confirms the acceptability of the proposed columbarium development from environmental engineering point of view.

5.8 No Adverse Traffic Impacts to the Surrounding Area

5.8.1 There is no vehicular access connecting the Monastery and no car parking and loading/unloading facilities are provided to the subject land lot. The same arrangement shall be maintained in the proposed columbarium development. Since the number of niches on site shall remain unchanged, the proposed development shall not induce significant additional traffic impact on the nearby roads. The Traffic Impact Assessment (**Appendix IV**) demonstrated that no significant traffic impact will be generated by the proposed development.

5.9 More Desirable Development Scheme than the Previous Planning Application

5.9.1 Compared with the previous planning application No. A/DPA/I-TOF/5 submitted by another applicant, current planning application proposes less number of niches and supported with Environmental Assessment (**Appendix III**) and Traffic Impact Assessment (**Appendix IV**) prepared by qualified persons. The comparison of the previous planning application and current planning application and the merits of the current planning application is demonstrated below:-

Planning Application	Previous Planning Application No. A/DPA/I-TOF/5	Current Planning Application	Merits of the Current Planning Application
Date of Application	9 February 2012	July 2024	-
Existing Condition at the of Planning Application	<u>G/F and 1/F of Building 1</u> 3,400 nos. of niches <u>G/F and 1/F of Building 2</u> Vacant Total No. of Niches : 3,400	<u>G/F and 1/F of Building 1</u> 901 nos. of niches <u>G/F and 1/F of Building 2</u> Vacant Total No. of Niches : 901	Reduction of 2,499 nos. of niches in total.
Proposed Development	[1,800 nos. of niches to be retained at Building 1] <u>G/F and 1/F of Building 2</u> 1,600 nos. of niches Total No. of Niches : 3,400	<u>G/F of Building 1</u> 385 nos. of niches <u>G/F of Building 2</u> 516 nos. of niches Total No. of Niches : 901	(i) Reduction of 2,499 nos. of niches in total. (ii) All niches shall be located at <u>ground floor level</u> to ensure building safety.
	Proposed joss paper would be cremated at the existing facilities of the Monastery	<u>Environmental Measures including:-</u> (i) the operation of the proposed columbarium shall not involve burning of ritual papers and joss sticks nor any other incense burning activities; (ii) the operation of the proposed columbarium shall prohibit chanting activity, only quiet operation activities (i.e. worship/praying) shall be allowed. (iii) additional portable toilets shall be provided for visitors to help handling the sewage during the festival days as contingency measures <u>Pedestrian/Traffic Management</u> The proposed columbarium shall be operated with visit-by-appointment arrangement in the festival days, Ching Ming Festival and Chung Yeung Festival.	Less environmental and traffic impacts to the surroundings.
Technical Reports in Support of Planning Application	Nil.	Environment Assessment (Appendix III) and Traffic Impact Assessment (Appendix IV) are submitted to demonstrate the proposed development are acceptable from environmental and traffic engineering viewpoints.	With support of Environmental Assessment and Traffic Impact Assessment prepared by qualified persons.

5.10 Conform to the Planning Intention of the Subject “G/IC” Zone

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

The relevant criteria of the Guidelines (TPB PG-No. 16)			Fulfillment
2.1	<i>For applications for development/redevelopment for non-GIC uses within a “G/IC” site, the applicant should satisfactorily demonstrate the following:-</i>		<i>Yes. The subject “G/IC” zoning is private land lot, Lot No. 47 in DD 313, currently administered by managers of Shing Sum Tong. The subject zoning is reflecting the existing use of site for worship of named ancestor and upkeep of niches by Tai O fishermen/residents. Approval of this planning application would sustain the existing funeral related facilities in the Tai O district on long-term basis. From the perspectives of optimization of land use resource, relocation of the existing niches to other “G/IC” sites is not desirable.</i>
	a.	<i>in the case of a “G/IC” site designated with specific uses,</i>	
	i.	<i>the application site is no longer required for the designated GIC uses, or adequate reprovisioning of the designated GIC uses is provided either in-situ or elsewhere; and</i>	
	ii.	<i>there is adequate provision of other GIC facilities in the district, or the application site is not suitable for other GIC facilities; or</i>	
	b.	<i>in the case of an undesignated “G/IC” site, the application site is no longer required to be reserved for any GIC uses; and</i>	
	c.	<i>the proposed development/redevelopment would not adversely affect the provision of GIC facilities in the district on a long-term basis.</i>	
2.2	<i>The proposed development should not adversely affect the normal operation of the existing GIC facilities nor delay the implementation of the planned GIC facilities, if any, within the “G/IC” site. Temporary provisioning, if necessary, should be provided prior to the completion of the proposed development.</i>		<i>Yes. There is no planned GIC facilities within the subject “G/IC” site.</i>
2.3	<i>The proposed development should be compatible in land-use terms with the GIC uses on the site, if any, and with the surrounding areas.</i>		<i>Yes. The application premises is situating immediate next to the main building of Lung Ngam Monastery which is housing ancestral tablets of named ancestor for worship by their descendants originated from Tai O. The application premises fall within the same land lot of the Monastery and well fenced. The proposed columbarium use at the application premises is considered compatible with the adjoining land uses.</i>

2.4	<p><i>The scale and intensity of the proposed development should be in keeping with that of the adjacent area. In this regard, development restrictions stipulated on the statutory plan for similar development in the locality and the prevailing development restrictions administratively imposed by the Government on nearby similar developments (e.g. development restrictions in Special Control Areas and plot ratios in accordance with the density zones under the HKPSG) would be taken into consideration.</i></p>	<p><i>Yes. The application premises is located at ground floor level of two existing 2-storey buildings within Lung Ngam Monastery. It is subject to building height restriction of 2 storeys under the OZP. Further south to the application premises (> 30 metres away) are village houses in Wang Hang Village, which is zoned “Village Type Development”(“V”) on the OZP with building height restriction of 3 storeys (8.23 m). The scale and intensity of the proposed development would be in keeping with that of the adjacent area.</i></p>
2.5	<p><i>The scale and design of the proposed development should have regard to the character and massing of the buildings in the surroundings areas and should not cause significant adverse visual impact on the townscape of the area. Where one of the planning intentions if the existing/designated GIC development on the site is to serve as a “breathing space” or visual break within a high-rise and high density environment, the proposed development should be designed in such a way that this planning intention would not be undermined.</i></p>	<p><i>Building 1 and Building 2 are two existing 2-storey buildings on site. Under this planning application, the applicant proposes vacating the 1/F of Building 1 and relocating all the existing niches to ground floors of Building 1 and Building 2 for building and structural safety reasons. No redevelopment or addition of floor area vertically/horizontally would be required in the development, only building upgrading, refurbishment and renovation works at the application premises for fulfilling licensing requirements would be involved. The proposed development shall not change the existing landscape character of the locality and would not impose adverse visual impact o the townscape of the area.</i></p>
2.6	<p><i>The proposed development should be sustainable in terms of the capacities of existing and planned infrastructure such as drainage, sewerage, roads, water supply and utilities in the locality and its surrounding areas.</i></p>	<p><i>Yes. The Environmental Assessment (Appendix III) confirms the acceptability of the proposed development from environmental engineering point of view.</i></p>
2.7	<p><i>There should be adequate provision of parking and loading/unloading facilities to serve the proposed development in accordance with the HKPSG and to the satisfaction of the Transport Department. Adequate vehicular access arrangements should be provided to the satisfaction of the Transport Department.</i></p>	<p><i>There is no vehicular access connecting the Monastery and no car parking and loading/unloading facilities are provided to the subject land lot. The same arrangement shall be maintained in the proposed columbarium development. Meanwhile, there is no standard requirement for car parking and loading/unloading provisions with respect to the columbarium development under HKPSG. The Traffic Impact Assessment (Appendix IV) confirms that no significant traffic impact will be generated by the proposed development.</i></p>
2.8	<p><i>The proposed development should be sustainable in the terms of the overall planned provision of open space and GIC facilities in the area.</i></p>	<p><i>Yes. Building 1 and Building 2 are two existing 2-storey buildings within private land lot, the proposed columbarium use shall not consume planned open space and GIC facilities in the locality.</i></p>

<p>2.9</p>	<p><u>The proposed development should not cause, directly or indirectly, the surrounding areas to be susceptible to adverse environmental impacts and should not be susceptible to adverse environmental impacts and should not be susceptible to adverse environmental impacts from pollution sources nearby including heavily trafficked road; otherwise adequate environmental mitigation, monitoring and audit measures must be provided.</u></p>	<p>Yes. The proposed development would not cause, directly or indirectly, the surrounding areas to be susceptible to adverse environmental impacts. The proposed columbarium would be operated with the following environmental measures:-</p> <p>(I) Environmental Measures to be Taken</p> <p><u>(i) Worship, Reminiscence and Remembrance Activities</u></p> <p>(a) To minimize any adverse air quality impact from the proposed development, the operation of the proposed columbarium shall not involve any burning ritual papers and joss sticks nor any other incense burning activities.</p> <p>(b) To minimize any adverse noise impact from the proposed development, the operation of the proposed columbarium shall prohibit chanting activity, only quiet operation activities (i.e. worship/praying) shall be allowed.</p> <p><u>(ii) Sewerage Disposal</u></p> <p>(a) Existing toilet with proper sewerage discharging system (septic tank and soakaway system) is currently provided in the Monastery.</p> <p>(b) Additional portable toilets shall be provided for visitors to help handling the sewage during the festival days as contingency measures.</p> <p><u>(iii) Waste Management</u></p> <p>(a) General refuse (such as food scraps, waste paper, empty containers and packaging, etc.) from the columbarium operation shall be properly managed by suitable collectors on site.</p> <p>(b) The visitors of the proposed columbarium shall be encouraged to take their garbage home to avoid disposal at the application premises.</p> <p>(II) Pedestrian Management to be Taken</p> <p>The proposed columbarium shall be operated with visit-by-</p>
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		<p>appointment arrangement in the festival days, Ching Ming Festival and Chung Yeung Festival.</p> <p>As the surrounding areas of the application premises is rural nature, the proposed columbarium shall not be subject to adverse environmental impacts from surroundings.</p>
2.10	<p>For "G/IC" sites covered by mature trees and vegetation or located in areas of high landscape or amenity value, the design and layout of the proposed development should be compatible and should blend in well with the surrounding areas. <u>The proposed development should not involve extensive clearance of existing natural vegetation, adversely affect the existing natural landscape, or cause adverse visual impact on the natural environment in the surrounding areas.</u> A master landscape plan (including a detailed survey of the existing trees, proposals on preservation of the trees, tree transplanting, compensatory planting and, where appropriate, an indication of the proposed hard finishes of all landscape areas, slopes and retaining structures) should be submitted to the Board for consideration.</p>	<p>Yes. No clearance of existing natural vegetation shall be involved in the application.</p>
2.11	<p>The design and layout of the proposed development should have regard to the preservation of any existing buildings of historical or architectural values on or adjoining the application site.</p>	<p>Yes. Building 1 and Building 2 are two existing 2-storey buildings on site with no significant historical and architectural value. Under this planning application, the applicant proposes vacating the 1/F of Building 1 and relocating all the existing niches to ground floors of Building 1 and Building 2 for building and structural safety reasons. No redevelopment or addition of floor area vertically/horizontally would be required in the development, only building upgrading, refurbishment and renovation works at the application premises for fulfilling licensing requirements would be involved.</p>
2.12	<p><u>The financial viability of a development/redevelopment proposal in support of the GIC elements to be provided, the status of the land under lease and the planning gains to be brought about by the proposed development would also be part of the considerations of the Board when assessing the proposal.</u> However, the amount of weight to be given to these considerations would depend on the circumstances and merits of each case. Under normal circumstances, planning considerations such as land-use compatibility, traffic and environmental impacts, and landscape and urban design concerns would take precedence.</p>	<p>Yes. The proposed columbarium use shall be financially viable as the existing 901 niches at Building 1 are the interment rights of the ancestors of Tai O fishermen/residents who had made donation for construction of the Monastery and recognized by Shing Sam Tong. The subject columbarium shall be continually administered by the managers of Shing Sum Tong.</p>
2.13	<p>All other statutory or non-statutory requirements of relevant Government departments should be met.</p>	<p>Yes. the proposed columbarium shall be subject to the licensing regime under Private Columbaria Ordinance (Cap. 630).</p>

6 CONCLUSION

- 6.1 This application is submitted to seek planning permission from the Board in support of Proposed Columbarium Use at G/F of Two Existing 2-Storey Buildings at Lung Ngam Monastery, No 47 Wang Hang Village, Tai O, New Territories.
- 6.2 The application premises falls within an area zoned “Government, Institution or Community” (“G/IC”) under the Approved Tai O Fringe Outline Zoning Plan No. S/I-TOF/2 (“OZP”). The subject two existing 2-storey buildings (Building 1 and Building 2) are located within an existing religious institution, namely Lung Ngam Monastery (the Monastery), at the eastern fringe of Tai O area.
- 6.3 The existing columbarium use at Building 1 was confirmed by Planning Department as ‘Existing Use’ and currently accommodating 901 nos. of niches at its G/F and 1/F. G/F and 1/F of Building 2 is currently vacant. This planning application is proposing relocating the existing 901 nos. of niches from the 2-storey Building 1 to G/F of Building 1 and Building 2 for building and structural safety reason. Upon planning approval, the operation of the proposed columbarium shall be subject to the licensing regime under Private Columbaria Ordinance (Cap. 630).
- 6.4 Justifications are demonstrated in support of the proposed columbarium use at the application premises:-
- (i) The columbarium use at Building 1 has been confirmed by Planning Department as ‘Existing Use’, the applicant proposes vacating 1/F of Building 1 and relocating all the existing niches to ground floors of Building 1 and Building 2 for building and structural safety reason;
 - (ii) Operation of the proposed columbarium under planning control and licensing regime under the Private Columbaria Ordinance (Cap. 630) would facilitate control over the existing niches at the subject land lot from environmental, traffic, fire and building safety perspectives;
 - (iii) The existing 901 niches at Building 1 are the interments rights of Tai O fishermen/residents who had made donation for construction of Lung Ngam Monastery, there is genuine need of retaining the columbarium at the subject land lot to serve the local residents;
 - (iv) The proposed columbarium is addressing the social needs (need of worship, reminiscence and remembrance of ancestors) among the Tai O local fishermen/residents, it should be considered conforming to the planning intention of the subject “G/IC” zone;

- (v) The proposed use is considered compatible to its immediate adjoining uses which is rural nature;
- (vi) No building construction works would be required in the development, building construction waste from the proposed development shall be minimal;
- (vii) The submitted Environmental Assessment confirms the acceptability of the proposed development from environmental engineering point of view;
- (ix) The submitted Traffic Impact Assessment demonstrated that no significant traffic impact will be generated from the proposed development;
- (x) The current planning application with less total number of niches is considered more desirable than the previous planning application; and
- (xi) The proposed development is considered complying with the criteria under The Town Planning Board Guidelines for ‘Application for Development/Redevelopment within “G/IC” zone for uses other than Government, Institution or Community Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 16).

6.6 In view of the justifications stated herein, we sincerely hope that the Board will approve this application.