

Planning Application No. A/ST/1051

Table A: Responses to Departmental Comments

	Departmental Comments	Responses
	Comments from Planning Department	
1	The submitted Planning Statement (PS) and Background Information state that the applicant is a non-profit organization. Please provide proof of the charitable status, such as a certificate of tax exemption under Section 88.	申請人：莊子文化研究基金會有限公司是一間在香港註冊的「擔保有限公司」，獲公司註冊處發出公司註冊證書。 在公司章程的第 19 題有提及：本會為非牟利之無股本的擔保有限公司，屬於非牟利機構。「所有慈善機構都是非牟利機構，但非牟利機構不一定是慈善機構。」 公司章程在向政府註冊公司時已交給公司註冊處審批，其公司章程就能證明申請人是一間非牟利機構，不牟利的。 附件 1：申請人的公司章程及公司註冊證書
2	Regarding the Bullet Point 3 under 'Reasons for Application' (申請原因) on page 2 of the submitted PS, (i) please clarify whether the applicant is applying for 'Shop and Services' or 'Institutional Use'; (ii) please explain why a 'Shop and Services' license from other department is required for the application site.	有關該文書錯誤，申請人已糾正 Planning Statement。 請看 附件 2：Revised Planning Statement
3	To facilitate a better understanding of the proposal, please provide a section plan for the proposed 2-storey temporary structure, with the proposed building height clearly indicated.	有關辦公室每層的用途及高度，申請人已在圖則顯示。 請看 附件 3：Section Plan。

非牟利機構 和 慈善機構 的 對比表

核心對比表

特性	非牟利機構 (擔保有限公司)	慈善機構 (獲第88條免稅)
定義	香港公司的其中一種法律形式。	經稅務局審批通過的慈善身份。
成立目的	可以是聯誼、商會、體育會、非牟利服務。	必須純粹為了法定慈善宗旨。
利潤稅	除非另獲免稅，否則須繳利潤稅。	全面免繳利潤稅。
捐款扣稅	市民捐款給它不能用來扣稅。	市民捐款港幣 \$100 或以上可以扣稅。
監管部門	公司註冊處 (Companies Registry)。	稅務局 (Inland Revenue Department)。

	Departmental Comments	Responses
	Environmental Protection Department	
1	Given the limited information submitted regarding the proposed portable toilet, the associated sewage impact cannot be confirmed at this stage. As such, please provide the information as below: (a) confirm if the number of staff is 3 to 4, and provide the estimated number of visitors per day. (b) specify the frequency of tankering away of sewage (e.g. weekly, monthly). (c) estimate the volume of sewage to be generated per day, and review whether the capacity of the proposed portable toilet is capable to handle it.	(a) 擬議用途為臨時機構用途：非牟利組織的辦事處，辦事處日常上班的人數為 3-4 人。申請人預計每星期舉辦不多於一次活動，在舉辦活動的日子，預計每次活動的訪客不超過 20 人。 (b) 申請地點內已設有排污池（已標示在 Layout Plan 上），該排污喉（直徑呎吋約 150mm）已接駁到政府的污水渠，詳細路徑圖請看附件 4。 (c) 根據環保署及渠務署的「污水流量估算指引」，污水量是將人數乘以人均污水產生率來計算。 員工參數：每人每日 0.06 立方米（60 升）；訪客參數：每人每日 0.025 立方米（25 升） 沒有活動的日子（日常）： 4 人 × 60 升/人/日 = 240 升/日 有活動的日子（高峰） 包含 4 名員工及不超過 20 名訪客： 員工污水量：4 人× 60 升 = 240 升 訪客污水量：20 人× 25 升 = 500 升 合計：240 升+ 500 升 = 740 升/日 無活動日子：每日排污約 240 升。 有活動日子：每日排污約 740 升。 兩者均低於政府大渠的基本接駁負荷上限，屬於低排污量設施。 附件 4：排污路徑圖 附件 5：Revised Layout Plan 

	Departmental Comments	Responses
	Drainage Services Department	
1	Drainage proposal should be submitted for vetting.	申請人已做好排水建議書。 附件 6：Temporary Drainage Proposal

	Departmental Comments	Responses
	Transport Department	
1	Noting that the applicant will hold a series of events such as exhibitions and workshops at the proposed institution, please advise the estimated number of participants and demonstrate the public transport is sufficient to cater for this additional passenger demand.	擬建的臨時機構用途主要服務社區及對莊子文化有興趣的市民，每場活動或工作坊或交流會等的最高參與人數不超過 20 人，活動均採取「全預約制」，不設即場報名，確保同一時間在場的訪客不會超過 20 人。 申請地點周邊擁有非常完善的公共交通網絡，訪客由大圍站或周邊主要道路步行即可到達。 - 鐵路：訪客從大圍站步行約 15 分鐘左右即能到達，港鐵大圍站作為新界東的交通樞紐，每日可處理數十萬計的人流，每場 20 人的額外乘客量僅佔其運力的極微小份額。 - 專線小巴：新界專線小巴 68K, 803, 804 及 812 等，使用的 16/19 座小巴完全有能力在非繁忙時間吸納 20 名或以下的散落乘客。 - 專營巴士：申請地點鄰近紅梅谷路及車公廟路，設有多個巴士站。服務路線包括：46X, 80, 85, 87B, 281M 等，連接九龍各區（九龍塘、深水埗、尖沙咀）及沙田其他區域。專營巴士雙層車輛每部可載客逾百人，額外 20 名乘客對巴士線路的營運完全不構成任何實質負擔。 如個別訪客要駕駛前來，也可把車輛停泊在附近的公眾停車場（例如新翠邨停車場或圍方停車場），然後再步行過去，都是約 10 分鐘的步行距離。 附圖有標示申請地點及公共交通的位置（大圍站、新翠邨停車場、大圍站公共運輸交匯處、小巴站、巴士站等）

申請地點周邊的交通情況

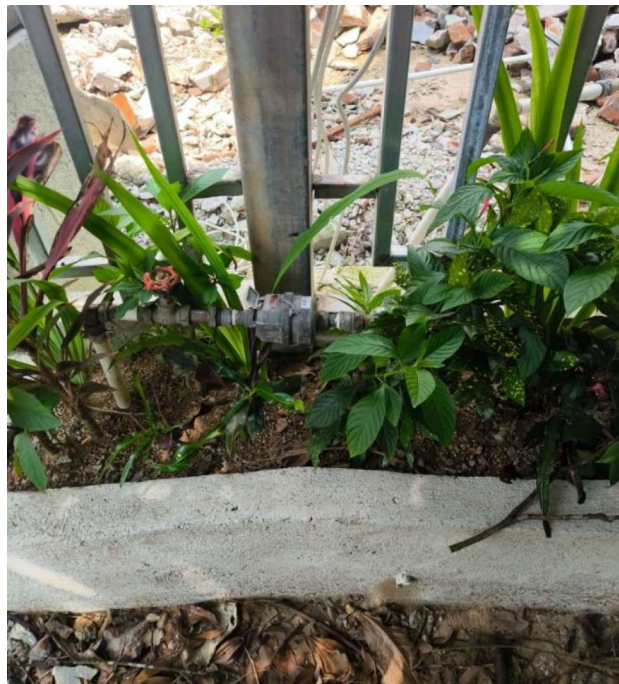


申請地點周邊擁有非常完善的公共交通網絡。



	Departmental Comments	Responses
	Lands Department	
1	The following irregularities covered by the subject planning application have been detected by this office: <u>Unauthorised structures within the said private lots covered by the planning application</u> There are unauthorized structures on the private lots. The lot owner should immediately rectify the lease breaches and this office reserves the rights to take necessary lease enforcement action against the breaches without further notice. If the planning application is approved, the lot owner shall apply to this office for a Short Term Waiver (STW) to permit the structure(s) to be erected within the said private lots. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate by LandsD. Besides, given the proposed use is temporary in nature, only erection of temporary structure will be considered.	申請人知悉及理解地政總署的執管立場，現場只有一個臨時物料的鐵皮屋。 如申請獲城規會批出，申請人承諾會立即向地政總署申請短期豁免書（STW），並拆除貴署指出的違規構築物，按照批出的圖則興建臨時構築物。 如短期豁免書批出後，申請人也會按照繳付相關的豁免書費用及行政費。

	Departmental Comments	Responses
	Water Supplies Department	
1	For provision of water supply to the development, the applicant and his successors may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant and his successors shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.	申請人知悉。 申請地點旁邊已安裝政府的水錶（看下圖）。 申請地點內已有供水裝置，申請人會好好維護相關水喉裝置及設施。



	Departmental Comments	Responses
	District Office (Sha Tin)	
1	Sha Tin Wai Area Committee (Committee), comprises District Council members, village representatives and district personalities, etc., have been discussing an agenda item “有關隔田村南濬斜坡違規工程” in the meeting since August 2025 in which unauthorized structures, i.e., solid fence walls on grade, and suspected illegal development therein on the Lots 393, 394 s.A., 394 RP, 397 and 401 in D.D. 182, Tai Wai, Sha Tin since 2019. With such unauthorized structure and development occupied on the slopes below the Lion Rock Tunnel Road, according to the village representative of Kak Tin, heavy rainwater from the upper slope and Lion Rock Tunnel Road was unable to be absorbed by the natural slopes originally on the Lots mentioned above, consequently diverted gushing down to the village houses of Kak Tin due to the fence walls of the unauthorized structure and development, seriously threatening the safety and property of villagers of Kak Tin for past years. In extreme weather in these years, sudden surge of rainwater rushed into the village houses of Kak Tin, threatening the villagers. Coupled with the fact that such alteration did cause flooding problem, slope instability, worsening of the drain system as well as the adverse impact in environment, i.e., construction waste to Kak Tin village. Our assessment is that it will trigger greater local backlash if the application is approved as the problems mentioned above have been concerning Kak Tin village for years.	申請人十分重視沙田圍地區委員會、隔田村村代表及本地村民就該區排水安全、斜坡穩定及環境衛生所提出的寶貴意見。針對意見中所提及的歷史排水問題，申請人已立即採取實質改善行動，並提出以下回應： 1. 申請人已拆除實心圍牆，改為金屬鐵欄杆，並已在 2026 年 4 月獲屋宇署驗收合格，不再存在實心圍牆阻擋雨水自然吸收、導致水流湧入隔田村村屋的問題。有關獅子山隧道公路及上層斜坡流下的雨水，相關部門也已設置排水渠並直接引流至政府大渠，相信不會再出現「水壩效應」，從源頭消除了對村民生命財產的威脅。 2. 申請人已制備排水渠務建議書，提交予渠務署審批，將在申請範圍增設足夠容量的正規 U 型排水渠、集水井及沙井，申請人深信擬議發展的正規渠務建設不僅不會加劇水浸，反而能協助解決該地段多年來缺乏系統化排水的問題，改善周邊的土力穩定性。 3. 申請人已把清拆圍牆的泥頭清理，並已通知環保署，確保周邊環境衛生良好。

	Departmental Comments	Responses
	Geotechnical Engineering Office (GEO), CEDD	
1	The application site is overlooked by steep natural hillside and meets the Alert Criteria for a Natural Terrain Hazard Study (NTHS). There are also existing slopes and retaining walls located within and in the vicinity of the application site. The applicant is required to submit a Geotechnical Planning Review Report (GPRR) in support of the Planning Application. The GPRR should include (i) a preliminary geotechnical review of natural terrain hazards (and man-made slope features as appropriate), and where necessary, indicate the recommended extent of the study area for NTHS and a commitment to undertake the NTHS and to carry out any necessary mitigation measures as part of the proposed development, and (ii) assess the geotechnical feasibility of the proposed development. Other essential contents of a GPRR are given in the attached "GEO Advice Note for Planning Applications under Town Planning Ordinance (Cap.131)".	申請人已委任專業人士制備一份地質規劃檢討報告。 請看附件 7：地質規劃檢討報告