

Designing Hong Kong

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Hong Kong, 14 November 2013

Dear Sirs,

Re: regulation of private columbaria and supply of public niches

We acknowledge the genuine demand for public and private niches and burial spaces and the shortfall in supply. We support the increase of supply in various forms to meet the demand.

Given both the sensitivity over the location of niches and burial spaces, the peak vehicular and pedestrian traffic demand on the available local infrastructure during grave sweeping festivals, the traffic arrangements during funerals, as well as the various visual and other environmental impacts, it is important that the Director of Food and Environmental Hygiene as the responsible Authority over all cemeteries and columbaria exercises his powers with the utmost care to ensure the interests of nearby residents and visitors is well considered through a comprehensive public engagement process.

As a Member of the Southern District Council I'm fully aware that the Authority has failed entirely in this respect of this for two columbaria at two different cemeteries: The HKCCCU Cemetery in Pokfulam and the Aberdeen Chinese Permanent Cemetery near Tin Wan.

At Pokfulam, had the Authority engaged the community it would have been fully aware of the pedestrian constraints and the limitations of the input it received from the Transport Department. This would have allowed it to seek changes to the proposed works prior to approval. The importance of both vehicular and pedestrian traffic impact assessments are important to be evaluated fully before approvals by the Authority, Buildings Department, Planning Department and Lands Department.

In the case of the private columbaria by HKCCCU at Victoria Road there is no formal requirement for a TIA, nor is the Transport Department required to consider or endorse a TIA report presented by the project proponent. This is systemic flaw resulted in approvals of a columbarium comprising 36,900 niches to be built in a narrow corner lacking adequate pavements. The matter is still outstanding despite the completion of the foundation works.

Numerous private columbaria established unlawfully are seeking regularizing their developments and uses but without a thorough assessment of transport and environmental carrying capacity. Clear examples can be found including 5 columbaria at Tao Fung Shan in Sha Tin. Joint guidelines and regulations for proponents and applicants should be published by the relevant departments jointly to minimize the risk of future environmental and traffic impacts, and risks of unlawful road widening, parking facilities, sewage discharge, and other impacts.

Noting that the Authority according to Section 4 (1), (2) and (3) of the Private Cemetery Regulation (Cap 132, section 116) has the ongoing responsibility for public safety and health, and powers to control and demand any works, at private cemeteries, including the size, design and location of any proposed works or columbarium to be placed thereon, it is important that the Authority includes the public in a thorough engagement prior to approval of a project, if not to avoid having to instruct new works or variation which may lead to detrimental costs for the proponent.

Herewith we so submit for your consideration.

Designing Hong Kong
November 2013

Appendix to Designing Hong Kong submission to the Panel on Food Safety and Environmental Hygiene at the Legislative Council, 19 November 2013 regarding the regulation of private columbaria and supply of public niches

Inadequate level of service for pedestrians at Victoria Road/Consort Rise at proposed columbarium 36,900 niches

