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**AMENDMENTS TO TUEN MUN OZP No. S/TM/37A**  
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**Submission Number:**  
TPB/R/S/TM/38-S004

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**Representation Number:**  
TPB/R/S/TM/38-R2

**AMENDMENTS TO TUEN MUN OZP No. S/TM/37A**

(a) **Item A1** (about 0.8 ha) Rezoning of a site at the upper section of HPR from "GB" and an area shown as 'Road' to "R(A)28" with a maximum BH of 160mPD as stipulated on the OZP.

(b) **Item A2** (about 1.68 ha) Rezoning of a site at the junction of HPR/Tsing Lun Road and Ng Lau Road from "R(E)1" and an area shown as 'Road' to "R(A)28" with a maximum BH of 160mPD as stipulated on the OZP.

INCREASE TO A LARGE PH DEVELOPMENT ZONED SITE. STRONG OBJECTIONS TO THE ELIMINATION OF THE GB WHEN IT COULD PROVIDE A BUFFER FOR THE PH DEVELOPMENT ALONG HONG PO ROAD. NO DATA PROVIDED ON HOW MANY TREES TO BE FELLED ON THE TWO SITES. A2 HAS TWO CLUMPS OF MATURE TREES THAT SHOULD BE RETAINED AND INCORPORATED INTO WHAT WILL BE A VERY LARGE ESTATE BUILT ON THE USUAL PODIUMS WITH LITTLE OR NO AT GRADE OPEN SPACE OR NATURAL ELEMENTS

(c) **Item B** (about 0.24 ha) Rezoning of a site to the west of Ng Lau Road from "R(E)1" to "G/IC" with a maximum BH of one storey as stipulated on the OZP.

Sewerage Pumping Station. AGAIN NO DATA RE TREE FELLING NOR ANY IMAGES TO INDICATE THAT THE SPS WILL BE PLEASANT TO LOOK AT AND INCORPORATE GREEN FEATURES, SOLAR PANELS ON ROOF, ETC.

(d) **Item C1** (about 3.65 ha) Rezoning of a site in Tuen Mun Area 9 from "CDA(1)", "CDA(2)" and area shown as 'Road' to "C(2)" with maximum BHs of 120mPD and 140mPD as stipulated on the OZP. PR 9.5 / SC 100% / 996 Vehicle + 55 Large Vehicles (60 public spaces) / Kindergarten / social welfare facility of a Multi-disciplinary Outreaching Support Team for the Elderly

KMB - CROWN DATA CENTRE REDEVELOPMENT Y/TM/28 Approved 23.6.2023

Members failed to consider the intention of "CDA" zoning

While fully supporting the creation of employment opportunities in NT, this can also be achieved under the current zoning but with better provision of community services. One kindergarten to be run on a commercial basis can hardly be considered a community gain and one has to question the desirability of this facility at a location that would attract over 1,000 vehicles and with them considerable street level pollution. Moreover, in view of the decline in the number of births and the closure of a number of kindergartens, the odds are that there would be little demand for this facility.

**The concept of CDA zoning is that it should provide a comprehensive living environment that includes a variety of services and facilities.**

<https://www.legco.gov.hk/yr01-02/english/panels/plw/papers/plw0426cb1-571-7e.pdf>

1. *As we can see, there are a number of merits to the "CDA" zoning: - it allows comprehensive design and layout, - **it provides certain amount of government, institution and community (GIC) facilitate to fulfil district needs .***

Almost 17,000sq.m of the site is government land, but no community services to be provided apart from a public car park that is small and will not resolve parking issues in the district. Under pressure a small social welfare centre for the elderly has been thrown in.

In the original plan nine proposed footbridges would plunge the local streets into darkness. Pedestrians would effectively be deprived of natural light and a view of the sky.

WHILE THE NUMBER OF FOOTBRIDGES WAS SCALED BACK, THE MINUTES DID NOT INDICATE THAT HOW MANY ARE TO BE INCLUDED IN THE APPROVED PLAN APART FROM THE CONNECTION TO MTR STATION. AGAIN NO IMAGES PROVIDED.

The Applicants have proposed to provide a "Boundaryless" intergenerational and multidimensional open space for the community, but this is at L3 and L4 and some of it will be commercial in nature – notation is Alfresco.

What can justify zoning so many public streets to 'Commercial'? Surely the government is not going to sell off our streets – but of course these days anything is possible. THIS WAS NOT ADDRESSED IN THE MINUTES

I WOULD POINT OUT THAT NOW INPUT FROM JOE PUBLIC HAS BEEN REDUCED TO ONE ROUND, THE PAPER SHOULD INCLUDE FULL DETAILS OF THE PROJECTS. PREVIOUSLY THE ADDITIONAL INFORMATION SUPPLIED DURING THE COMMENTS STAGE OFTEN INCLUDED INPUT FROM THE DEVELOPERS AND CLARIFICATION ON MANY ISSUES RAISED UNDER THE 'R' STAGE. MEMBERS OF THE PUBLIC NOT FAMILIAR WITH TP PROCESS WILL NOT HAVE A CLUE ABOUT HOW TO GO BACK TO THE ORIGINAL APPLICATIONS TO ACCESS DATA AND THEN READ UP ON THE APPROVALS VIA THE MINUTES.

(e) **Item C2** (about 0.07 ha) Rezoning of a site adjacent to Ho Tin Light Rail Station from “CDA(1)” to “O”. Currently partly occupied by a public toilet with ancillary facilities and partly vacant.

**OBJECT - THIS IS MANIPULATION OF ‘O’ ZONING AS THERE IS NO INDICATION THAT THE FACILITY WILL BE UPGRADED TO PROVIDE ANY PROVISION FOR PUBLIC ENJOYMENT OF THE SITE, IE ACTIVE OR PASSIVE RECREATION. IF IT IS GOING TO BE JUST A SMELLY TOILET THEN THE ZONING SHOULD BE ‘GIC’ AS PUBLIC UTILITY IS A COL 1 USE. THIS IS A MOST UNATTRACTIVE AND UTILITARIAN AMENITY THAT CONTRIBUTES NOTHING TO STREETScape THAT WOULD BE EXPECTED AT A ‘O’ ZONING.**

(f) **Item D** (about 0.09 ha) Rezoning of a site to the west of Hing Fu Street from “GB” to “G/IC(3)” with a maximum BH of two storeys as stipulated on the OZP Y/TM/25 Approved 25.8.2023 5,418 Niches / 12 Vehicle Parking

Able Fortune Memorial Garden with a 2-storey columbarium

*The Site is subject to a Building Licence No. 806 issued in 1959 for residential purpose. According to the applicant, the applicant subsequently acquired the Site and **renovated the building for columbarium use since 2012***

(g) **Item E** (about 0.14 ha) Rezoning of a site to the further west of Hing Fu Street from “GB” to “G/IC(4)” with a maximum BH of one storey as stipulated on the OZP. Y/TM/26 Approved 25.8.2023 4,942 Niches / 14 Vehicle Parking

Citifair Memorial Garden with two single-storey columbarium

This application is for a site with no previous religious connection. Current use appears to be a Pet Hotel and parking lot. There is no previous record of any approved use.

The two facilities were considered together. Indeed, in view of the similar wording of the applications it would appear that they are effectively part of the same operation.

According to the applicant’s submission, the proposal aims to regularize the existing columbarium use at the Site

But neither has a history of religious use and the introduction of columbarium services were around the same time and clearly intended as rent seeking from the departed. The operators effectively jumped on the bandwagon in anticipation of the revision to regulations for such services.

That members did not question the relationship between the operations, nor consider that the intention is to ultimately extend columbarium use at the location is

astonishing. With application 23 already approved and 24 in the pipeline, it is very clear that the ultimate intention is to transform the entire area, step by step, into a large columbarium.

The online worship stuff is clearly crap. There is no point in buying a niche if nobody is going to visit. The cumulative impact of the four applications would result in traffic chaos on certain dates.

The government has commissioned Tsang Tsui Columbarium to serve the Tuen Mun community. The project provides 160,000 indoor niches, a 2-way 2-lane access road connecting the building to Nim Wan Road, a rooftop garden, outdoor joss paper burners, administrative facilities and a Garden of Remembrance (GoR) for scattering of cremated ashes with memorial walls holding about 20,000 nos. of name plaques.

Providing resting places for the deceased should be a community service not a commercial revenue generating operation.

Y/TM/23 within the same "GB" zone agreed by the Committee on 25.6.2021 for rezoning from "GB" to "G/IC" to regularise the existing private columbarium with permitted religious institution. Tin Kwong Lun Yee

11,094 Niches (6,000) / 16 (7) Vehicle Parking

Extracts from Minutes:

it was noted that adverse impact on the existing landscape resources had taken place.

Tin Kwong Lun Yee was a religious institution dedicated for Lang Yan Sing Gau, which was a branch of Tibetan Buddhism. The founder of Tin Kwong Lun Yee set up a religious institution with columbarium use at the Site in 2009.

**SO EFFECTIVELY NO HISTORY, BUILD TO RENT SEEK**

Some Members expressed concern that approval of the rezoning application would set an undesirable precedent for similar applications in the "GB" zone, in particular when there were three similar applications in the same "GB" zone which were under processing by PlanD. There might not be sufficient justifications to support the rezoning of the "GB" site for columbarium development. A Member had reservation on the application as it was a 'destroy first and build later' case which should not be encouraged and approval of the application would set an undesirable precedent for similar applications in the "GB" zone, the cumulative impact of which would result in general degradation of the rural environment in the area. Another Member was concerned that there was no compensation for the loss of the "GB" zone.

But their views were overridden as usual by the strong faction on the board that will always support the PlanD recommendations, irrespective of the gaping holes and obfuscation in the data.

Y/TM/24 5,670 Niches / ?? Vehicle Parking FILIAL PRAISE NICHES

03/03/2023 Deferred Rural & NT Planning Committee

After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the fourth deferment and a total of eight months had been allowed for preparation of the submission of further information, it was the last deferment and no further deferment would be granted.

Further data 22 Nov. Date of meeting 1 March 2024

All four application have the same format and wording. All were developed around the same time. Members failed to assess the cumulative impact and the clear intention to in due course extend operations.

Members failed to take into consideration the parking issue. The applications state that parking is available at the adjacent parking lots.

Y/TM/23	11,094
Y/TM/24	5,670
Y/TM/25	5,418
Y/TM/26	4,942
<b>Niches</b>	<b>27,124</b>

So what is the status of these parking lots? Unfortunately the columbarium applications are presented on the OZP website in isolation. There is no link to the parking lots even though they are effectively an integral part of the operation. Have the parking lots been approved or are they illegal operations on the same lines as the columbarium?

AGAIN JOE PUBLIC IS NO TECH EXPERT. IT MAY BE THAT BY EXPLORING THE OZP SITE ONE COULD EVENTUALLY IDENTIFY THE HISTORY OF THE LOTS USED FOR PARKING BUT HOW MANY HOURS ARE THERE IN THE DAY?

The location is close to schools and housing estates. Members failed in their duty to 'look into matters' and took the applicant's statement with regard to traffic impact at face value. The Rural Board has to cover many applications each meeting. There is no excuse this time around with the full board on hand to fail to explore the issues.

**STRONG OBJECTIONS TO BOTH D AND E.**

Mary Mulvihill

