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AMENDMENTS TO THE APPROVED TSUEN WAN OZP NO. S/TW/35
28/06/2023 03:28

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
File Ref:

AMENDMENTS TO THE APPROVED TSUEN WAN OZP NO. S/TW/35

Item A – Rezoning of a site at the upper section of Lo Wai Road from "Green Belt" to "Government, Institution or Community (10)" ("G/IC(10)").

Dear TPB Members,

Objections. Agree with the members who did not support the application that "it was a case of '**build first, apply later**' and involved unauthorised uses/structures under the planning, building and lands regimes. Approval of such case would set an undesirable precedent for similar columbarium developments implemented without complying with the relevant regulations or ordinances;

This is one of a number of **RENT SEEKING FROM THE DEAD** developments that were launched when it was announced that the administration would crack down on this lucrative business.

Apr 15 2010 - Columbarium working group established

At the same time the applicant, a private company and was not a religious organization, acquired the site . The existing structure was originally an ancestral hall and was **bought by the applicant for conversion to columbarium use.**

Y/TW/9 application was rejected 17 Feb 2017

https://www.info.gov.hk/tpb/en/meetings/MPC/Minutes/m575mpc_e.pdf

DLO/TW&KT, LandsD advised that the proposed columbarium use was in breach of the lease and the applicant's proposal of widening an existing access road on government land (GL) would affect existing and planned public works. Also, it was not appropriate to impose the proposed operational management measures in the lease conditions as those measures were not enforceable under lease.

The Commissioner for Transport (C for T) had reservation on the application in that the existing traffic flow during festive periods well exceeded the design capacity of Lo Wai Road. The traffic impact arising from the proposed development would further aggravate the traffic condition of the road. C for T also had reservation on the proposed traffic management measures. The Commissioner of Police (C of P) considered C for T's comments vital in processing the application and traffic would continue to be a key concern.

The applicant failed to demonstrate that the proposed traffic management measures were practical, implementable and enforceable. Some TWDC members also raised concerns on the traffic problem of Lo Wai Road.

The conversion of existing building for columbarium use was an unauthorised building works subject to enforcement action by the Building Authority. The applicant's representative, confirmed that no professional had been engaged for the conversion and renovation works of the existing building into columbarium use

But now, despite the fact that a large residential development has been approved nearby and extensions to RCHE, all the above appears to have been resolved by a magic wand.

In addition the applicant has made it clear that the ultimate aim is to provide 12,000 niches and opposed that 'Columbarium' use was proposed under Column 2 of the Notes for the "G/IC(10)" zone.

The 3,000 niches is just a first step in the process. As for the 50 free niches for local residents, have they been promised perchance in order to drum up support for the development?

This development is a good example of how step by step developers get their own way and undermine the very process that was designed to but does not ensure that good planning prevails and that underhand tricks are not rewarded.

Members should reject the application in line with the 2017 decision.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Sunday, 2 May 2021 4:00 AM CST
Subject: Re: Y/TW/15 DD 453 Lo Wai GB 3,000 Niches

Dear TPB Members,

The widening of the access road will not reduce the traffic impact on the main road.

Mary Mulvihill

From: [REDACTED]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent: Sunday, January 3, 2021 4:25:32 AM

Subject: Y/TW/15 DD 453 Lo Wai GB 3,000 Niches

Y/TW/15

Lots 613 RP, 614 and 1229 in D.D. 453 and adjoining Government Land, Lo Wai, Tsuen Wan

Site area : About 2,250sq.m Includes Government Land of about 660sq.m

Zoning : "Green Belt"

Proposed Amendment(s) : Rezone to "GIC (10)" / 3,000 Niches / 6 Vehicle Parking

Dear TPB Members,

When considering the previous application back in 2017, one of the major concerns was traffic.

The recent approval of a housing development on the site of the Hilltop Club nearby will generate even more traffic on the route to the site. The Applicant then mentioned that "In addition, the tolerance of the public towards traffic congestion over the festive periods should be taken into account." While villagers may not complain, the owners of the new residences may not be as tolerant.

The conversion of existing building for columbarium use was an unauthorised building works subject to enforcement action by the Building Authority. Clearly no enforcement action has been taken. There is no indication of any approval under the new columbarium regulations. 30% of the site is government land, is this currently illegally occupied?

The proposed parking would be inadequate on festive dates.

Mary Mulvihill