



Eric Kwok

To ccc@fhb.gov.hk

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bcc

07/09/2010 01:04

Subject Comments on Columbarium Policy

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Dear Sir / Madam,

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I have the following comments on the caption.

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Views on the Following Matters

(1)----- I totally agree that all districts should collectively share the responsibility to develop columbarium so as to increase supply to meet the needs of the community. However, I consider that not every district (eg. Central) has suitable site to develop the facilities in view of land available, nearby uses, transportation, etc.

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----- I consider sufficient public consultation / engagement is one of the key successful factors. Furthermore, I observe that a part of the public is confused with columbarium facilities by crematorium. Obviously, the concern on crematorium is much greater comparing to columbarium facilities. Therefore, the key elements of the columbarium facilities should be clearly presented. Moreover, I presume no one would like to have columbarium facilities nearby. The Government should provide compensatory / protective measures to the district, eg. more roads, sufficient equipment to prevent fly ash, orientation of the facilities to minimise impacts, sufficient buffer distance, screen planting, etc.

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----- I support on the recommendation of conversion of multi-storey into columbarium blocks. However, converting the land use under Town Planning Board might not be an easy task due to the nearby existing land uses.

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(2)----- Absolutely agree in view of the existing infrastructure facilities, as well as the perception of nearby receivers. Referring to the Annex shown the potential sites for columbarium development, 8 out of 12 are the extension of the existing facilities or nearby these facilities. This could be complement to the surrounding land uses. Besides, I also support the remaining 4 site due to the remote locations.

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(3)----- Absolutely agree in view of their good performance on managing their existing relevant facilities.

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(4)----- Agree in view of sustainability.

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(5)----- I consider that the permanent basis is an acceptable arrangement. For time-limited lease, it would cause problems to bereaved families if the time limit is reached but they cannot find another suitable niche. On the other hand, I accept the suggestion of annual management fee. However, the fee should be reasonable and affordable.

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(6)----- I am neutral the introduction of the suggested incentive scheme for the return of public niches to the Government for re-use in exchange for an ex-gratia allowance. Nevertheless, I suspect the effectiveness and involvement of this

incentive scheme, except that the allowance is enough for a private niche, which would be unlikely possible.

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(7)----- I recommend:

(i)-- The list showing licensed / unlicensed columbarium facilities should be released to the public as soon as possible.

(ii)- I consider that List B MUST provide a comprehensive list of private columbaria that do not fall under List A. It is not acceptable that List B is not exhaustive. More resources from the Government should be provided to prepare the List B.

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(8)----- Generally appropriate. Please advise the time table of the proposed amendment and effective date. I urge for immediate action for the amendment since the situation of private columbaria on non-approved land uses becomes very serious.

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----- For the temporary license, the validity period is suggested as 2.5 years. I suggest that sufficiently short and reasonable period of time should only be given in order to avoid confusing consumers. Therefore, please see whether this could be further minimized (say 1 year). Moreover, I seriously recommend that the exemption could not be extended, except for extremely special circumstances. Otherwise, the exemption would be used as a tool to confuse consumers. I agree the proposal of freezing the number of niches and stopping further sale of niches under the exemption period.

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----- The penalty for offence must be significant enough to prevent occurrence and recovered by the illegal sale of niches as a niche costs much.

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----- Furthermore, please carefully consider how to amend the ordinance in order to fill the grey areas since understood from some TV programs, the owners of some existing private columbaria (mostly violating the approved land uses) stick on the grey areas / definitions of the ordinance.

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(9)----- I would like to stress that the consumers have undoubted responsibility to ensure whether the columbarium has valid licensed or not. It is their own risk to purchase niches from such unlicensed facilities. I consider no point that the Government needs to be involved in such cases. On the other hand, the facilities owners should have to compensate to those purchased the niches. At the same time, the owners should be prosecuted. Therefore, the Government should investigate the relevant ordinance / regulation to protect the consumers.

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Further Comments

a.----- I observe that the Cape Collinson Public Columbaria is relatively old (partly completed in 1960s). Reconstruction / renovation might be necessary in the coming future. Shortage might be further introduced by this works.

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Grateful if the above comments could be taken into consideration.

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Regards,
Eric KWOK