

**Section 16 Planning Application for
Columbarium Use at Ten Thousand Buddhas Monastery,
Lot Nos. 323 (part), 324 (part) and 359 (part)
in D.D. 185 and adjoining Government Land,
No. 221 Pai Tau Village, Sha Tin**

Planning Statement



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Table of Contents

	<u>Page No.</u>
Executive Summary	
1 INTRODUCTION	1
1.1 Purpose of Submission	1
1.2 The Application's Background	1
1.3 The Present Scheme	2
2 PLANNING BACKGROUND	5
2.1 Site Location and Accessibility	5
2.2 Site Condition	5
2.3 Adjacent Land Uses	7
2.4 Zoning Background	8
2.5 Land Status	8
3 DEVELOPMENT PROPOSAL	9
3.1 Master Layout Plan and Development Schedule	9
3.2 Landscape Consideration	12
3.3 Access Arrangement and Special Traffic Arrangement	13
3.4 Environmental Proposal	16
3.5 Implementation Programme	16
4 TECHNICAL ASSESSMENTS	17
4.1 Minimum Traffic Impact	17
4.2 Minimum Environmental Impact	19
4.3 Minimum Geotechnical Impact	20
4.4 Minimum Landscape and Visual Impacts	22
5 PLANNING JUSTIFICATIONS	24
5.1 Historical Incident for Columbarium Service in Religious Institution	24
5.2 Essential Planning Mechanism to Comply with the Private Columbaria Ordinance	26
5.3 Conforming Government's Intention	27
5.4 Site Suitability for Columbarium Development	29
5.5 Land Use Assessment	30
5.6 Unlikely to Set an Undesirable Precedent	33
6 CONCLUSION	36

LIST OF APPENDICES

Appendix I	Policy initiatives for Pre-cut-off Columbaria
Appendix II	Relevant Documents in Relation to the PCL Application
Appendix III	Traffic Impact Assessment
Appendix IV	Environmental Assessment
Appendix V	Geotechnical Planning Review Report

LIST OF FIGURES

FOLLOWING PAGE

Plan A	Zoning and Location Plan	1
Plan B	Site and Land Status Plan	7
-	Site Photos	7
Plan C	Adjacent Land Use Plan	7
-	Site Photos (2)	7
Plan D	Master Layout Plan	11
Plan E	Elevation Plan for Columbarium Buildings in Site A	11
Plan F	Elevation Plan for Columbarium Buildings in Site B	11
Plan G	Floor Plan for Ng Sheung Din	11
Plan H	Floor Plan for Lung Wah Tong	11
Plan I	Floor Plan for Mei Tor Din	11
Plan J	Floor Plan for Lung Wah Kok	11
Plan K	Minimum Visual Impact	23
Plan L	Extract page of 沙田文物誌	25
Plan M	Existing Transport Facilities in the Vicinity of the Monastery	29
Plan N	Religious and Institutional Uses in the Vicinity of the Monastery	30
Plan O	Historical Survey Plan in 1957	30
Plan P	Historical Survey Plan in 1972 and 1973	31
Plan Q	Land Use Compatibility Plan	32
Plan R	PCLB Applications submitted by Pre-cut-off Columbarium in Sha Tin Area	33

LIST OF TABLES

PAGE

Table 2.1:	The Present Use of the Existing Buildings in the Monastery	6
Table 2.2:	Niche Count	7
Table 3.1:	Development Schedule of the Present Scheme	11
Table 3.2	New Arrangement on Distribution of Niches in the Monastery	11
Table 3.3:	Summary of Existing Trees within the Monastery	12
Table 5.1:	No. of Death and Death Rate in Hong Kong (2020 - 2025)	28
Table 5.2:	Study on Similar Cases of Pre-cut-off Columbarium in Sha Tin Area	34
Table 5.3:	Similar Cases of Columbarium Development in "G/IC" Zone	35

Executive Summary

This section 16 (s.16) planning application is submitted by Toco Planning Consultants Limited on behalf of H.K. Ten Thousand Buddhas Monastery Management Committee Limited (the Applicant), which is the operator of Ten Thousand Buddhas Monastery (the Monastery) in Sha Tin. The Applicant seeks planning permission from the Town Planning Board (TPB) to regularise the Pre-cut-off Columbarium ancillary to the Monastery at Lot Nos. 324 (part) and 359 (part) in D.D. 185 and adjoining Government land, Sha Tin (the application site). With a total area of about 427.25m², the application site currently fall within the “Government, Institution or Community” (“G/IC”) zone on the Draft Sha Tin Outline Zoning Plan No. S/ST/39. The columbarium premises at the application site cover a total number of 4,301 niches (2,779 already sold niches and 1,522 niches available for sale), which is in line with the Private Columbaria Licensing Board (PCLB)’s current record.

The Monastery is a famous religious institution which has been in existence and long been a favourable place for tourist sightseeing and worshipping activities for the community at the upper part of To Fung Shan since 1957. In view of their religious principle that is highly respecting the value of life, the Monastery has long been providing columbarium service since 1966. On 30.6.2017, the Private Columbaria Ordinance (PCO) came into effect and the Government is prepared to adopt a pragmatic and sensitive approach to resolve properly the historic problem of Pre-cut-off Columbaria in order to minimise any social concern arising from people who have purchased these niches and massive displacement of interred ashes before the introduction of regulatory regime. In response to the requirements of the PCO, the Applicant had submitted a private columbarium licensing application to the PCLB on 23.3.2018 to apply for a Licence for the Pre-cut-off Columbarium in the Monastery. The Applicant had fulfilled a series of specified requirements and obtained the Approval-in-principle Temporary Suspension of Liability (TSOL) on 13.10.2022, and further obtained a 3 years extension of TSOL on 3.10.2025. During the validity period of TSOL until 12.10.2028, the Applicant has to comply with a series of licensing requirements, including but not limited to town planning, land lease and building safety. Thus, this s.16 planning application is submitted in order to partly comply with the licensing requirements under the PCO and partly to satisfy the town planning requirements.

Planning and technical assessments have shown that the application site is well suitable for religious and columbarium uses as it is located in an inconspicuous area that mainly surrounded by the existing religious buildings, retaining walls, slopes and mature trees. The columbarium premises in the Monastery are low-rise in nature, which are far away from the major residential developments and village core and separated by sufficient physical segregation. It is compatible with the adjacent land uses in Pai Tau and Sheung Wo Che area, which is a traditional religious area with temples and funeral related facilities in Sha Tin. The applied use is in line with the planning intention of “G/IC” zone, and TPB Guidelines No. 16A in that the GIC facilities within the religious institution would not be jeopardised. The small scale development will not result in any significant impact on the land use, traffic, environmental, drainage, sewerage, visual, landscape and geotechnical aspects of the locality. Adequate landscaping, environmental, and traffic and crowd management measures have been proposed. In view of its long history, unique location, appropriate scale and new policy initiatives, approval of this s.16 planning application will not set an undesirable precedent for similar applications within the same “G/IC” zone.

行政摘要

(內容如有差異，應以英文版本為準)

香港萬佛寺管理委員會有限公司 (申請人) 是沙田萬佛寺 (萬佛寺) 的經營者，現透過達材都市規劃顧問有限公司，根據城市規劃條例第 16 條向城市規劃委員會 (城規會) 遞交規劃許可申請 (第 16 條規劃申請)，以規範位於沙田丈量約份第 185 約地段第 324 號(部分)及第 359 號(部分)及毗連政府土地 (申請地點)，附屬萬佛寺內的截算前骨灰安置所。申請地點面積約有 427.25 平方米，現時在沙田分區計劃大綱草圖編號 S/ST/39 上被訂為「政府、機構或社區」地帶。申請地點內的骨灰安置所的處所包括共 4,301 個骨灰位 (當中 2,779 個骨灰位已出售及 1,522 個骨灰位未有待出售，與私營骨灰安置所發牌委員會 (發牌委員會) 現時的記錄一致。

萬佛寺是一間著名的佛教宗教場所，於 1957 年建立在道風山山腰位置，並長久以來為大眾提供旅遊景點及宗教拜祭活動。基於尊重生命的宗教原則，萬佛寺的骨灰存放服務早於 1966 年已經開始運作。私營骨灰安置所條例 (下稱「條例」) 於 2017 年 6 月 30 日生效，政府有意把截算前骨灰安置所這些歷史問題妥善處理，以避免在引入規管制度前已購買龕位之人士蒙受損失及大量已安放骨灰被遷移，而引致社會不安。申請人因應條例之要求，已於 2018 年 3 月 23 日就萬佛寺的截算前骨灰安置所的牌照事宜向發牌委員會提交了私營骨灰安置所牌照申請 (牌照申請)，並已經符合了一系列的指定要求，最終在 2022 年 10 月 13 日獲得了原則上同意暫免法律責任書，及於 2025 年 10 月 3 日再獲得暫免法律責任書的三年延期。申請人必需在暫免法律責任書的寬限期內 (即是 2028 年 10 月 12 日或之前) 符合一系列牌照相關要求，包括但不限於城市規劃、土地契約及建築安全等要求，因此，是次第 16 條規劃申請是為了符合牌照申請的要求，同時亦符合城市規劃要求。

規劃及工程評估認為申請地點的位置比較隱蔽，四周被現存宗教樓宇、擋土牆、山坡地和樹木所包圍，因此很適合作宗教及骨灰安置所用途。萬佛寺內骨灰安置所的處所較為矮小，遠離主要住宅發展及村屋群並有適當的物理屏障所隔開，加上位於排頭及上禾輦一帶，是傳統宗教區並設有廟宇及殯儀相關設施，因此不會與毗連土地利用不相協調。申請用途符合「政府、機構或社區」地帶的規劃意向，以及符合城規會規劃指引編號 16A，因為不會妨礙宗教機構設施。本計劃規模細小，加上提供適當的園景、環保及交通和人潮管理措施，故不會對本區及附近的土地利用、交通、環境、排水、排污、視覺景觀、園境及岩土造成不良影響。基於萬佛寺的長久歷史、位置獨特性、合理規模和最新政策措施，批准是次第 16 條規劃申請不會對同區同一「政府、機構或社區」地帶的類似申請立下不良先例。

PART I- MAIN REPORT



1. INTRODUCTION

1.1 Purpose of Submission

This section 16 (s.16) planning application is submitted by Toco Planning Consultants Limited on behalf of H.K. Ten Thousand Buddhas Monastery Management Committee Limited (the Applicant), which is the operator of Ten Thousand Buddhas Monastery (the Monastery). The Applicant seeks planning permission from the Town Planning Board (the Board/ TPB) to regularise the Pre-cut-off Columbarium⁽¹⁾ ancillary to the Monastery at Lot Nos. 324 (part) and 359 (part) in D.D. 185 and adjoining Government land (G.L.), Sha Tin (the application premises). With a total area of about 427.25m², the application premises currently fall within the “Government, Institution or Community” (“G/IC”) zone on the Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/39 (see **Plan A**). They cover a total number of 4,301 columbarium niches (2,779 sold niches and 1,522 niches available for sale), which is in line with the Private Columbaria Licensing Board (PCLB)’s current record.

1.2 The Application’s Background

The Monastery is a registered Buddhist temple of the Chinese Temples Committee established at the upper part of To Fung Shan by Venerable Yuet Kai (月溪法師) and his followers in 1957. It has long been a favourable place for tourist sightseeing and worshipping activities for the community. When Venerable Yuet Kai passed away in 1965, his nephews had assumed the role of overseeing the maintenance of the Monastery. In 1997, some structures at the Monastery were seriously damaged by heavy rain. After two years of re-construction, the Monastery was partly reopened and the management responsibility was changed from private institution to a non-profit making organisation named “Shatin Ten Thousand Buddhas Monastery Limited”, which is the associated company of the Applicant.

Over the past decade many well-established religious institutions in the New Territories (N.T.) play an important role in the provision of columbarium facilities. In view of the religious principle of the Monastery that is highly respecting the value of life, the Monastery has long been providing columbarium service since 1966. On 30.6.2017, the Private Columbaria Ordinance (PCO) came into effect to resolve properly the historic problems which have accumulated over the years regarding consumers who purchased niches from private columbaria. The Government is prepared to adopt a pragmatic and sensitive approach to resolve the Pre-cut-off Columbaria under a licensing scheme and all the private columbarium in Hong Kong must be either covered with a Licence or an Exemption (see **Appendix I**).

¹ “Pre-cut-off Columbarium” means a columbarium that was in operation, and in which ashes were interred in niches, immediately before the “cut-off time” (i.e. 8 a.m. on 18.6.2014).



Extract of Draft Sha Tin Outline Zoning Plan No. S/ST/39

(Prepared on 29.6.2026)

In response to the requirement of the PCO, the Applicant had submitted a PCL application to the PCLB on 23.3.2018 to apply for a Licence for the Pre-cut-off Columbarium in the Monastery (see **Annex I** of **Appendix II**). The Applicant had fulfilled a series of specified requirements and obtained the Approval-in-principle (AIP) Temporary Suspension of Liability (TSOL) on 13.10.2022, and further obtained a 3 years extension for the TSOL on 3.10.2025 (see **Annex II** and **Annex III** of **Appendix II**). During the validity period of TSOL until 12.10.2028, the Applicant has to comply with a series of licensing requirements, including but not limited to town planning, land lease and building safety, in order to obtain the full Licence. Hence, the Applicant herein submits this s.16 planning application, partly to comply with the licensing requirements under the PCO and partly to satisfy the town planning requirements.

1.3 The Present Scheme

The development scheme under this s.16 planning application does not propose any new buildings and it is anticipated no major alterations and additions would be involved to the existing buildings. Several pre-submissions were submitted to the Planning Department (PlanD) and majority departments had no comment on/ objection to the case. This Planning Statement, which includes a development proposal and technical assessments, have already been updated accordingly by taking into account the departmental comments received from the PCL application, the previously withdrawn s.16 planning application and the pre-submission stage. A series of measures have been proposed for the Monastery and they are summarised as follows:

(a) TSOL Obtained and Niche Number Confirmation

Prior to the TSOL was granted, the Applicant had already complied with a series of specified requirements in relation to building safety, fire safety and environmental aspects (see **Annex IV**, **Annex V** and **Annex VI** of **Appendix II**). Preliminary verification of the niche number had been conducted by the Private Columbaria Affairs Office (PCAO).

(b) Site Boundary Adjustment

According to Notes of the Sha Tin OZP, while 'Religious Institution' use is always permitted in "G/IC" zone, 'Columbarium' use requires planning permission from the Board. Hence, the application site boundary under this s.16 planning application only covers the 4 existing columbarium buildings, an existing eco-furnace and a small area reserved for a possible additional eco-furnace in order to comply with the town planning requirements which is essential for the PCL application. The boundary tallies with the proposed license boundary under the PCL application.

(c) Largely Reduce the Total Number of Niches

Although the existing niche capacity of 9,117 as at 30.6.2027 complies with PCL requirements and is acknowledged by the PCAO, the Applicant has decided to

reduce the number of unsold niches from 6,338 to 1,522 which is a significant decrease in about 76% in order to address traffic impact considerations. Hence, the expected visitor demand per year for the Monastery will be significantly reduced. The Niche Information under Annex 13 of the PCL application have been updated and submitted to the PCLB on 27.5.2026.

(d) Improved Traffic and Crowd Management Plan

In order to comply with the licensing requirements, a Management Plan which was prepared based on the previous Traffic Impact Assessment (TIA) was submitted to the PCLB and accepted by the Hong Kong Police Force (the Police) on 23.7.2019 (see **Annex VII of Appendix II**).

To further ensure the festive event to be operated in the Monastery can be run in a safe, orderly and smooth fashion without creating any crisis, the Applicant has engaged a reputable traffic engineering consultant – CKM Asia Limited to prepare a TIA with an improved Traffic and Crowd Management Plan (TCMP) (i.e. the 2,779 currently sold niches can be rectified under the Exemption⁽²⁾ pathway, which had already submitted to the PCLB on 23.9.2025 in accordance with the Private Columbaria (Amendment) Ordinance 2025, and the operation and visitation for majority of the sold niches will remain as they are today. As for the 1,522 unsold niches and the 86 sold niches in Man Shun Tong, Man Lai Tong and Man Yu Tong of Ng Sheung Din, the TCMP is to allow visitation during the opening hours on weekdays, and by appointment only. These 3 columbarium halls in Ng Sheung Din will be closed (i.e. locked up) from visitation on Saturdays, Sundays, and public holidays, including the Ching Ming and Chung Yeung Festival Days) so as to further minimise the traffic impact arising from the subject development.

Visit-by-Appointment will be implemented by the Applicant requiring all visitors to the columbarium to register at least 2 days prior to visiting at all times. The number of visitors per (30-minute) session will be limited to 18 persons only. The columbarium will open from 9:00am to 5:00pm on weekdays (except for public holidays).

(e) Landscape and Environmental Improvement Measures

All the existing vegetation along the edges within and outside the Monastery area will not be disturbed as they will help create a soft planted edge to the religious buildings along its interface with the natural context to blend in with the more naturalistic vegetation. A Smokeless joss paper furnace with dust control measures has been installed and the Environmental Protection Department (EPD) under the PCL application has considered acceptable (see **Annex VI in Appendix II**).

² Unlike that applicable to a Licence, Exemption is not required to fulfil the planning-related requirement, nor submit a management plan for prior approval by the PCLB.

Planning and technical assessments prepared by the consultants have indicated that the development proposal is well justified based on the following reasons:

- (a) The Monastery is a traditional religious institution which has been in existence at the site for more than 60 years and before the gazettal of the first Sha Tin OZP;
- (b) the application is aimed at regularising the existing niches from a Pre-cut-off Columbarium ancillary to the Monastery. It is in line with the spirit of the PCO;
- (c) the subject development is also in line with the Government's intention to relieve part of the urgent demand for columbarium niche spaces in Hong Kong;
- (d) the total number of niches in the Monastery will be largely reduced from 9,117 to 4,301 (among which 2,779 are already sold), thus the expected visitor demand per year for the Monastery will also be significantly reduced;
- (e) the Monastery is accessible by footpaths leading to Mass Transit Railway (MTR) Sha Tin Station, public transport facilities and car parks;
- (f) the existing columbarium buildings are low-rise in nature and they are compatible with the adjacent land uses where a number of traditional temples, columbaria and graveyards are located; they are also far away from residential use and are segregated from them by slopes with mature trees;
- (g) it is in line with the planning intention of "G/IC" zone and TPB Guidelines No. 16A in that the GIC facilities within the religious institution would not be jeopardised, and the use and scale of the proposed development are not incompatible with the religious use and the adjacent community use setting;
- (h) it will allow the remaining niches in the Monastery to be put up for sale in order to meet the future need for their public and to support the payment of land premium;
- (i) the small scale development will unlikely result in any significant land use, traffic, environmental, sewerage, visual, landscape and geotechnical impacts; and
- (j) the application will not set an undesirable precedent for similar applications in view of its long history, unique background, small scale and the new policy initiatives.

The above planning justifications will be explained in detail in the following sections. Details of various technical assessments are attached in **Appendices III to V**.

2. PLANNING BACKGROUND

The location, accessibility, site condition, adjacent land uses, zoning background and land status in relation to the application premises and the Monastery are presented in this section.

2.1 Site Location and Accessibility

The application premises are located within the Monastery at the hillside of To Fung Shan near Pai Tai Village, which is a traditional religious and funeral related area in Sha Tin. The Monastery is bounded by a large columbarium called Po Fook Hill (寶福山) to the south and slopes with mature trees on the other three sides. It has a long history of religious and columbarium uses and it is far away from the major residential developments and village core.

The Monastery has no vehicular access. It is accessible by a footpath with varying width from 2m to 4m leading to Sha Tin Government Offices (**Photo 1** and **Photo 2**). Another site entrance is located at the southwestern corner of the Monastery which connects to a footpath feeding onto Pai Tau Street and Sha Tin Rural Committee Road. Drop-off spaces are available near Pai Tau Village and Sha Tin Plaza. Public car parks are available at Grand Central Place (**Photo 16**), New Town Plaza, Shatin Centre, Wai Wah Centre, Hilton Plaza, Shatin Plaza, Lucky Plaza and Lek Yuen Estate in the town centre.

The Monastery is located within 800m walking distance from MTR Sha Tin Station and other public transport services (i.e. franchised bus, green mini-bus (GMB) and taxi. Two bus terminus are located under and adjoining the MTR Sha Tin Station (**Photo 13**, **Photo 14** and **Photo 15**). Visitors to the Monastery mainly use public transport facilities to reach Sha Tin Town Centre and then walk up to the Monastery via the footpaths in the area.

2.2 Site Condition

The Monastery is a traditional religious institution with ancillary columbarium facilities which has been in existence at the upper part of To Fung Shan since 1957. It is sub-divided into two portions, i.e. Site A at about 85mPD in the south and Site B at about 101mPD in the north. Site A is currently occupied by the main temple, pagoda, pavilions for religious statues, management offices, souvenir shop, toilets, store rooms, rain shelters and ancillary columbarium (**Photo 3**, **Photo 4** and **Photo 5**). Site B is occupied by several temples, rain shelters and ancillary columbarium (**Photo 6**, **Photo 7** and **Photo 8**). An open courtyard with landscape features, which serves as a visitor's gathering area for the Monastery, is present at the central part of Site A and in front of the buildings in Site B.

The application premises have a total area of about 389.1m² in area and they are occupied by 4 columbarium buildings. They comprise three clusters of area, including: (1) the south-eastern corner of Site A covering Lung Wah Tong; (2) the western part of Site A covering Ng Sheung Din only; (3) the north-eastern corner of Site B covering Mei Tor Din with rain shelter and Lung Wah Kok. The present uses with gross floor area (GFA) and building height (BH) of the buildings within the Monastery (i.e. the Monastery area) are shown and summarised in **Plan B** and **Table 2.1** respectively for reference. Latest niche count for the Monastery, which was submitted as part of the PCL applications to the PCLB on 30.11.2022, is shown in **Table 2.2**. In order to minimise the potential traffic impact, the total number of niches will be reduced and some columbarium walls will be sealed off in future.

Table 2.1: The Present Use of the Existing Buildings in the Monastery

Block	The Present Use of the Existing Buildings	BH (about)	GFA (about)
Site A			
1	Main Temple (萬佛殿): It is a Grade 3 historic building for religious use.	8.5m	299.8m ²
2	Pagoda (萬佛塔): It is also a Grade 3 historic building for religious use.	12m	60.1m ²
3	Building 1 (B1): It is a columbarium building called Ng Sheung Din (五常殿) (Photo 5). There are 5 columbarium rooms named Man Shun Tong (萬信堂), Man Chi Tong (萬智堂), Man Lai Tong (萬禮堂), Man Yi Tong (萬義堂), and Man Yan Tong (萬仁堂).	3.2m	127.9m ²
4	Building 2 (B2): On top of Ng Sheung Din there is a building used as management office.	3.2m	121.7m ²
5	Building 3 (B3): It is a souvenir shop selling religious items and drinks.	3.2m	90.2m ²
6	Building 4 (B4): It is a single storey columbarium building named Lung Wah Tong (龍華堂).	3.5m	20.2m ²
7	Building 5 (B5): Behind Lung Wah Tong there is a single storey for storage use.	3.2m	22.4m ²
-	Structure A (S.A): It is a temporary structure for storage/ staff quarter use.	5.5m	61.8m ²
-	Structure B (S.B): It is a 2-storey temporary structure occupied by storage at lower level and rain shelter/ waiting area at upper level.	2.3m	385.9m ²
-	Structure C (S.C): It is a single storey temporary structure for storage use.	2.3m	63.9m ²
-	Structure D (S.D): It is a 2-storey temporary structure occupied by toilets at lower level and storage at upper level.	5.5m	111.9m ²
-	Structure E (S.E): It is a single storey temporary structure used as management office.	2.15m	60.4m ²
-	Pavilions (P1-5): There are 5 pavilions with religious statues underneath.	5m (Max)	184.6m ²
-	Rain shelters (S1-3): They are adjoining the main temple, Building 2 and Building 3.	3.8m (Max)	129.4m ²
-	Eco-furnace	2.2m	1.41 m ²

Block	The Present Use of the Existing Buildings	BH (about)	GFA (about)
Site B			
8	Building 6 (B6): Jade Emperor Hall (玉皇殿) is single storey temple.	5.5m	122.7m ²
9	Building 7 (B7): Ksitigarbha House (地藏殿) is single storey temple.	2.8m	61m ²
10	Building 8 (B8): Gundi House (準提殿) is a 2-storey religious building currently under renovation.	3.8m	100.7m ²
11	Building 9 (B9): Avalokitesvara House (觀音殿) is a 2-storey religious building currently under renovation.	7.5m	236.4m ²
12	Building 10 (B10): Mei Tor Din (彌陀殿) is a 2-storey columbarium building.	8.5m	284.5m ²
13	Building 11 (B11): Lung Wah Kok (龍華閣) is single storey columbarium building.	2.8m	36.2m ²
-	Rain shelter (S4-5): They are adjoining Building 6 and Building 10.	3.15m (Max)	111.3m ²
		Total: 2,694.41m²	

Remark: **Bold** – The application premises

Table 2.2: Niche Count

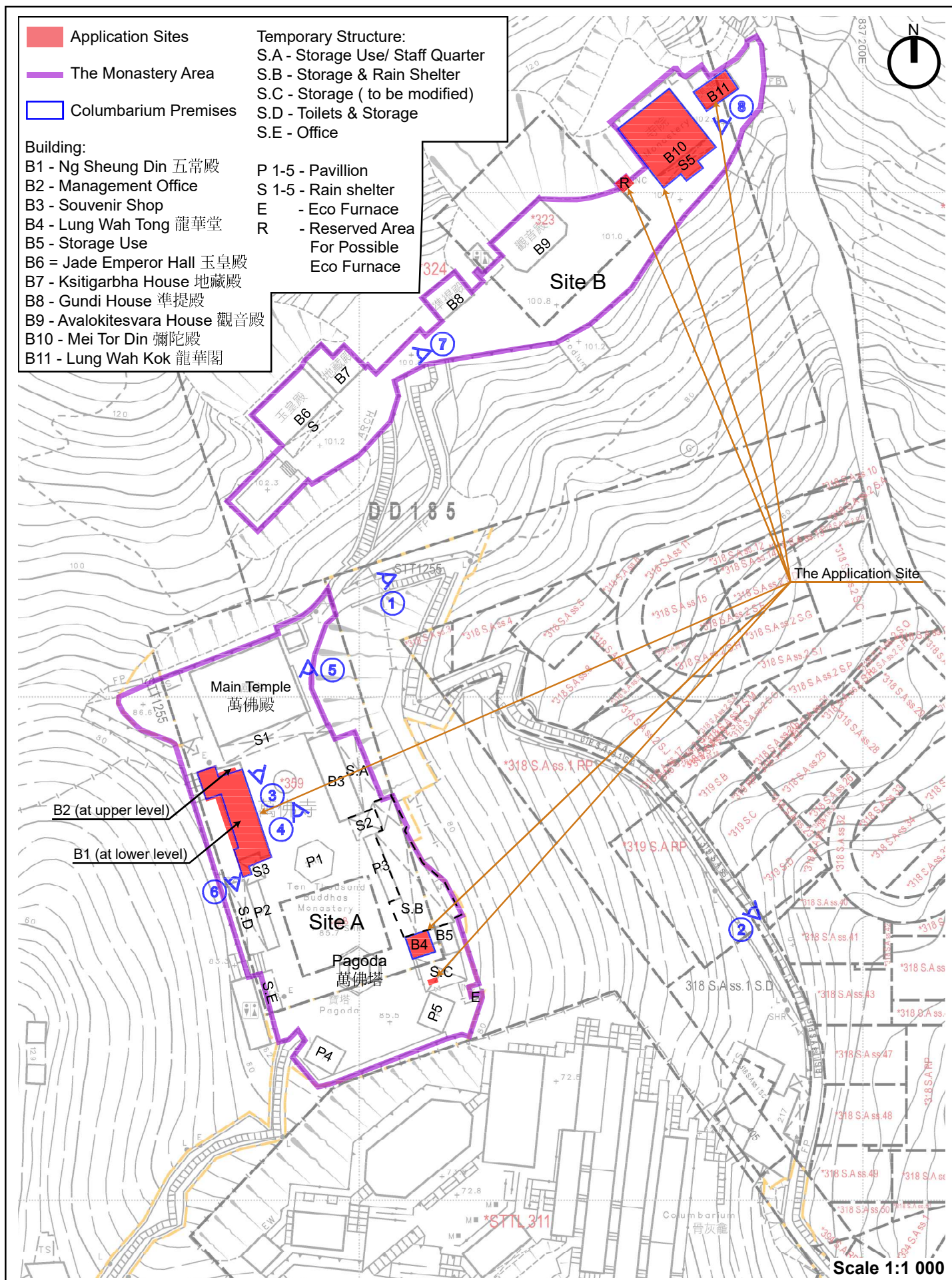
Classification	Single-Urn Niche	Double-Urn Niche	Total
No. of Sold & Occupied Niches	1,097	348	1,445
No. of Sold but Not Yet Occupied Niches	983	351	1,334
No. of Niches Available for Sale	5,121	1,217	6,338
Total	7,201	1,916	9,117

Remark: Niche Count as at October 2025

2.3 Adjacent Land Uses

The Monastery is located at the upper part of To Fung Shan which is dominated by religious institutions, columbaria and slopes with mature trees (**Photo 9**). Adjacent land uses of the Monastery are described below (also see **Plan C**):

- North – To the further north is predominantly covered by slopes and mature trees.
- East – To the further east across the slope area is a cluster of religious and columbarium uses covering Sai Lam Temple (**Photo 11**), To Fuk Shan Tsz and Sin Tin Tao Home for the Aged.
- South – To the immediate south is a large columbarium named Po Fook Hill (**Photo 9** and **10**). A number of public transport facilities and car parks are located in Pai Tau Street further south of the Monastery.
- West – To the west is a footpath leading to several temples and columbaria, i.e. Chi Ha Yuen, Do Wing Yuen, Buddhist Wai Chuen Monastery (**Photo 12**), Tsing Lin Tsing She, Do Hap Yuen and Ching Kwok Yuen.



Plan B: Site and Land Status Plan

(Prepared on 29.6.2026)



Photo 1: Main entrance of the Monastery

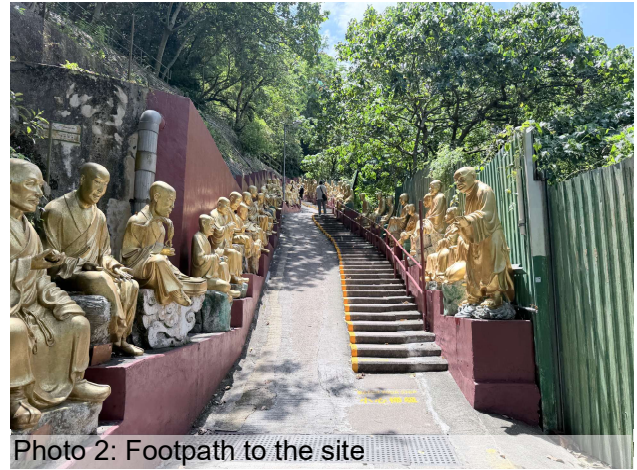


Photo 2: Footpath to the site



Photo 3: Main Temple of the Monastery

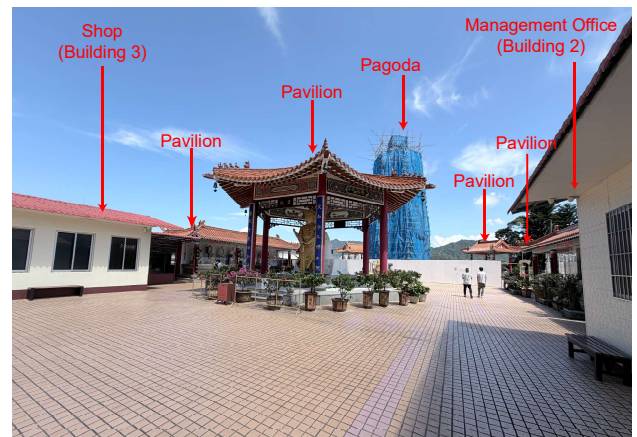


Photo 4: Site A



Photo 5: View from northeastern corner of Site A



Photo 6: Building 1 and 2 (Ng Sheung Din)



Photo 7: View from southwestern corner of Site B



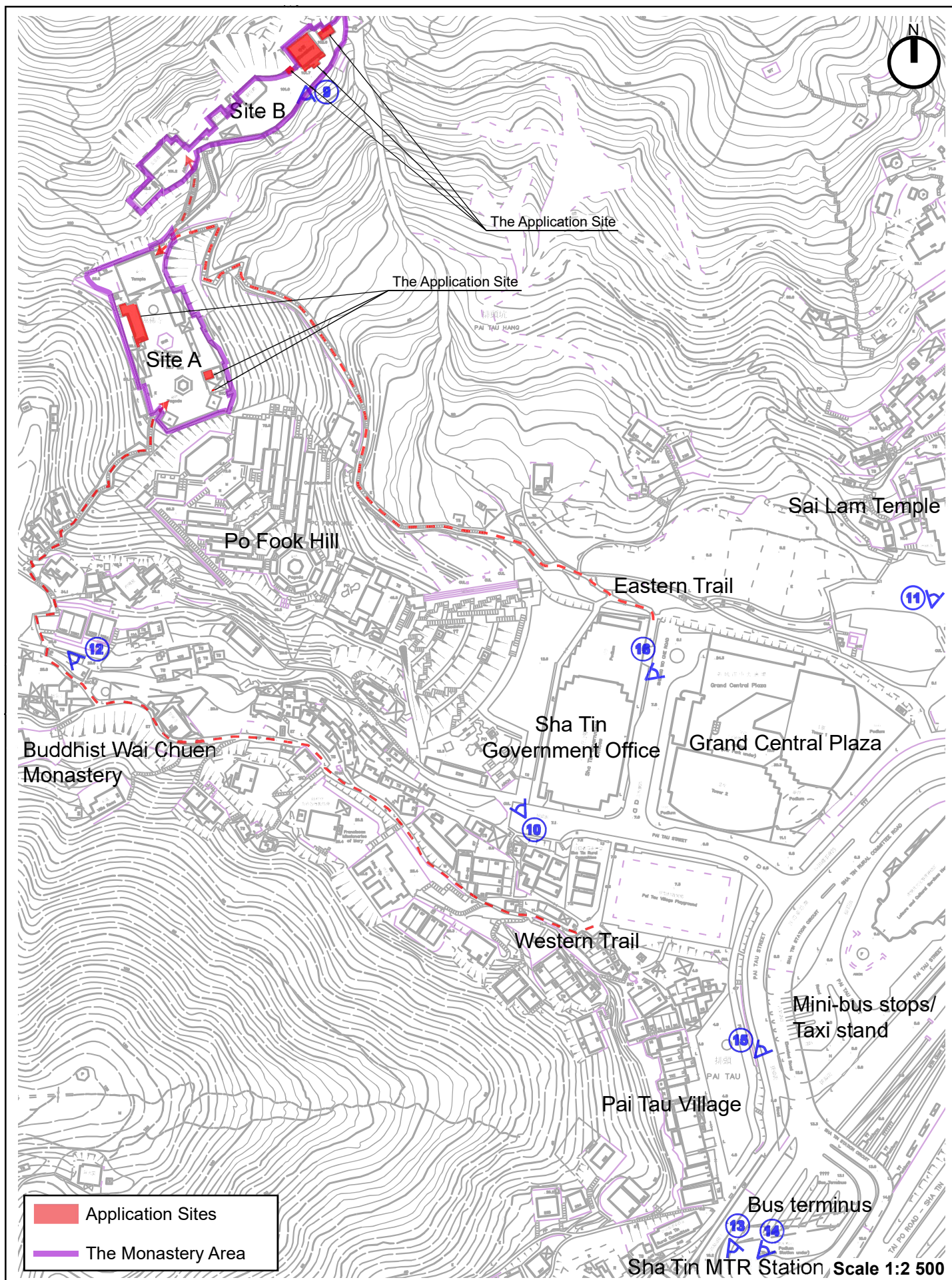
Photo 8: Lung Wah Kok in Site B



Site Photos (1)

(View Points Shown on Plan B)

(Prepared on 15.5.2026)



Plan C: Adjacent Land Use Plan

(Prepared on 29.6.2026)



Photo 9: Surrounding environment



Photo 10: Po Fook Hill



Photo 11: Sai Lam Temple



Photo 12: Buddhist Wai Chuen Monastery



Photo 13: Sha Tin Railway Station



Photo 14: Bus terminus



Photo 15: Mini-bus stop and taxi stand



Photo 16: Car park in Grand Central Plaza



Site Photos (2)

(View Points Shown on Plan C)

(Prepared on 15.5.2026)

2.4 Zoning Background

The application premises fall within the “G/IC” zone on the Draft Sha Tin OZP No. S/ST/39. According to the Notes of the OZP, the planning intention of this zone is generally for the provision of G/IC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs and other institutional establishments. Currently, there is no previous application covering the application site.

The application premises were not covered by statutory plan until the gazettal of the first statutory plan covering Sha Tin area on 28.4.1961. They had been rezoned from “Village Type Development” (“V”) to “G/IC” since 6.6.2003. According to Notes of the Sha Tin OZP, while ‘Religious Institution’ use is always permitted in “G/IC” zone, ‘Columbarium’ use requires planning permission from the Board. Hence, the Applicant herein submits this s.16 planning application in order comply with the town planning requirements, and adheres to the TPB Guideline No. 31B.

2.5 Land Status

In view that ‘Columbarium’ use requires planning permission from the Board, the application site boundary under this s.16 planning application covers the 4 existing columbarium buildings, which are distributed in Lot Nos. 324 (part) and 359 (part) in D.D. 185 and adjoining G.L. The application premises entirely fall within the licensing boundary under the PCL application for the Pre-cut-off Columbarium ancillary to the Monastery. Hence, the area under the planning application should be applicable to apply for land regularisation under the subsequent land administrative procedure.

According to the land registry, Ko Wai Ying, Sam Heung Lam and Woo Kin Chee are registered as trustees for Lot No. 324. Kan Yuk Kai, Lam Cheong Yuen and Yuet Kai are registered as managers of Fui See Tong for Lot No. 359. The names above are Venerable Yuet Kai and his disciples, who are the founders of the Monastery. When the founders passed away, Venerable Yuet Kai’s nephews had assumed the role of management responsibility of the Monastery. They have employed professionals to rectify the ownership of the subject lots with relevant government departments. Upon approval of this s.16 planning application, an application for waiver of any breach of lease conditions covering the said private lots will be submitted to the Lands Department (LandsD).

The G.L. at the site has an area of about 15.507m² and is covered by a portion of Lung Wah Kok and the eco-furnace. An application for a Short Term Tenancy covering the said G.L. will be submitted to the LandsD for the regularisation of G.L..

3. DEVELOPMENT PROPOSAL

Description of the development proposal in support of this s.16 planning application is presented in this section.

3.1 Master Layout Plan, Development Schedule and Landscape Consideration

(a) Master Layout Plan

The development scheme in support of this s.16 planning application is intended to comply with the requirements of PCO for regularising the existing columbarium in the Monastery. It does not involve any new buildings to be constructed and it is anticipated no major alterations and additions would be involved to the existing buildings. The Main Temple and Pagoda, which both confirmed as Grade 3 historic buildings (Graded Buildings), will be preserved in-situ. Although no building works would be carried out at or near these two buildings, the Applicant will ensure that no adverse impacts on them arising from the development.

Two rounds of pre-submission were submitted to the PlanD on 20.12.2024 and 15.8.2025 respectively, and majority government departments had no major comment on/ objection to the case. In order to further minimise the potential traffic impact and to avoid any potential unnecessary disturbance to the surrounding area as far as practicable, the Applicant has decided to largely reduce the total number of niches in the Monastery from originally 9,117 to 4,301 (among which 2,779 are already sold).

A Master Layout Plan covering the entire Monastery (i.e. the Monastery area) is shown in **Plan D**. There are 4 existing columbarium buildings within the application site, namely Lung Wah Tong, Ng Sheung Din, Mei Tor Din and Lung Wah Kok, which have been built for more than 60 years. Elevations of these four buildings in **Plan E** and **Plan F** illustrate that they are low-rise in nature and are generally compatible with the surrounding environment. The open area and planting around the buildings will help dispersing the activities of the visitors while their privacy is also accommodated when paying tribute to their ancestors.

A Structural Appraisal Report for the columbarium buildings has been prepared for the PCL application and they are summarised below:

i) Ng Sheung Din

Ng Sheung Din is a single storey concrete structure in irregular shape. The building is divided into five compartments with concrete walls of minimum 300mm thick. The floor is constructed on reinforced concrete slab with 150mm level different with the outside ground level. The roof slab is about 200mm thick including the finishes and waterproofing.

ii) Lung Wah Tong

Lung Wah Tong is a single storey concrete structure of about 4.66m (width)

x 4.96m (depth) x 3m (height). The building is enclosed by concrete walls of 380mm thick. The floor is constructed on reinforced concrete slab with 150mm level different with the outside ground level. The roof slab is about 200mm thick including the finishes and waterproofing.

iii) Mei Tor Din

Mei Tor Din is a 2-story concrete structure of about 13m (width) x 13m (depth) x 7m (height). The building is enclosed by concrete walls of 380mm thick. The floor is constructed on reinforced concrete slab with 150mm level different with the outside ground level. The roof slab is about 200mm thick including the finishes and waterproofing.

iv) Lung Wah Kok

Lung Wah Kok is a single storey concrete structure of about 7.56m (width) x 4.56m (depth) x 2.2m (height). The building is enclosed by concrete walls of 380mm thick. The floor is constructed on reinforced concrete slab with 150mm level different with the outside ground level. The roof slab is about 200mm thick including the finishes and waterproofing.

The Structural Appraisal Report concluded that there is no available record of the building structures neither from the Government or the Applicant. During the inspection, the building structures were maintained in good condition. No defects due to overloading, dilapidation or signs of excessive deflection/ deformation and undue settlement of the structural elements were observed. There is also no sign of water leakage or rusty relics observed. The structural condition of the premises is considered to be sound and stable. No remedial works or strengthening works are required. Floor plans of the columbarium buildings are shown in **Plan G** to **Plan J**.

A Smokeless joss paper furnace with dust control measures has already been installed adjacent to Lung Wah Tong in Site A, and the EPD under the PCL application has considered acceptable (see **Annex VI** of **Appendix II**). However, it is proposed to be relocated slightly so that it is located within the 'G/IC' zone area. Part of the existing structure for storage will be modified to allow the relocation. A small area adjacent to Mei Tor Din in Site B has been reserved for a possible additional eco-furnace (i.e. same model as the existing eco-furnace).

Adequate fire services installations have been installed within the application premises according to the requirements from Fire Services Department (FSD) under the PCL application. Required documents were submitted to the PCLB and it was accepted by FSD (see **Annex VI** of **Appendix II**).

(b) Development Schedule

Development schedule of the present scheme is shown in **Table 3.1**. The application site covers the 4 existing columbarium buildings, an existing eco-furnace and a small area reserved for a possible additional eco-furnace

In order to tally with the PCLB's current record, the Applicant intends to rectify the Pre-cut-off Columbarium with 4,301 niches (including 2,779 sold niches and 1,522 niches available for sale) under this s.16 planning application. The remaining niches available for sale with a total of 4,816 located in Lung Wa Kok, Mei Tor Din, Lung Wa Tong, and two halls within Ng Sheung Din (namely Man Chi Tong and Man Yan Tong) are proposed to be sealed off. New arrangement on distributions of niches for the Monastery is shown in **Table 3.2**.

Table 3.1: Development Schedule of the Present Scheme

	Application Sites	The Monastery Area
Site Area (m ²)	About 427.25m ²	About 5,464.6m ²
Plot Ratio	1.1 (approximate)	0.493 (approximate)
Total GFA (m ²)	About 471.5m ²	About 2,694.41m ²
Site Coverage	93.92% (approximate)	40.84% (approximate)
No. of Block(s)	6	13
Maximum BH	2 storeys (about 8.5m)	N/A (Pagoda – about 12m)
No. of niche(s)	4,301 niches (2,779 sold niches + 1,522 niches available for sale)	

Table 3.2: New Arrangement on Distribution of Niches in the Monastery

No of Storey	BH	Building Name		GFA	Columbarium Niches (If Applicable)				
					Size	Sold and occupied niches (c +d)	Sold niches but not yet occupied (b)	Niches available for sale (a)	Total
1	3.2m	Ng Sheung Din	Man Shun Tong	127.871m ²	Single-urn	1	1	430	432
			Double-urn		0	0	96	96	
			Man Chi Tong		Single-urn	113	94	0	207
			Double-urn		35	28	0	63	
			Man Lai Tong		Single-urn	33	45	294	372
			Double-urn		4	2	162	168	
			Man Yi Tong		Single-urn	0	0	372	372
			Double-urn		0	0	168	168	
			Man Yan Tong		Single-urn	50	29	0	79
Double-urn	32	31	0	63					
1	3.5m	Lung Wah Tong	20.172m ²	Single-urn	436	117	0	553	
				Double-urn	0	0	0	0	
2	8.5m	Mei Tor Din	284.481m ²	Single-urn	398	400	0	798	
				Double-urn	257	173	0	430	
1	2.8m	Lung Wah Kok	36.166m ²	Single-urn	259	104	0	363	
				Double-urn	104	33	0	137	
1	2.2m	Existing Eco-Furnace	1.407m ²	N/A					
1	2.2m	Possible Additional Eco-Furnace	1.407m ²	N/A					
Total				471.504m ²	Single-urn	1,290	790	1,096	3,176
					Double-urn	432	267	426	1,125
					Total	1,722	1,057	1,522	4,301

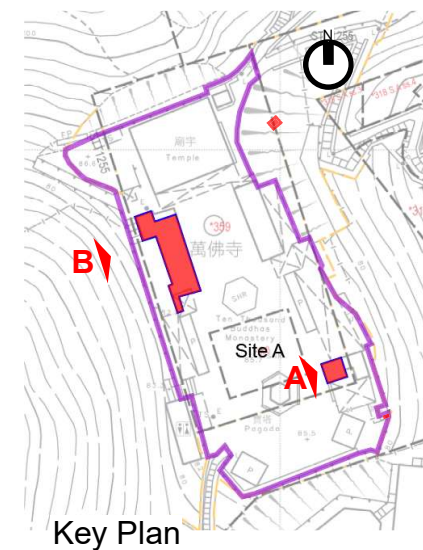
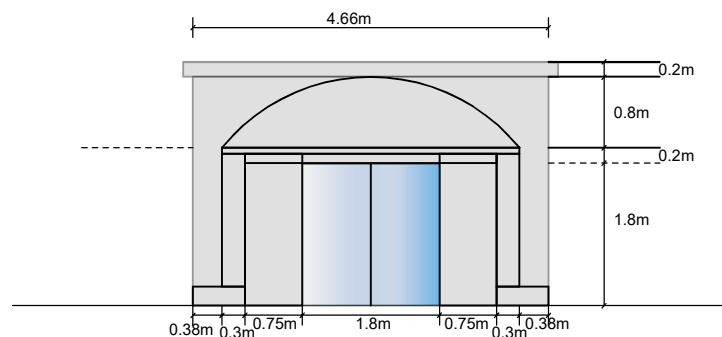
Remark: Niche Count as at October 2025



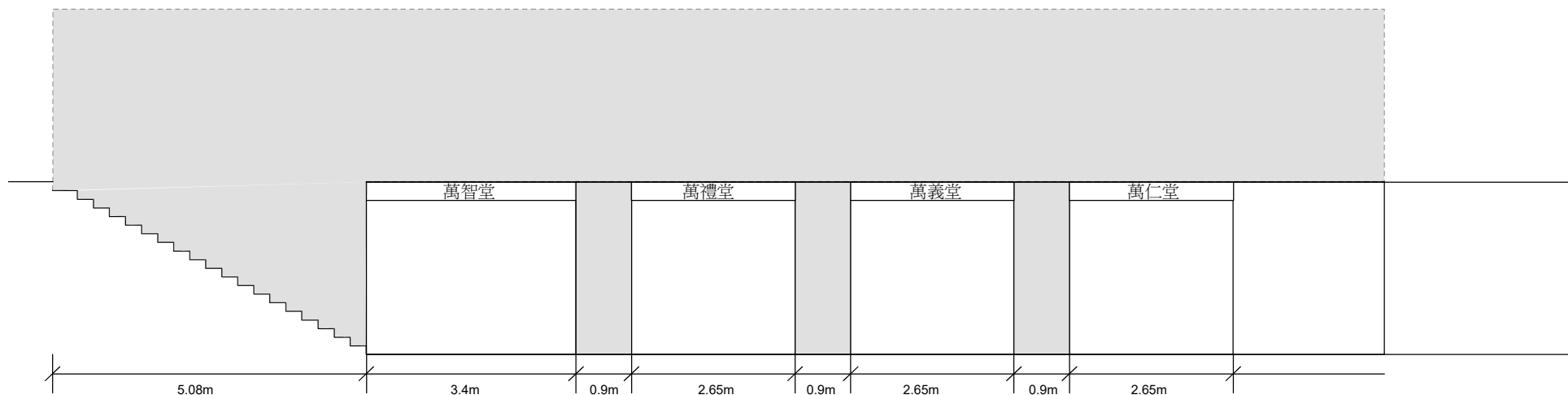
Plan D: Master Layout Plan

(Prepared on 29.6.2026)

A) Lung Wah Tong 龍華堂



B) Ng Sheung Din 五常殿



For Indicative Purposes Only (Measurements to be checked on-site)

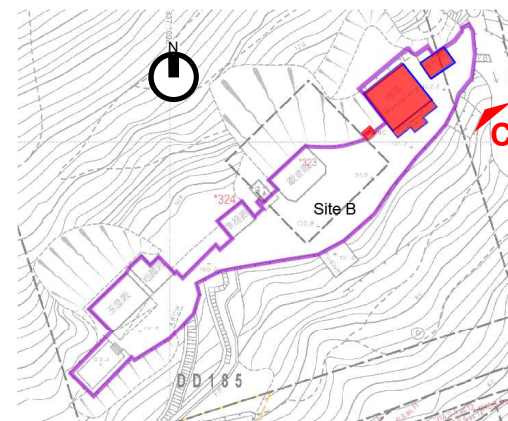
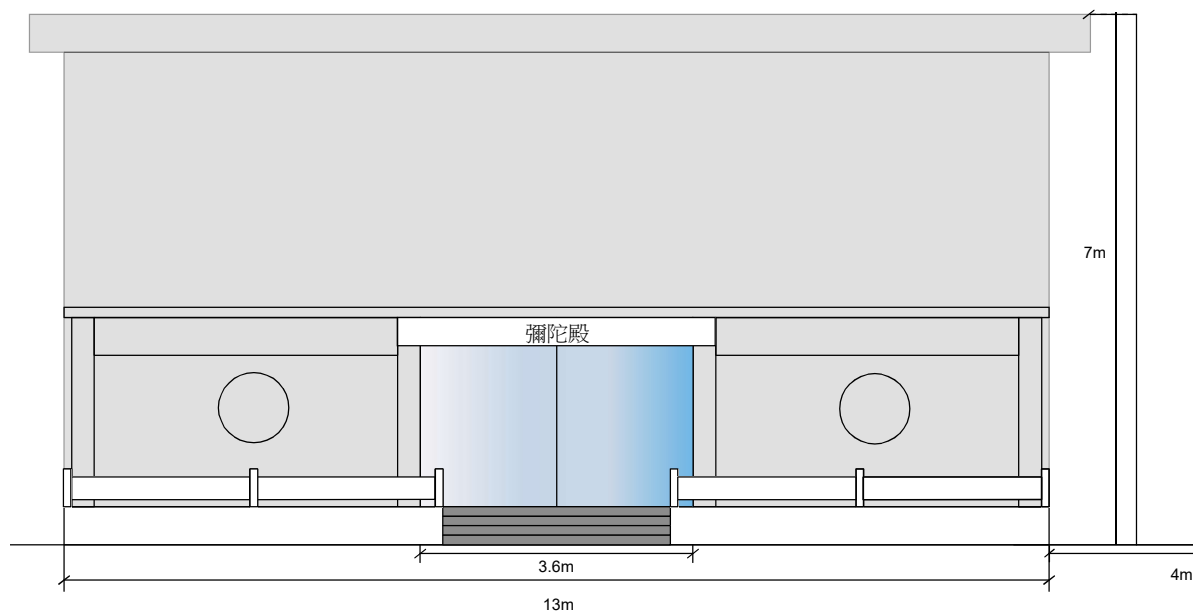
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Plan E: Elevation Plan for Columbarium Buildings in Site A

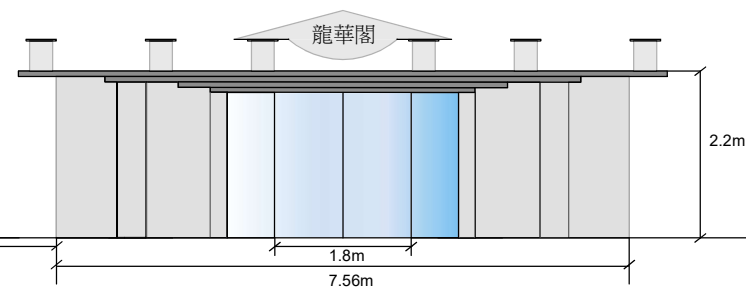
(Prepared on 13.4.2026)

C) Mei Tor Din 彌陀殿



Key Plan

C) Lung Wah Kok 龍華閣



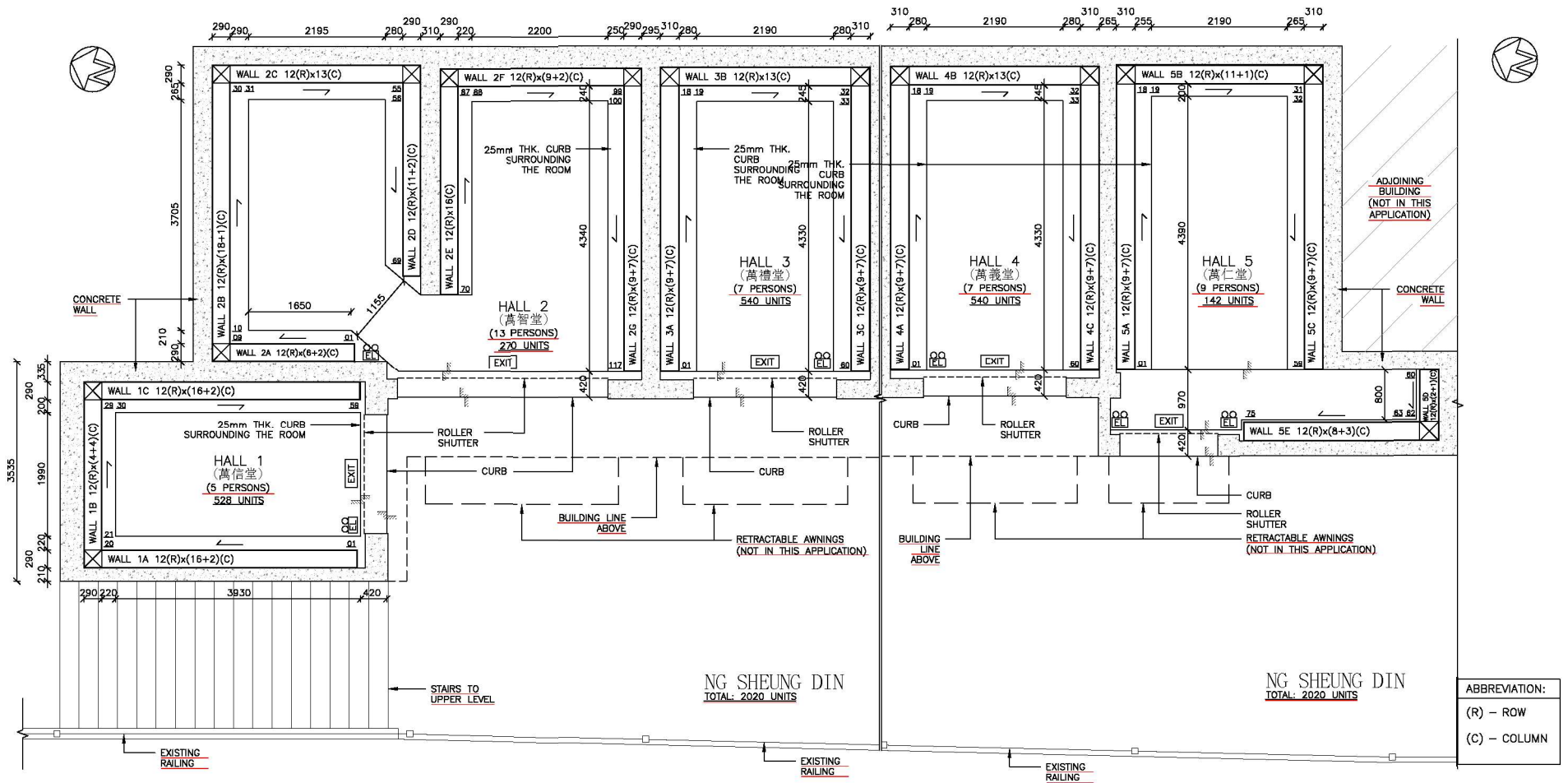
For Indicative Purposes Only (Measurements to be checked on-site)

Scale 1:100



Plan F: Elevation Plan for Columbarium Buildings in Site B

(Prepared on 13.4.2026)



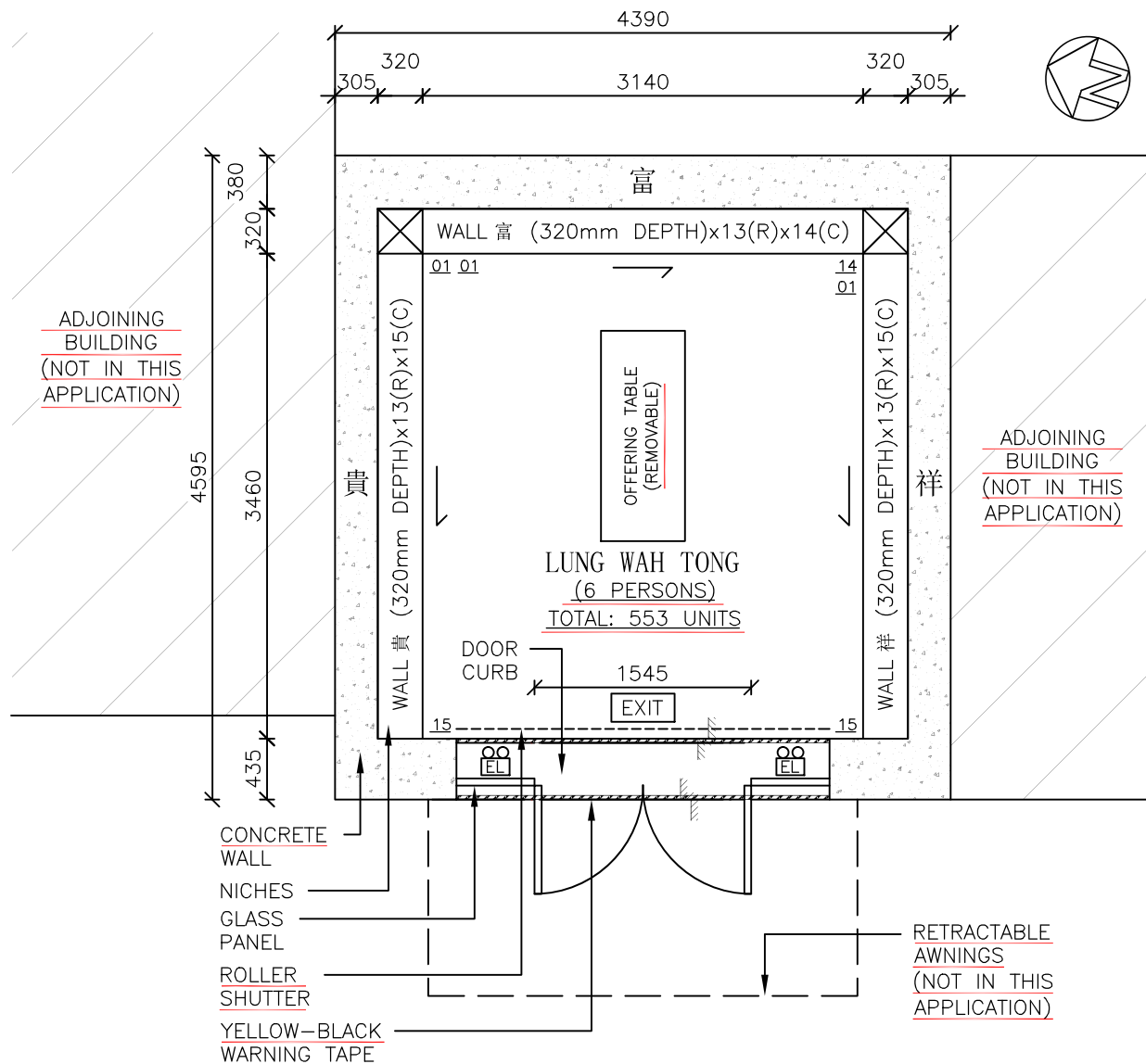
Extract of Plans from Applications for Columbarium Licence & TSOL to be submitted to PCLB

Scale 1:100



Plan G: Floor Plan for Ng Sheung Din (Lower G/F)

(Prepared on 15.5.2026)



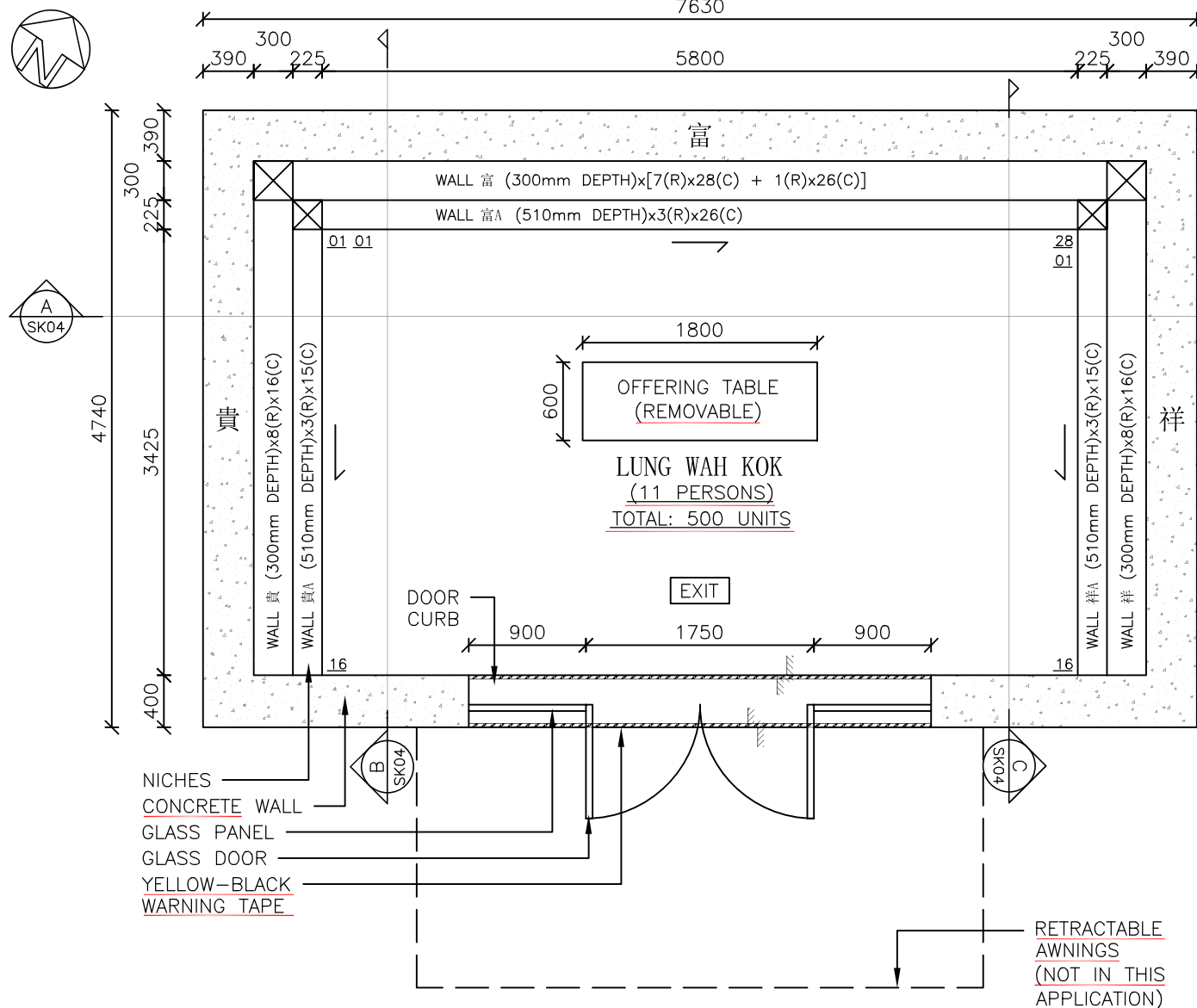
Extract of Plans from Applications for Columbarium Licence & TSOL to be submitted to PCLB

Scale 1:50



Plan H: Floor Plan for Lung Wah Tong

(Prepared on 15.5.2026)



LEGEND:

- LEVEL DIFFERENCE
- YELLOW-BLACK WARNING TAPE

ABBREVIATION:

- (R) – ROW
- (C) – COLUMN

Extract of Plans from Applications for Columbarium Licence & TSOL to be submitted to PCLB

Scale 1:50



Plan J: Floor Plan for Lung Wah Kok

(Prepared on 15.5.2026)

3.2 Landscape Consideration

The application site mainly covers four columbarium buildings. A site inspection has been recently conducted and there are no trees identified within the application site boundary, while of 15 existing trees are identified within the Monastery area. According to the landscape report prepared in June 2018, the existing trees within the Monastery area are listed in **Table 3.3** below.

Table 3.3: Summary of Existing Trees within the Monastery

Tree Species	Chinese Name	Quantity	Tree No.
<i>Araucaria cunninghamii</i>	南洋杉	6	T03, T04, T09, T10, T11, T12
<i>Dracontomelon duperreanum</i>	人面子	1	T14
<i>Juniperus chinensis</i>	龍柏	1	T08
<i>Litchi chinensis</i>	荔枝	1	T15
<i>Livistona chinensis</i>	蒲葵	2	T06, T07
<i>Mangifera indica</i>	芒果	2	T02, T05
<i>Terminalia mantaly</i>	小葉欖仁	2	T01, T05

The health condition of the bulk of these trees was generally in Fair and Good condition and Good condition (93.33%) and the remaining tree is Poor condition (6.67%). An updated tree survey report shall be provided in the detailed design stage of the project. The dominant tree species is *Araucaria cunninghamii* which is common plantation species in Hong Kong. The remaining trees, i.e. *Livistona Chinensis* and *Terminalia mantaly* are also common species in urban areas. As the Monastery has occupied the site for more than 50 years and maintained these trees for a long time, some of the identified trees, i.e. T14, T15, etc., have reached a mature size and established fair conditions and tree form. There are no Old or Valuable Trees (as listed in the Register of Old and Valuable Trees) within the Monastery area but there is 1 Important Tree, i.e. T14 (as defined by Development Bureau Technical Circular (Works) (DEVB TCW) No. 5/2020) within the Monastery area. All 15 nos. of identified trees within the Monastery area are proposed to be retained in situ.

Given that the application site functions as a temple, it experiences high visitor traffic, particularly during festivals when worship activities peak. Extensive planting areas may not be ideal, as they could obstruct the circulation space needed for visitors. In view that the development scheme under this application does not involve any new buildings and it is anticipated no major alterations and additions would be involved to the existing buildings, landscape mitigation measures in construction phase are considered not necessary. Nevertheless, the Monastery is recommended to employ maintenance staff to take care of all landscape areas within the site.

3.3 Access Arrangement and Special Traffic Arrangement

(a) Access Arrangement

The Monastery is located at the hillside of To Fung Shan near Pai Tau Village to the immediate north of Po Fook Hill. It does not have direct access to any road carriageway and inaccessible by motor vehicles. At present, no internal transport facilities are provided and visitors can only access the Monastery on foot via 2 existing hillside trails.

The eastern trail connects the Monastery with the cul-de-sac of Sheung Wo Che Road, and this is the primary trail serving the Monastery. Whereas, the western trail connects the Monastery and Pai Tau Street via Pai Tau Village, and this is a secondary trail less used by visitors of the Monastery at present. Routings of the 2 existing trails are illustrated in **Plan C** after **Page 7**.

Due to site constraint, no internal transport facilities are provided at the Monastery, and internal transport facilities cannot be provided. However, the Monastery will continue to be operational because of the following reasons:

- i) There are numerous public transport services operating in the vicinity including franchised bus and GMB routes, as well as the MTR East Rail Line at Sha Tin Station, and most visitors use public transport services;
- ii) Less than 10% of visitors access the Monastery by private cars/ taxis. Hourly car parks located in the vicinity have spare capacity; and
- iii) The Monastery has operated for many years, and goods and other deliveries have always been conducted on foot from Sheung Wo Che Road.

Hence, pedestrian access of the Monastery will remain unchanged as in present condition, i.e. primarily via the existing eastern trails to/from the cul-de-sac of Sheung Wo Che Road.

(b) Festive Special Traffic Arrangements

In view that the Pre-cut-off Columbarium in the Monastery has been operating prior to the enactment of the PCO on 30.6.2017, the Applicant had submitted both PCL applications covering a Licence and an Exemption to the PCLB, which would allow the Pre-cut-off Columbarium to continue to operate at its current confined scale. Moreover, under the PCL application covering a Licence as well as this s.16 planning application, the Monastery intends to seek permission to also rectify 1,522 niches available for sale, in line with the PCLB record. The niches to be rectified for sale are located in 3 existing columbarium halls of Ng Sheung Din, namely Man Shun Tong, Man Lai Tong and Man Yi Tong (hereinafter the "Rectified Columbarium Halls").

In order to comply with the licensing requirements, a Management Plan which was prepared based on the previous TIA was submitted to the PCLB and accepted by the Police on 23.7.2019 (see **Annex VI of Appendix II**). Nevertheless, the Applicant has prepared a new TIA with detailed traffic surveys and TCMP so as to further minimise the traffic impact arising from the development (see **Appendix III**). The Rectified Columbarium Halls shall be operated separately from the sold niches of other columbarium halls in the Monastery, and special traffic arrangements for the Rectified Columbarium Halls are summarised below:

i) **Opening Hours**

Opening hours of the Monastery is daily from 9:00am to 5:00pm. However, the Rectified Columbarium Halls will open from 9:00am to 5:00pm on weekdays, i.e. Monday to Friday, and closed on Saturdays, Sundays and public holidays, including Ching Ming and Chung Yeung Festival days.

ii) **Visit-by-Appointment Arrangement**

Visit-by-Appointment arrangement will be implemented by the Applicant requiring all visitors to the Rectified Columbarium Halls to register at least 2 days prior to visiting at all times. Hence, the number of visitors can be regulated. The same arrangement shall apply to all 1,608 niches, including the 86 sold niches.

Registration will be available via internet, smartphone application, or by phone. Visitors are required to provide the Applicant with the expected number of visitors, the columbarium hall and niche to be visited, and the intended visiting time and date. The registration will only be regarded as successful after the Applicant has confirmed the visiting details with the visitors.

Prior to entering the columbarium, the visitors must check-in with the Applicant, and present proof of a valid registration. Otherwise, entry of the Proposed Columbarium will be denied.

iii) **Visiting Capacity and Waiting Areas**

Visiting capacity with the Visit-by-Appointment arrangement to the Rectified Columbarium Halls is calculated based on Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-154, "*Design Requirements for Columbarium Facilities*" published by Buildings Department (BD). The Applicant will impose two 30-minute grave sweeping sessions per hour with a maximum of 18 per session, i.e. an hourly visiting capacity of 36 persons per hour.

Open area within the Monastery are available to serve as waiting areas as indicated in **Plan D** after **Page 11**, allowing visitors to wait before entering the Rectified Columbarium Halls. The open area within the Monastery near

the Rectified Columbarium Halls has an area of approximately 950m² to serve as waiting area, which is more than sufficient to accommodate the number of arriving visitors, i.e. 18 persons per session, and there will be no queuing outside the limits of the Monastery.

iv) Pedestrian Circulation

All doors of the Rectified Columbarium Halls will remain closed and locked at all times to prevent unauthorised access. All visitors must first check-in with the Applicant at the main office, and staff will then grant access to the Rectified Columbarium Halls.

At the end of each session, staff will clear all visitors from inside the Rectified Columbarium Halls, and prepare for the entry of the following sessions.

v) Notice on Visiting Agreement

Under the condition of sale of niches, the Applicant will clearly state and emphasise the following:

- i) Opening hours and closure period;
- ii) Visit-by-Appointment arrangement required;
- iii) Encourage the use of public transport services;
- iv) Discourage access by private car and taxi;
- v) No parking is available at the Monastery; and
- vi) The Applicant reserves the right to adjust the closure period and other operational arrangement without prior notice.

Niche owners will be reminded prior to each Ching Ming and Chung Yeung Festival Periods of the above condition of sale.

vi) Data Collection and Review of the Special Traffic and Pedestrian Arrangement

The Applicant will maintain records on visit-by-appointment, number of visitors, number of niches occupied, and observed operation condition etc., after obtaining the approval from the TPB and the PCLB. This information can be used to review and evaluate the operation efficiency of the special traffic arrangement.

A revised TCMP can be submitted to the Transport Department and the Police for follow-up review, and if necessary makes amendments. The special traffic and pedestrian arrangements and Visit-by-appointment arrangement will be detailed in the TCMP of the Management Plan submitted to the PCLB, and implementation of these arrangements will be closely monitored by the PCAO to ensure compliance.

3.4 Environmental Proposal

The Applicant will adopt the following environmental proposal:-

(a) Air Quality Mitigation Measures

In order to reduce the potential air quality impact arising from joss paper burning, one eco-furnaces equipped with an Air Pollution Control Equipment (i.e. water scrubber, electrostatic precipitator and exhaust) has been provided. The Applicant is also committed to follow the major considerations as well as the good operation practice and administrative measures recommended in Guidelines on Air Pollution Control for Joss Paper Burning at Chinese Temples, Crematoria and Similar Places published by EPD. Under the PCL application, EPD considers that the Applicant has fulfilled the environmental aspects for the Licence (see **Annex V of Appendix II**).

(b) Sewage Management

The Monastery has toilets/urinals and hand-washing basins in the toilets which are connected to the manhole (No. FMH404502) leading to the public sewer. Given the availability of public sewer, there are no wastewater treatment facilities needed.

An Environmental Assessment (EA) was conducted to support the s.16 planning application as presented in **Appendix IV**. The Applicant is committed to follow the mitigation measures as proposed in the EA.

3.5 Implementation Programme

This s.16 planning application is intended to regularise the Pre-cut-off Columbarium within the Monastery. In view of the validity period of TSOL for the Monastery will lapse on 12.10.2028, the Applicant will have to comply with the remaining licensing requirements, including but not limited to town planning, management plan, building safety on fire aspect and land lease as soon as practicable in order to obtain the full Licence.

4. TECHNICAL ASSESSMENTS

4.1 Minimum Traffic Impact

A TIA has been conducted as attached in **Appendix III**. It has the following conclusions:

- (a) The Monastery is located at No. 221 Pai Tau Village, Sha Tin, and it currently operates a Pre-cut-off Columbarium with 2,779 sold niches including 1,722 occupied niches. The Applicant intends to seek permission to also rectify 1,522 niches available for sale, in line with the PCLB record, and these niches are located in 3 existing columbarium halls of Ng Sheung Din, namely Man Shun Tong, Man Lai Tong and Man Yi Tong ("Rectified Columbarium Halls").
- (b) As with the present and in future, internal transport facilities can not be provided for the Monastery, including the Rectified Columbarium Halls, because it is located on the hillside and not connected to any road carriageway.
- (c) Despite having no internal transport facilities, the Monastery will continue to be operational because of the following reasons:
 - There are numerous public transport services operating in the vicinity including franchised bus and GMB routes, as well as the MTR East Rail Line at Sha Tin Station, and most visitors use public transport services;
 - Only a small percentage of visitors access by private cars/ taxis, and hourly car parks are located within walking distance, and have spare capacity; and
 - The Monastery has operated for many years, and goods and other deliveries have always been conducted on foot from Sheung Wo Che Road.
- (d) As a traffic and pedestrian management measure, the Rectified Columbarium Halls shall be operated separately from other columbarium halls, will open by appointment only on weekday, and be closed on Saturdays, Sundays, and public holidays, including the Ching Ming and Chung Yeung Festival Days.
- (e) Mandatory Visit-by-Appointment arrangement will be implemented at the Rectified Columbarium Halls year-round, and the visiting hours follow the opening hours of the Monastery from 0900 to 1700 hours on weekdays, except for public holidays. A visiting capacity of only 18 persons per each 30-minute session, i.e. 36 persons per hour, will be imposed, and all reservations must be made at least 2 days in advance. Hence the number of visitors will be controlled.

- (f) Visitors are advised and encouraged to use public transport service, and reminded that access by private car and taxi are discouraged.
- (g) Manual traffic counts were conducted at nearby road junctions a weekday, Monday, 31st March 2025, and the observed traffic flows are used as basis to estimate the 2034 traffic flows for analyses with the 2034 Reference and Design Cases.
- (h) Pedestrian flows were counted at nearby footpaths and supplemented by a 2nd survey conducted on Tuesday, 24th March 2026. The observed pedestrian flows are used as basis to estimate the 2034 pedestrian flows for analyses with the 2034 Reference and Design Cases.
- (i) Car park vacancy survey on a weekday was conducted at selected nearby car parks, and spare capacities are found.
- (j) Occupancy surveys for public transport services, i.e. MTR East Rail Line, franchised bus and GMB services were also conducted on the weekday, and have identified spare capacities.
- (k) The pedestrian and traffic generation of the vacant sold niches of the Pre-Cut-Off Columbarium, and other columbaria located nearby, which have up to 77,159 vacant niches, were estimated and incorporated into the traffic and pedestrian forecasts used for the analyses.
- (l) The year 2034 junction and road link capacity analyses concluded that the junction and road links analysed have sufficient capacity to accommodate the expected traffic growth and the additional demand generated by the Rectified Columbarium Halls.
- (m) The year 2034 footpath analyses concluded that the analysed footpaths have sufficient capacity to accommodate the expected pedestrian growth and the additional demand generated by the Rectified Columbarium Halls.

It can be concluded that, with the proposed traffic and pedestrian management measure implemented, the Rectified Columbarium Halls will not result in adverse traffic and pedestrian impact on the analysed road junctions and footpaths, and are acceptable from a traffic engineering viewpoint.

After this s.16 planning application has been approved by the Board, the Applicant will revise the Management Plan based on the latest TCMP as proposed in the TIA, and will submit the updated Management Plan for PCLB's approval under the PCL application.

4.2 Minimum Environmental Impact

An EA has been conducted as attached in **Appendix IV**. It has the following conclusions:

- (a) Major source of air pollutants during the operation of the Monastery would be burning of ritual papers at the columbarium. As the eco-furnace are equipped with Air Pollution Control Equipment (APCE), significant air quality impacts on the ASRs are not expected..
- (b) The maximum flow rate projected from the Monastery had been estimated by considering the sewage generated during peak periods. It is concluded that the existing sewerage system is adequate to cope with the future demand of sewage discharge and the sewerage impact due to the Monastery is insignificant. No upgrading of the existing sewerage system is required due to the Monastery.
- (c) The current assessment has revealed that the major noise sources of concern are attributed to the noise sources associated with the APCE. The maximum allowable sound power levels (SWLs) of the identified noise sources without any mitigation were recommended to ensure compliance with the noise criteria. The noise impact on the Noise Sensitive Receivers is considered acceptable when the Applicant uses the noise equipment with the SWLs below the maximum allowable levels.
- (d) Water sensitive receivers are identified in the assessment. There is no construction work involved, so water quality impact due to construction works is not anticipated. During the operation phase, as the sewage generated from the proposed development will be discharged to the public sewer, and the sewerage facilities will be commissioned before occupation, no adverse water quality impact from sewage discharge is anticipated.
- (e) For waste management, as there is no construction work involved, waste generation due to construction works is not anticipated. General refuse will be the main waste generation during the operation phase. It should be collected on a daily basis and delivered so the refuse collection point accordingly. The disposal of ash generated during the joss paper burning activities and accumulated inside the burning chamber of furnace will comply with the relevant legislations, regulations and circulars/ guidelines for proper handling and disposal of the ash.

It is considered that the Monastery is considered environmentally acceptable.

4.3 Minimum Geotechnical Impact

A Geotechnical Planning Review Report (GPRR) has been conducted as attached in **Appendix V**. It has the following conclusions:

- (a) According to Practice Notes for Authorised Person and Registered Structural Engineer No. 234, building on the platform (approx. 100.7mPD) will be affected if failure occurred. Thus, the consequence to life category of the slope feature is 1. Therefore, the required factor of safety (FOS) for new slope is 1.4 for a 1 in 10 year return period rainfall, a FOS of 1.4 is also allowed in the checking the stability of the existing slope.
- (b) Visual inspection was carried out for “Mei Tor Din” and “Lung Wah Kok” by the representative of the geotechnical consultant - Maurice Lee & Associates Ltd. (MLAL) on 13.3.2018, the structural condition of the premises were considered to be sound and stable and no remedial works for strengthening works are required.
- (c) Geotechnical study for the slope was carried out with the report titled “Geotechnical report on slope investigation and remedial work behind Shatin Ten Thousand Buddhas’ Monastery, Lot 323 & 324, D.D. 185, Shatin” which was prepared by MLAL, and its proposed remedial works were approved by BD. According to the approved plans and geotechnical report, the impact arising from “Mei Tor Din” and “Lung Wah Kok” has been duly considered in the design and stability analysis concerned. A surcharge load of 10kPA per storey was adopted for the building at the platform (if not beneficial to the stability of the slope) with reference to Table 16 of Geoguide 1, section along grid line 2 and section along grid line 3 clearly show the location of the discussed “Mei Tor Din” and “Lung Wah Kok” buildings and the stability for the slopes/ retaining walls after upgrading works were checked as satisfactorily meeting the safety requirements with the latest approved remedial works plan proposed.
- (d) Visual inspection was carried out for “Ng Sheung Din” by the representative of MLAL on 23.7.2025, the structural conditions for both the features nos. 7SW-B/R127 and 7SW-B/R131 were considered to be fair. Engineer Inspection reports for the concerned features are shown in the GPRR. Result of Desk study of the two features is that there is not any finding the existing previous study of the two features. The toe facility of the two features both is undeveloped green belt area. The crest facility of the slope feature 7SW-B/R131 is densely – used sitting out area, and that of slope feature 7SW-B/R127 is a two storey temple structure at two to three meter from the crest. Reference to GEO Technical Guidance Note No. 15, the afore-said temple structure is within the Crest influence zone of the slope feature 7SW-B/R127. Investigation and Design of the two features should be carried out and if required Upgrading works to the two features shall be carried out to enhance the stability of the features.

- (e) With respect to the acceptable of the s.16 planning application, it is recommended that the aforementioned remedial works have to be fully completed for slope safety consideration and that the Dangerous Hillside Order No. DH 41/NT/97/C dated 4.9.1997 has to be discharged by BD for regulatory compliance. Furthermore, a geotechnical review study for the stability of the slope and retaining walls shall be carried out after completion of the aforesaid proposed slope remedial works. During the progress of the proposed remedial works, it is recommended that a regular monitoring the stability of the concerned slope/ retaining walls and buildings is to be exercised until the completion of the remedial works.

4.4 Minimum Landscape and Visual Impacts

The existing columbarium ancillary to the Monastery will not result in any significant landscape and visual impacts based on the following considerations:

(a) Landscape Consideration

- i) The application site comprises 5 parts (i.e. 2 parts in Site A and 3 parts in Site B) covering mainly the existing columbarium buildings and the eco-furnace within the Monastery. Site A is situated in an area of uploads and hillsides landscape character, whereas the Site B is situated in area of urban peripheral village landscape character. The site is in operation, no significant sensitive landscape resources are observed within the site.
- ii) There are no trees identified within the application site boundary, while of 15 existing trees are identified within the Monastery area. In view that this s.16 planning application is aiming only to regularise the existing columbarium use within the existing Monastery, all the existing trees within the site will be retained in-situ. Moreover, the development scheme under this application does not involve any new building and it is anticipated no major alterations and additions would be involved to the existing buildings. Thus, landscape mitigation measures in construction phase are considered not necessary. Nevertheless, the Monastery is recommended to employ maintenance staff to take care of all landscape areas within the site.
- iii) The Applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works

(b) Visual Consideration

- i) This s.16 planning application is for the regularisation of the existing columbarium ancillary to the Monastery, which has been established at the upper part of To Fung Shan for a very long period of time. As the development scheme does not involve changes in the existing low-rise built form nor involve any new buildings proposed on-site, adverse visual impact generated from the subject development is not anticipated. The scale of the columbarium (excluding the eco-furnace) within the whole Monastery is relatively small in nature (less than 8%⁽³⁾ of the overall Monastery area), which visually blends in well with the surrounding area.
- ii) The subject development is surrounded by slope with mature trees to the north and east, Po Fook Hill (columbarium) to the south and a footpath

³ Calculation based on the proposed site coverage of about 93.92% within the application site (i.e. an area of about 427.25m²), which is equivalent to a built-over area of the columbarium buildings of about 398.46m², divided by the Monastery area (i.e. an area of about 5,464.6m²) x 100%.

leading to several temples and columbaria to the west. These land uses retain each of their own privacy and tranquil environment by landscape screening.

- iii) **Plan K** shows that the Monastery is topographically located in a secluded area. Development edges of the Monastery are predominantly covered with hill slope and mature trees (**Photo A**). The nearest residential settlement and village core to the application site are located more than 600m and 400m respectively away from the Monastery. Because of the difference in altitude and distance, the existing low-rise buildings within the application site are hardly visible from outside especially the local residents and villagers (**Photo B**). It is also noted that the Monastery is not in the direct sightline of the village houses due to its building orientation (mainly facing Tai Po Road or opposite direction from the Monastery) (**Photo C**). In view of the small size of the buildings surrounded by mature trees, as well as the visual obstruction from Sha Tin Rural Committee Road (elevated road, Tai Po Road, Leisure and Cultural Services Headquarter and Po Fook Hill, the visual impact on residents and villagers is therefore minimal (**Photo D** and **Photo E**).
- iv) Given the small scale of the existing buildings located in a secluded location, local concerns regarding visual impacts associated with the existing columbarium would not be anticipated.



Photo A: View from Sha Tin Town Centre



Photo B: View from footpath of Pai Tau Village



Photo C: The site is completely blocked by slope and trees

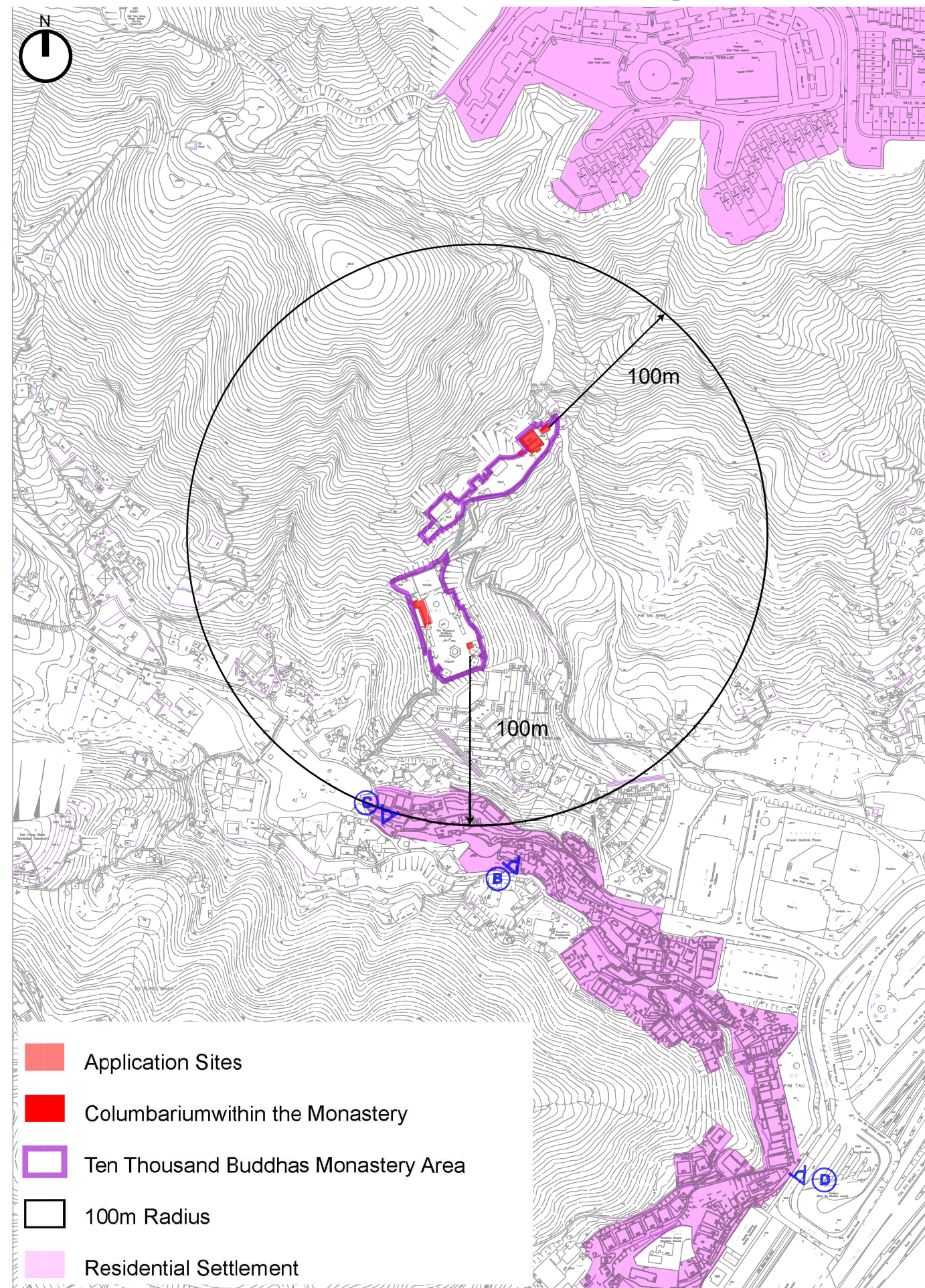


Photo D: View from ramp to Sha Tin East Rail Station



Photo E: View from the Sha Tin Rural Committee Road

5. PLANNING JUSTIFICATIONS

Ten Thousand Buddhas Monastery has been in existence at the upper part of To Fung Shan since the 1950s, which is a traditional religious district mixed with religious institutions, columbaria and slopes with mature trees. The Monastery has traditionally been occupied by religious and columbarium uses in the past. This s.16 planning application is submitted to regularise the current Pre-cut-off Columbarium with 9,117 sold and unsold niches as of 30.6.2017 (the enactment date of PCO) in the Monastery. For planning application covering a Pre-cut-off Columbarium, each application should be assessed on its individual merits based on the following criteria:

- (a) to understand the site history so as to identify whether the subject use within the site exist before or after the surrounding developments;
- (b) to justify whether the columbarium has fully complied with the requirements of PCO for regularising a Pre-cut-off Columbarium;
- (c) to assess whether the columbarium is in line with the Government's policy and general planning intention relating the subject "G/IC" zone;
- (d) to demonstrate whether the subject site is suitable for columbarium use with no insurmountable technical problem;
- (f) to demonstrate the applied use is compatible with the surrounding area; and
- (h) to assess whether the application would have any precedent effect.

Planning and technical assessments have indicated that the present application is well justified based on the reasons presented in this section.

5.1 Historical Incident for Columbarium Service in Religious Institution

The columbarium in the Monastery is not brand new but in existence at the application site for a very long period of time. The historical planning background of the Monastery is described below:

(a) Ten Thousand Buddhas Monastery is a Traditional Religious Institution

Ten Thousand Buddhas Monastery is a traditional Buddhist religious institution registered under the Chinese Temples Committee. It is established at the upper part of To Fung Shan by Venerable Yuet Kai and his followers in 1957. With a history of over 60 years, the Monastery has long been one of the well-known local temples mainly for worshipping activities. It offers regular Buddhist ceremonies, worship gatherings and columbarium services for the community. With the construction of over 12,000 Buddhas, the Monastery has also been a popular place for tourist sightseeing in Sha Tin. One of the representative buildings, the "Ten Thousand Buddhas Pagoda", was selected by the Hong Kong and Shanghai Banking Corporation as the printing pattern for the one hundred Hong Kong dollars.

When Venerable Yuet Kai passed away in 1965, his nephews had assumed the role of overseeing the maintenance of the Monastery. In 1997, some structures at the Monastery were seriously damaged by heavy rain. After two years of re-construction, the Monastery was partly reopened and the management responsibility had changed from private institution to a non-profit making organisation named “Shatin Ten Thousand Buddhas Monastery Ltd.”, which is the associated company of H.K. Ten Thousand Buddhas Monastery Management Committee Ltd. – the Applicant. In 2003, the Monastery was rezoned to “G/IC” by the Board to reflect the existing religious institution which was established in the area for decades.

The spirit of Buddhism does not only focus on the monks of their own; it also focuses on sharing love with society and helping people in need. The Monastery is a responsible institution that actively promotes charity works with the community groups, i.e. organising Buddhist talk and free-rice gifting. The funding of the Monastery is mainly from the donation of their members and organisations. A page extracted from “沙田文物誌” describing the history the Monastery is shown in **Plan L**.

(b) The Ancillary Columbarium

Since the 1970s the Government has been encouraging cremations instead of traditional burials. In accordance with an Executive Council decision, the Government has stopped processing applications for private cemeteries where permanent earth burials may be permitted since 1976. The number and percentage of cremations have risen substantially in the past 40 years. However, the progress in providing new public columbaria is primarily constrained by the limited land supply and most people’s ‘not in my back yard’ attitude.

Over the past decade many well-established religious institutions in the N.T. play an important role in the provision of columbarium facilities. In view of the religious principle of the Monastery that is highly respecting the value of life, the application site has long been providing such traditional services for their followers and the society since 1966. The funding from sold niches helps improving the financial situation of the Monastery in upgrading its religious facilities and to provide other social and charitable services.

Public consultation on review of columbarium policy states that the public are relatively less concerned about the columbarium facilities managed by religious bodies. In fact apart from the Monastery, over the past decade many well-established temples, such as Yuen Yuen Institute in Tsuen Wan, Lung Shan Temple in the North District, Fung Ying Seen Koon in Fanling and Ching Chung Koon in Tuen Mun, play an important role in the provision of columbarium facilities in Hong Kong.

名於國內身故。其後，梁氏
田建立“西林”後，便逐步
代替善信做法事及招待遊人。

清涼爽快之感。西林寺之入

室內擺放了紅木傢具，滿壁
更是另一座兩層高之建築物，



片播放機，特別適合年青人士享樂，皆是戰後才添置之設施。

1980年，浣清大師去世，據悉其子便將西林寺出售予泰國財團，將此一矗立於沙田半個世紀之旅遊勝地推進歷史廢墟之中。(註：2006年中已有本地商人從泰國財團購得西林寺之擁有權。)

萬佛寺

萬佛寺之得名，乃由於其寺中萬佛殿內所供奉之佛像數以萬計之故。

萬佛寺前身為“晦思園”，本有一座觀音殿。到戰後，早年於國內大學畢業而後出家之月溪人師(原名吳心圓)，經多番努力及得各方善信支持下，於1951年開始，於原址進行擴建，歷時七載，終於1957年建成萬佛殿，殿中除供奉三尊大佛像外，四周合共小金佛像萬餘尊，各尊形態及手勢各不相同，法相莊嚴，容貌慈祥，其責乃引領念佛修行的善信往西方淨土極樂世界。

此外，尚建有彌陀殿，殿內供奉阿彌陀佛，金身佛像高達三丈六尺，法相莊嚴，容貌慈祥，其責乃引領念佛修行的善信往西方淨土極樂世界。

一生弘揚佛法之月溪大師圓寂後，身體完整無缺，五官俱全，鬚髮仍存，是繼南中國唐朝六祖慧能大師後，修成肉身佛(即所謂金剛不壞身)之另一表表者，後被弟子將真身鋪成金像，供奉於寺內。

萬佛寺昔日不單成為沙田的主要名勝，每逢假日更是遊人絡繹不絕，且成為粵語片盛產年代，不少古裝武俠片取景之地。



前身為晦思園的萬佛殿於1957年擴建而成



拾級而上萬佛寺，沿路兩旁現已增建了許多金身羅漢像

5.2 Essential Planning Mechanism to Comply with the Private Columbaria Ordinance

This s.16 planning application is fully in line with the Government's policy objectives to regularise the Pre-cut-off Columbarium in the Monastery for the following reasons:

(a) The Government's Intention to Resolve the Historic Problems

The Government has emphasised in many public occasions that they are prepared to adopt a pragmatic and sensitive approach to resolve the Pre-cut-off Columbaria so as to minimise any social disruption arising from people who have purchased these niches and massive displacement of interred ashes before the introduction of regulatory regime. In contemplating these policy initiatives, the Government would take into account the overall interests of the community so as to avoid affecting the descendants (see **Appendix I**).

On 30.6.2017, the PCO came into effect and all the private columbarium in Hong Kong must be either covered with a Licence or an Exemption. The policy objectives aim at stipulating proper regulation on private columbaria so that they could complement the public columbaria to meet the social needs for ancestral worshipping, to add supply and choice of niches and related services.

(b) Comply with the Town Planning Requirements

In view of the above, the Applicant had submitted the PCL application applying for a Licence for the Monastery before the expiry date on 29.3.2018 (see **Annex I of Appendix II**). The Applicant had fulfilled a series of specified requirements and obtained the AIPTSOL on 13.10.2022, and further obtained a 3 years extension for the TSOL on 3.10.2025 (see **Annex II** and **Annex III of Appendix II**). During the validity period of TSOL until 12.10.2028, the Applicant has to comply with a series of licensing requirements, including but not limited to town planning, land lease and building safety. In order to in compliance with the town planning requirements, PlanD advised in the letter dated 29.7.2019 (see **Annex VII of Appendix II**) that the Applicant can:-

- (i) submit a s.16 planning application to the TPB and to satisfy all the approval conditions so as to in compliance with the town planning requirement; or
- (ii) provide evidences to demonstrate the columbarium is an existing use.

According to the TPB Guidelines No. 24D for Interpretation of Existing Use in the Urban and New Town Areas, planning intention on existing use of any land or building means a use in existence before the publication of the first plan which has continued since it came into existence. The entire Monastery falls within the Sha Tin OZP and the first Sha Tin OZP was gazette on 28.4.1961. In view of the date of first interment in niche for the Monastery was on 1.1.1963, the ancillary columbarium cannot be regarded as "Existing Use" in planning terms. Hence, the Applicant herein submits this s.16 planning application, partly to comply with the licensing requirements under the PCO and partly to satisfy the town planning requirements.

(c) Reason to Apply for the ‘Unsold’ Niches under the PCL Regime

The Applicant had submitted the PCL application covering an Exemption under section 14A of the PCO for the sold niches to the PCLB on 23.9.2025 in accordance with the Private Columbaria (Amendment) Ordinance 2025. This would allow the Pre-cut-off Columbarium to continue to operate at its current confined scale. However, most of the niches in the Monastery were sold long time ago at low prices, and LandsD normally assesses the land premium for a private columbarium at full market value (FMV). As the transaction were consummated, it would not be possible for them afford the FMV land premium or to recoup such FMV land premium from consumers.

Given the colossal amount involved, the Applicant has decided to include some of unsold niches in the subject s.16 planning application. Revenue from the unsold niches will facilitate the payment of FMV land premium (or land administration fees and waiver fees, whichever is applicable) to support operations through at least 2047, ensuring that the columbarium remains properly managed. As such, the Applicant requires a reliable source of income to sustain ongoing operations.

Thus, this s.16 planning application is an essential mechanism to comply with the PCL requirements for regularising the Pre-cut-off Columbarium in the Monastery. It is fully in line with the Government’s intention to take care of the sentiment of the descendants, in particular their wish not to upset the resting place of the deceased as far as practicable.

5.3 Conforming Government’s Intention

The subject development is in line with the Government policy’s objectives and general planning intention for the following reasons:

(a) Policy Initiative to Safeguard Overall Interest of the Community

Burial arrangement is a necessary element to allow family, relatives and friends pay respect to their ancestors and loved ones, which is an important matter for both the departed and the living. The wish of deceased to have their cremated ashes to be properly placed should be respected. With the introduction of PCO, the Government have strong intention to resolve the historic problems of Pre-cut-off Columbaria under the sensitive approach towards the consumers who have purchased these niches, and the dedicated persons, to minimise their losses and any social disruption arising from massive displacement of interred ashes.

The subject columbarium exists before the pre-cut-off time and the present s.16 planning application is in line with the spirit of PCO to regulate the operation of private columbaria through a licensing scheme. The Applicant has a genuine intention to regularise the existing columbarium and the total number of 9,117 niches under this application is the same as recorded on the enactment date of PCO, i.e. 30.6.2017.

(b) Reduction of ‘Unsold’ Niches to Address Traffic Impact Considerations

Although the existing niche capacity of 9,117 complies with PCL requirements and is acknowledged by the PCAO, the Applicant has elected to reduce the number of unsold niches from 6,338 to 1,522 which is a decrease in about 76% in order to address traffic impact considerations. The unsold niches located in Lung Wa Kok, Mei Tor Din, Lung Wa Tong, and two halls within Ng Sheung Din (namely Man Chi Tong and Man Yan Tong) are proposed to be sealed off. Sales of the unsold niches will henceforth be confined to the three remaining halls within Ng Sheung Din (namely Man Shun Tong, Man Lai Tong, and Man Yi Tong), thereby allowing a distinct management plan to be implemented for these niches, separate from the operation and visitation arrangements for niches already sold.

(c) Meeting the Demand for Columbarium Niche Spaces in Hong Kong

According to the Census and Statistics Department, Hong Kong has an annual death rate of about 7.2% (see **Table 5.1**). The numbers indicate a constant annual demand for niche spaces. The demand for niche spaces will continue to increase due to the ageing population and other factors. Although columbaria are essential facilities for the community, it is not easy to develop given the small geographical size and the large population as well as strong local resistance against such facilities to be provided in their area. The subject columbarium with around 1,500 niche spaces available for sale at this suitable location can facilitate in increasing the supply of columbarium niches to help meeting part of the urgent public demand.

Table 5.1: No. of Death and Death Rate in Hong Kong (2020 - 2025)

	2020	2021	2022	2023	2024	2025
No. of Death	50,666	51,354	63,692	56,776	52,366	51,750
Death Rate	6.8	6.9	8.7	7.3	7.0	6.7

Source: Census and Statistics Department

This s.16 planning application is in line with the policy objectives which aim at stipulating proper regulation on private columbaria so that they could complement the public columbaria to meet the social needs for ancestral worshipping, to add supply and choice of niches and related services. It would also help improving the financial situation of the Monastery on the provision of religious and social services.

(d) Planning intention of the “G/IC” Zone and the Sha Tin Area

The application site is zoned “G/IC” on the current Sha Tin OZP. The Monastery and its adjoining religious institutions such as Chi Ha Yuen were zoned “G/IC” by the Board in 2003 to reflect the existing religious institutions which were established in the area for a long time. The columbarium ancillary to the religious institution is in line with the planning intention of “G/IC” zone which is intended primarily for the provision of G/IC facilities serving the needs of the local residents and/or a wider district, region or the territory. The total coverage of the columbarium buildings (i.e. about 398.46m²) constitutes less than 8% of the total site area of the Monastery (i.e. about 5,464.6m²).

(e) Town Planning Board Guidelines for Development within “G/IC” zone

The subject columbarium does not contravene the planning intention of “G/IC” zone and complies within TPB PG-No. 16A (i.e. s.16 planning application for development/ redevelopment within “G/IC” zone for uses other than G/IC uses) in that the provision of GIC facilities within the religious institution would not be jeopardised, and the use and scale of the development are not incompatible with the religious use and the adjacent setting in the Monastery. It is intended mainly to serve the followers of Monastery and the general public. This Planning Statement have demonstrated that there would be no adverse impact on the proposed scheme on traffic, environmental, drainage, sewerage, geotechnical, visual and landscape aspects. The columbarium buildings at the sites are low-rise and small-scale in nature, which are compatible with the rural character of the locality.

5.4 Site Suitability for Columbarium Development

The application site is well suitable for columbarium use for the following reasons:

(a) Proximity to Public Transport Facilities

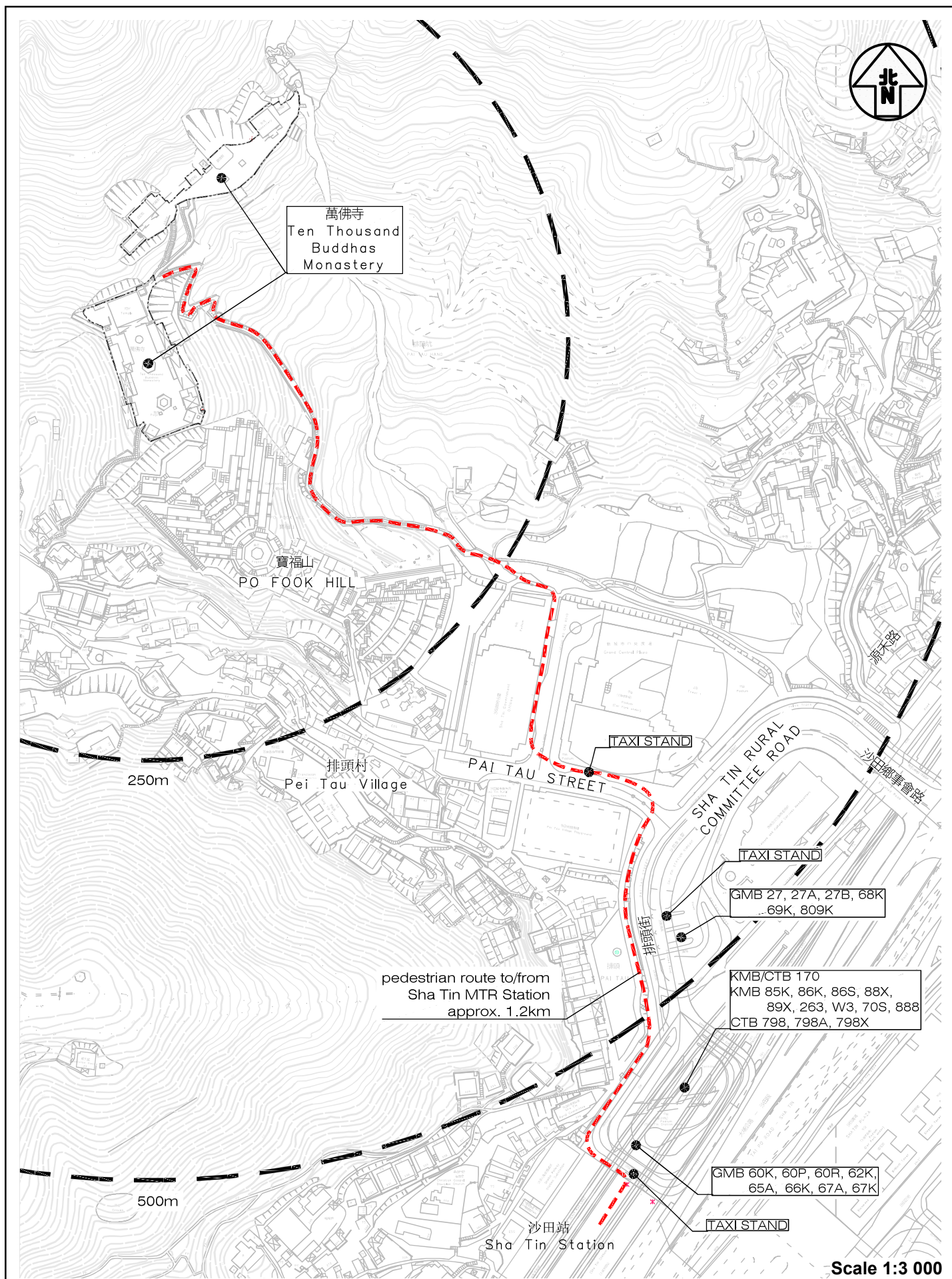
Although the Monastery is situated in rural setting and is not accessible to vehicles, it is located within 800m walking distance from MTR Sha Tin Station and public transport facilities other public transport services (i.e. franchised bus, GMB and taxi (see **Plan M**). For private car users, they can make use of public car parks in the town centre and then walk up to the Monastery via the footpaths in the area. The well developed infrastructures and public transport system around have created a strong connection to the rest of Sha Tin and the main urban areas. This locational advantage allows the Monastery to be conveniently accessible to visitors.

(b) Segregation from Domestic Uses

The Monastery is located at the upper part of To Fung Shan and is far away from major residential developments and village core. The columbarium buildings within the Monastery are low-rise in nature and they are hardly visible from outside due to its topography, long distance and visual barriers by religious buildings, slopes and mature trees (see **Plan K** after **Page 20**). The existing environment within the Monastery allows the visitors to commemorate their ancestors in a convenient and peaceful environment.

(c) Good Management over the Past Years

The Monastery is a charitable oriented religious institution registered under the Chinese Temples Committee. It is a popular religious and tourist attractions established in Sha Tin for more than 60 years. The Monastery, which is managed by the Applicant and Shatin Ten Thousand Buddhas Monastery Ltd. (non-profit making organisation), has demonstrated its smooth operation without inducing any significant traffic and environmental impacts to the locality over the past years. During the public consultation period of the previous s.16 planning application, a significant number of support letters have been received from the general public.



To ensure the festive event to be operated in the Monastery can be run in a safe, orderly and smooth fashion without creating any crisis, a Management Plan was already submitted to the PCLB and subsequently accepted by the Police (see **Annex VI of Appendix II**).

(d) No Insurmountable Technical Problem

Section 4 and various technical assessments attached in the **Appendices** have demonstrated that the subject development is technically feasible, and appropriate mitigation measures will be put in place, where necessary. Therefore, the small scale development will not result in any significant traffic, environmental, drainage, sewerage, landscape, visual and geotechnical impacts on the locality.

5.5 Land Use Assessment

A land use assessment on the site history, planning background and adjacent land uses has shown that the existing columbarium within the Monastery is compatible with the surrounding land uses in the vicinity based on the justifications below:

(a) Evolution of Land Use in Pai Tau and Sheung Wo Che Area

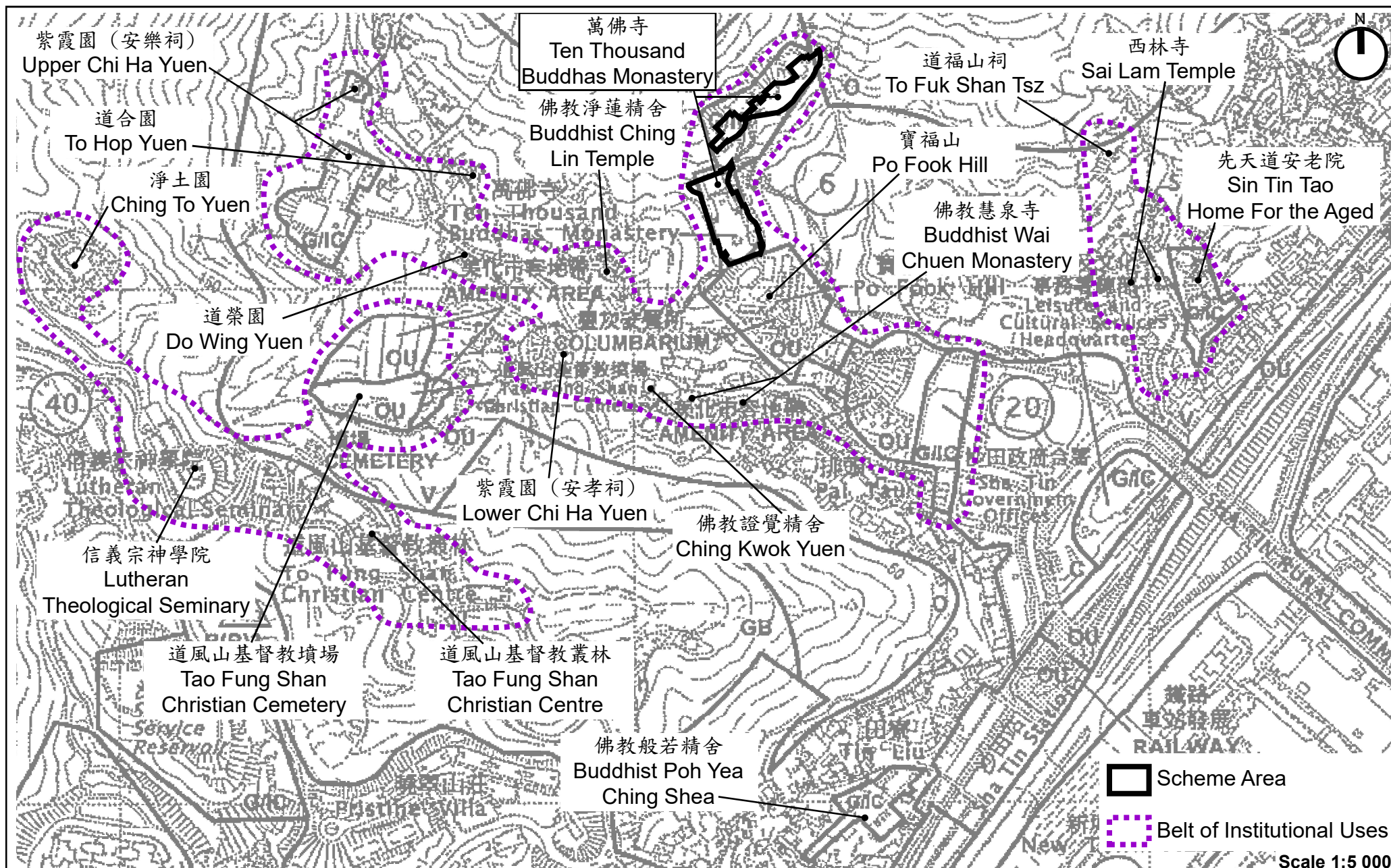
The application site is situated at the upper part of To Fun Shan, covered by the Pai Tau and Sheung Wo Che – Area 6 of Sha Tin. Given its proximity to the town centre and the railway station, the convenient location has resulted in a sophisticated community of intensive religious character in Pai Tau and Sheung Wo Che area. There are about 20 religious institutions located in the area as showed in **Plan N**. Po Fook Hill, one of the largest columbarium in Hong Kong, is located at the immediate south of the Monastery. Many of them, including the Monastery, were established in the area before the 1960s (see **Plan O**).

When Sha Tin was developing as a new town in the 1970s, the Monastery and its adjacent temples had been neglected from the development due to its secluded location and the physical barrier resulted from the railway and the elevated Sha Tin Rural Committee Road. It was at this time that the religious institutions in Pai Tau and Sheung Wo Che area began to decline in popularity. Until 1997 when several structures at the Monastery had been seriously damaged by heavy rain, the entire Monastery was under comprehensive renovation. After the renovations carried out in 1997 and 2005 respectively, the Monastery opened again and it becomes one of Hong Kong's most memorable cultural sites for travellers.

Given the long institutional history of the Monastery and its adjoining institutional uses, the religious and columbarium use within the Monastery is considered compatible with the character of the surrounding environment.

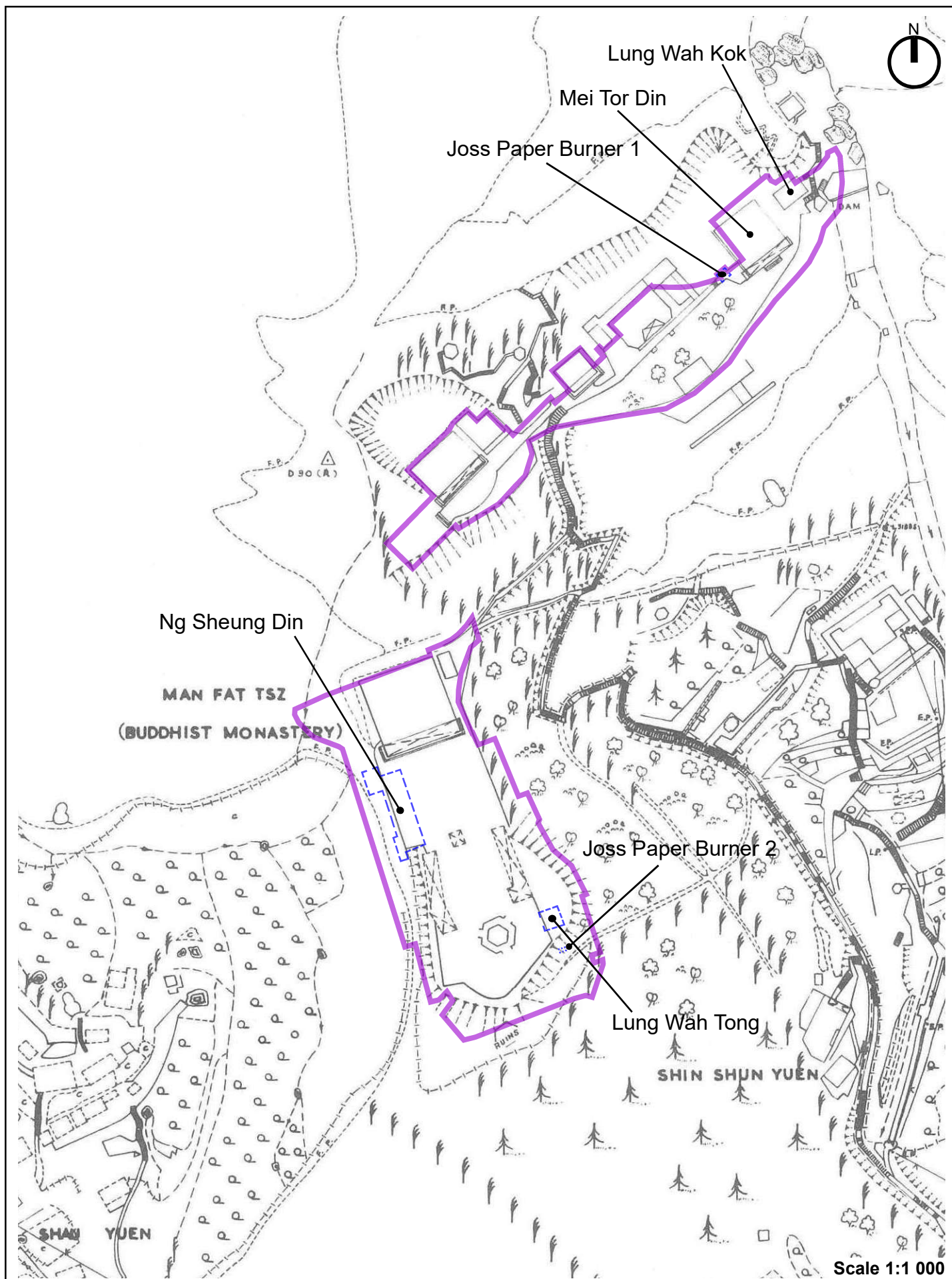
(b) Planning History of the Area

The Monastery was not covered by statutory plan until the gazettal of the first statutory plan covering Sha Tin area (i.e. No. LST/19) on 28.4.1961. Since the Monastery is located at the fringe of village environ of Pai Tau, Tin Liu, Sheung



Plan N: Religious and Institutional Uses in the Vicinity of the Monastery

(Prepared on 14.4.2026)



Plan O: Historical Plan in 1957

(Prepared on 29.6.2026)

Wo Che and Ha Wo Che, it had been from “Green Belt” to “Village Type Development” (“V”) under the Sha Tin OZP No. LST/47 on 21.3.1966. In fact, the Monastery and its surrounding area are, and have always been the unique institutional land use setting, rather than the general village setting.

Until 6.6.2003, a number of existing institutional uses in the Pai Tau and Sheung Wo Che area had been rezoned by the Board to “G/IC” and “Other Specific Uses” (“OU”) zonings under the Sha Tin OZP No. S/ST/17 so as to reflect the existing institutional land use character in the area. Those institutional uses include:

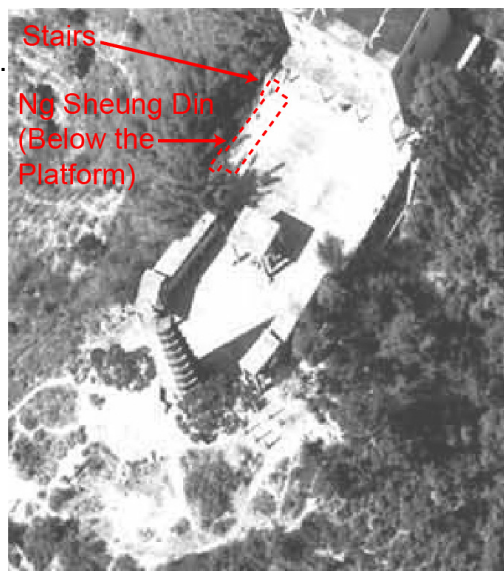
- Po Fook Hill from “V” to “OU (Columbarium)”
- Ten Thousand Buddhist Monastery from “V” to “G/IC”
- To Fung Shan Christian Cemetery from “V” to “OU (Cemetery)”
- Chi Ha Yuen from “V” to “G/IC”
- Sin Tin Tao Home for the Aged from “V” to “G/IC”
- Buddhist Poh Yea Home for the Aged from “V” to “G/IC”

The Monastery has long been occupied by religious and columbarium uses before the construction of Sha Tin New Town. The existing use at the application site will not result in any incompatibility of land use to the locality.

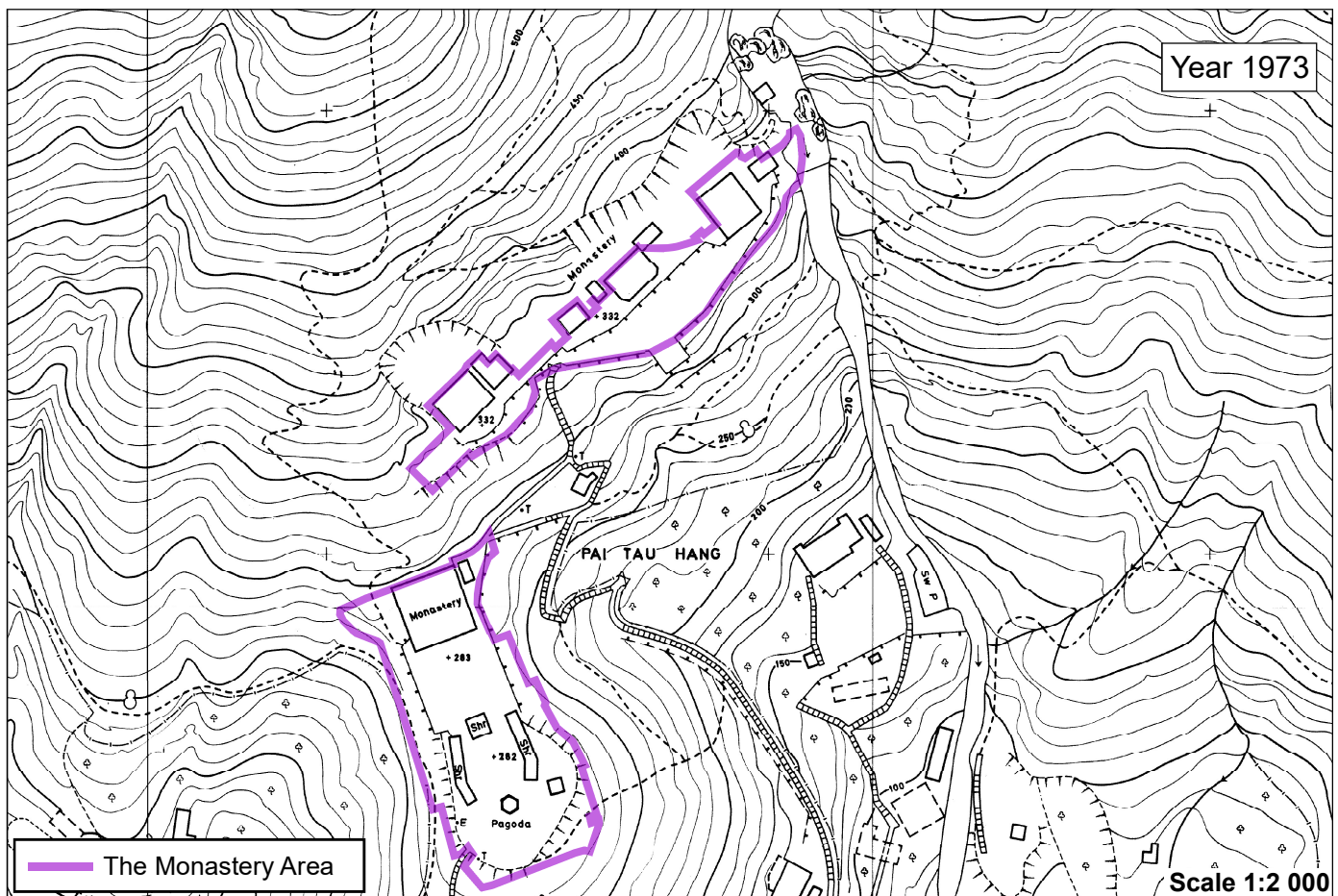
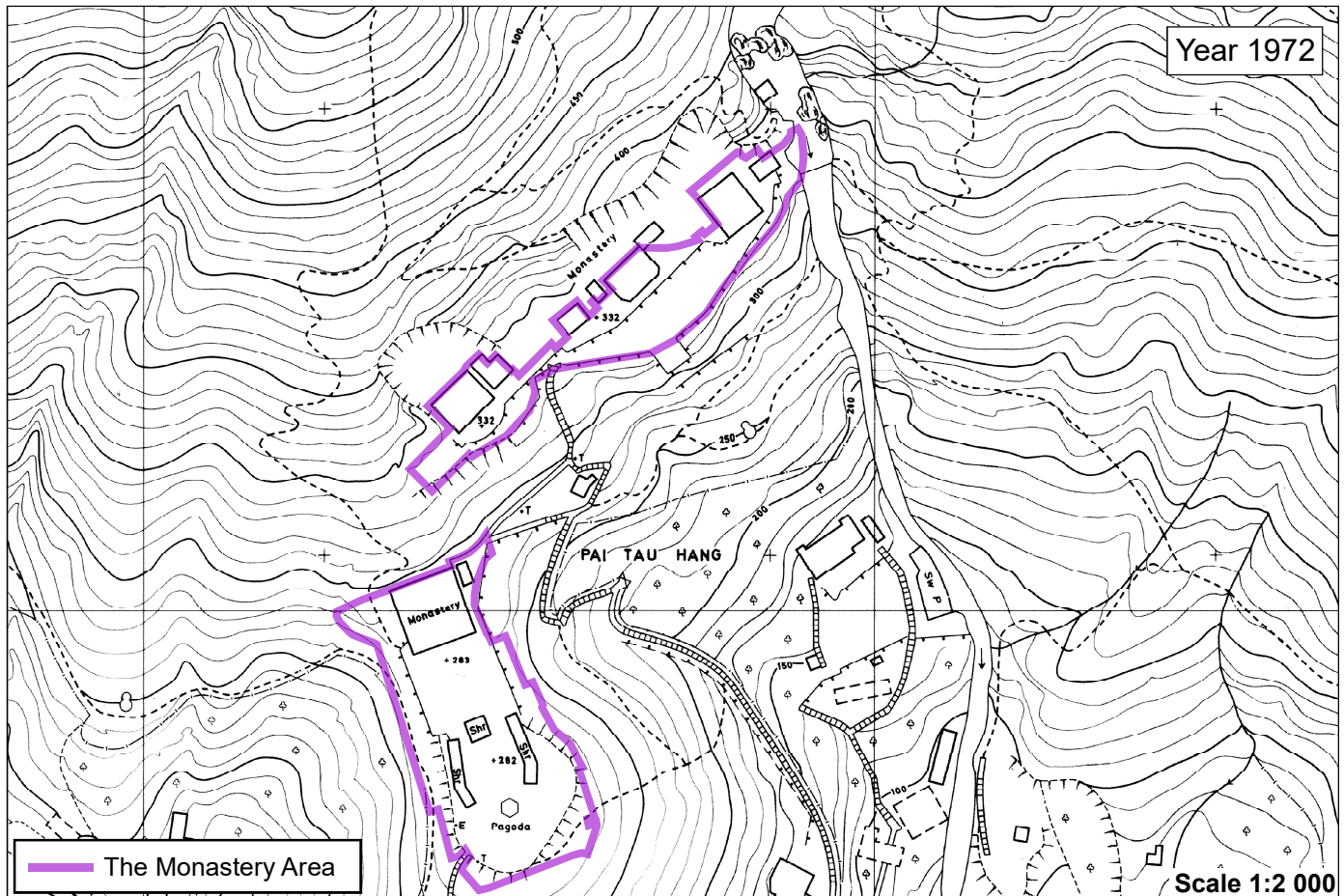
(c) Long History of Religious Institution and Columbarium Use

As detailed in **Section 5.1(a)** and **Plan O**, the entire Monastery area has a very long history of religious institution use. Majority of the current buildings within the Monastery were established before the 1960s. Until Venerable Yuet Kai passed away in 1965, the Monastery has been providing columbarium service since 1966. Lung Wah Kok and Mei Tor Din were later converted into columbarium use.

Historical plans (see **Plan P**) show that Lung Wah Tong was constructed in between 1972 and 1973. While it is difficult to find out the construction year of Ng Sheung Din due to the said structure is underneath the platform (i.e. Site A), the aerial photo dated 1964 shows some suspected stairs structures connecting the lower part of Site A.



In view of the long history of columbarium use, the provision of ancillary columbarium within the religious institution would not be jeopardised, and the use and scale of the proposed development are not incompatible with the religious use and the adjacent community use setting



Plan P: Historical Plans of 1972 and 1973

(Prepared on 13.4.2026)

(d) Compatible with the Surrounding Land Uses

A Land Use Compatibility Plan has been prepared as attached in **Plan Q**. The Monastery is mainly surrounded by clusters of religious institutions, columbaria, slope with mature trees and burial ground:-

- to the north is covered with slopes and mature trees which form a buffer from Fo Tan industrial estate further northeast of the Monastery;
- to the further east across the slope area is a cluster of religious and columbarium uses covering Sai Lam Temple, To Fuk Shan Tsz and Sin Tin Tao Home for the Aged;
- to the immediate south is a “G/IC” site covering a large columbarium called Po Fook Hill; and
- to the immediate west is a footpath leading to several temples and columbaria, i.e. Chi Ha Yuen, Do Wing Yuen, Buddhist Wai Chuen Monastery, Tsing Lin Tsing She, Do Hap Yuen and Ching Kwok Yuen.

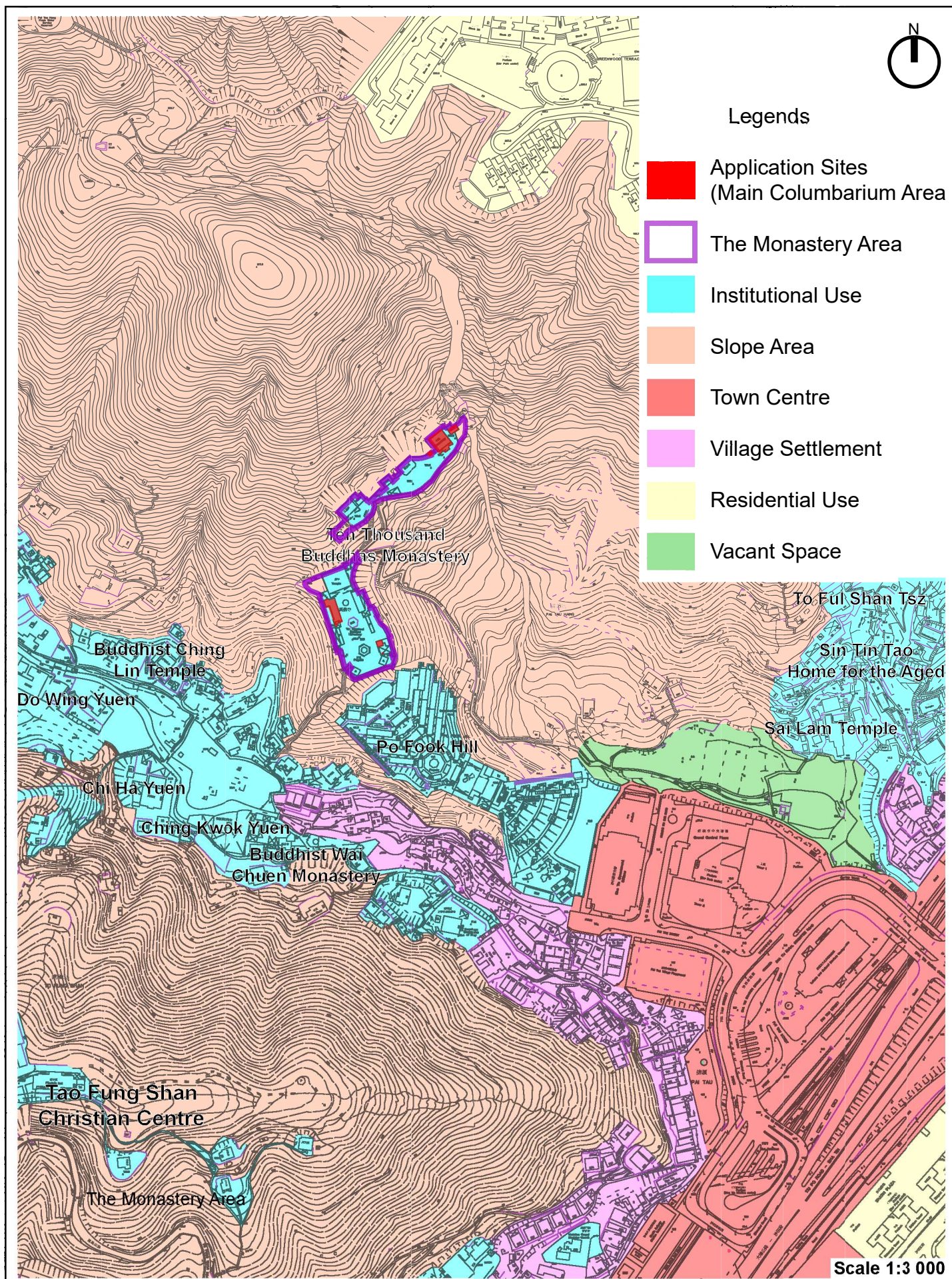
The Monastery is situated far away from the village core with sufficient segregations. The nature of the use and the scale of the ancillary columbarium are compatible with the temple setting.

(d) Appropriate Form of Development

The current scheme is intended to regularise the Pre-cut-off Columbarium without changing the existing buildings or proposing any new buildings at the Monastery. It only involves four single to two storeys buildings and an eco-furnace with a total GFA of about 471.5m². The buildings reflect a low-rise and low-density scheme with the intention to maintain the existing land use character and landscaping features.

The Monastery is bounded by green hill knolls in the surroundings. All the existing vegetation along the development edges within and outside the application site will not be disturbed as they will help in creating a soft planted edge to the religious buildings along its interface with the natural context to blend in with the more naturalistic vegetation. In the traditional Chinese philosophy and belief, ‘Harmony with Nature’ is an important element and this is also an important concept in this development scheme.

The present s.16 planning application represents a firm commitment from the Applicant to regularise the columbarium use within the compound of the Monastery in a proper way in order to meet the latest requirements under the PCO. The columbarium in the Monastery is an important ancillary facility to serve the followers and their relatives, as well as to facilitate the operation of the Monastery and as a means to promote charity works. Having been occupied by the Monastery for more than 60 years, which is well before the publication of the first Sha Tin OZP, the application site has a strong religious character and is consider compatible with the surrounding land use.



Plan Q: Land Use Compatibility Plan

(Prepared on 29.6.2026)

5.6 Unlikely to Set an Undesirable Precedent

The approval of this s.16 planning application will not set an undesirable precedent for other similar applications within the same “G/IC” zone for the following reasons:

(a) Study on Similar Cases of Pre-cut-off Columbarium in Sha Tin Area

In response to the requirement of PCO, the Applicant had submitted the PCL application to apply for a Licence for Pre-cut-off Columbarium in the Monastery to the PCLB on 23.3.2018. During the validity period of TSOL, the Applicant has to comply with all statutory requirements, including town planning, land lease and building safety. As such, this s.16 planning application is submitted to regularise the Pre-cut-off Columbarium, which covers both sold niches and niches available for sale as recorded by the PCLB on 30.6.2017, in order partly to comply with the licensing requirements under the PCO and partly to satisfy the town planning requirements. It is different to those planning application for providing a new columbarium which should be defined as the “Post-cut-off Columbarium”.

A comprehensive site study has been conducted to identify any sites of similar characteristics within the current Sha Tin OZP. The following site characteristics and development criteria need to be met in order to classify as similar cases for the present application:

- They must be a Pre-cut-off Columbarium – A “Pre-cut-off Columbarium” means a columbarium that was in operation, and in which ashes were interred in niches, immediately before the cut-off time (i.e. 8 a.m. on 18.6.2014).
- They have submitted the PCL application to apply for a Licence to the PCLB before the expiry date on 29.3.2018. It should be noted that those columbaria applied for Exemption ONLY do not need to comply with the planning-related requirements.
- They are located within the same “G/IC” zone on the Sha Tin OZP and they are ancillary use to the religious institution registered under the Chinese Temples Committee and have been in existence at the sites for a long time.

Given the unique background, location and characteristics of the sites, **Plan R** and **Table 5.2** shows that no similar case could be found within the same “G/IC” zone. For all the “G/IC” zones covered by the current Sha Tin OZP, there is only 4 similar cases (i.e. Ku Ngam Ching Yuen, 般若精舍 and Sin Tin Toa Home for the Aged) could be found in the area. However, it should be highlighted that 般若精舍 already obtained a full Exemption on 7.8.2025, and Ku Ngam Ching Yuen already obtained the planning approval from the Board on 19.5.2023. Therefore, the only similar case in all the “G/IC” zones covered by the current Sha Tin OZP is Sin Tin Toa Home for the Aged. The risk of creating a precedent is not substantial. Each application should be assessed on its own merit.



Do Wing Yuen (卐 & Lic & Exe)



Ching To Yuen (Lic & Exe)

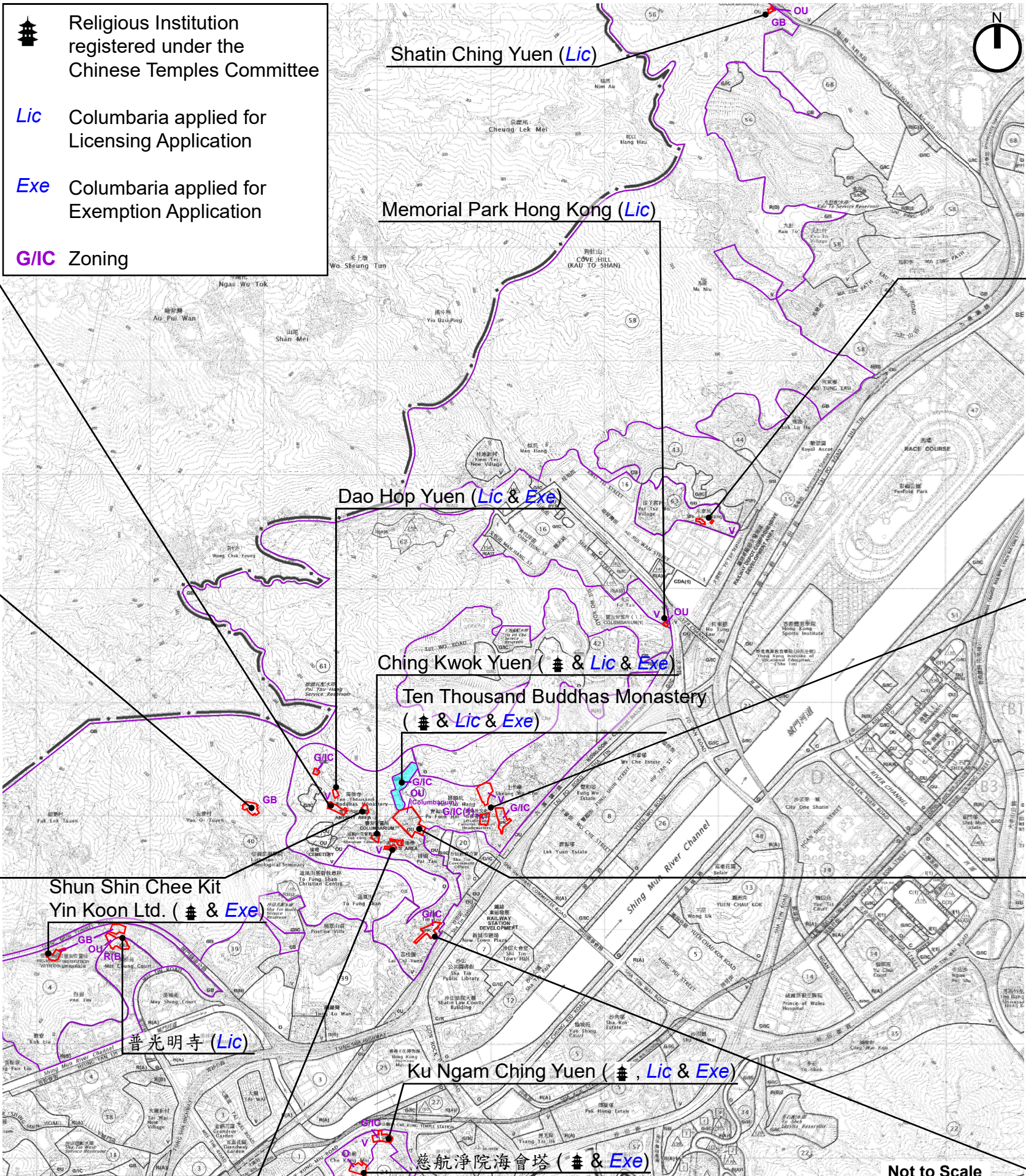


Tsing Lin Tsing She (Lic & Exe)



Buddhist Wai Chuen Monastery (Exe)

- Religious Institution registered under the Chinese Temples Committee
- Lic** Columbaria applied for Licensing Application
- Exe** Columbaria applied for Exemption Application
- G/IC** Zoning



Yan Hau Ancestral Hall (Lic)



Sin Tin Toa Home For The Aged

To Fuk Shan Tsz

Sai Lam Temple

Sai Lam Temple (卐 & Lic & Exe)

To Fuk Shan Tsz (Lic & Exe)

Sin Tin Toa Home For the Aged (Lic & Exe)



Po Fook Hill (Lic)



Poh Yea Ching Shea Ltd. (卐 & Exe)

Not to Scale



Plan R: PCLB Applications submitted by Pre-cut-off Columbaria in Sha Tin Area

(Prepared on 12.6.2026)

Table 5.2: Study on Similar Cases of Pre-cut-off Columbarium in Sha Tin Area

Name	Same “G/IC” Zone	Applied for Sold Niches Only	Type of Specific Instrument		Remark(s)
			Licence	Exemption	
Ten Thousand Buddha Monastery	√		√	√	
Memorial Park Hong Kong			√		Planning Application Approved
Shatin Po Fook Hill			√		Full Licence Granted
Buddhist Wai Chuen Monastery				√	Planning Approval Not Required
Shun Shin Chee Kit Yin Koon Ltd.		√		√	Full Exemption Granted
Do Wing Yuen			√	√	
普光明寺			√		Planning Application Approved
Yan Hau Ancestral Hall		√	√		
Ku Ngam Ching Yuen			√	√	Planning Application Approved
To Fuk Shan Tsz			√	√	
Shatin Ching Yuen			√		Planning Application Approved
般若精舍 (海會塔及普同塔)		√		√	Full Exemption Granted
Ching To Yuen			√	√	
Sin Tin Toa Home For The Aged			√	√	
Ching Kwok Yuen		√		√	Planning Approval Not Required
Dao Hop Yuen			√	√	
慈航淨院海會塔		√		√	Planning Approval Not Required
Sai Lam Temple		√	√	√	Planning Application Approved
Tsing Lin Tsing She				√	Planning Approval Not Required

(b) Emotional and Spiritual Support – Not an Undesirable Use

Burial arrangement is a necessary element to allow family, relatives and friends pay respect to their ancestors and loved ones, which is an important matter for both the departed and the living. The wish of deceased to have their cremated ashes to be properly placed should be respected. However, the progress in providing new public columbaria is primarily constrained by the limited land supply and most people’s ‘not in my back yard’ attitude.

The Monastery is a traditional religious institution established at the upper part of Pai Tau Village for more than 60 years. The present s.16 planning application is to seek planning permission from the Board to regularise its existing columbarium, which is in line with the Government’s policy objective. The present scheme mainly involves the retention of existing buildings which are low-rise and low-density in nature. With the adoption of appropriate mitigation measures, it will

not pose significant adverse traffic, environmental, landscape and visual impacts on the neighbourhood. Columbarium is an essential communal facility for the society and thus it should not be regarded as an “Undesirable Use”.

Moreover, psychological impact is very personal subject to different person. Even some of the columbaria are located far away from the local villages and are well-screened from public view by trees, slopes and structures, local people will still believe the development will impose psychological impact to them. In fact, there are many columbaria, cemeteries, funeral parlours and temples located near residential areas such as St. Michael's Catholic Cemetery in Happy Valley and Po Fook Hill in Sha Tin. There is no scientific evidence to prove that the presence of columbarium would cause psychological illnesses. Nevertheless, the Applicant is willing to enhance the proposal in order to minimise the potential psychological and visual impacts (if any) to the public.

(c) Similar Cases in New Town Areas

For similar cases of columbarium use in “G/IC” zone, there is a number of s.16 planning applications approved after 2010 as shown in **Table 5.3** below. Among the approved cases, most of them are located within the religious establishments, which had received favourable consideration by the Board. In view that the subject columbarium is located within the religious institution, it is hoped that TPB would also give sympathetic consideration to this similar application.

Table 5.3: Similar Cases of Columbarium Development in “G/IC” Zone

Application No.	Location	No. of Niches	Approval Date
A/TW/543	Wing Shing Yuen, Lo Wai Road, Tsuen Wan	4,250	28.3.2025
A/I-TOF/5	Lung Ngam Monastery, No. 47 Wang Hang Village, Tai O	901	10.01.2025
A/K5/869	Hong Kong & Kowloon Fuk Tak Buddhist Association, Sham Shui Po	2,518	20.12.2024
A/TW/535	Tung Lum Nien Fah Tong, 29 Tung Lam Terrace, Tsuen Wan	6,052	26.1.2024
A/TM/530	Gig Lok Monastery, Tuen On Lane, Tuen Mun	1,567	30.9.2023
A/ST/1013	Ku Ngam Ching Yuen, Che Kung Miu Road, Tai Wai	1,969	19.5.2023
A/TM/575	Alliance Top Limited, 145 Tsing Shan Tsuen, Tuen Mun	2,347	3.3.2023
A/TW/530	Si Fong Che (Western Monastery) Lo Wai, Tsuen Wan	11,046	6.5.2022
A/TM/541	Lin Chi Ching Yuen, 180 Tsing Shan Tsuen, Tuen Mun	1,210	30.4.2021
A/TP/537	Sha Law Ching Shea, 150 Tsing Shan Tsuen, Tuen Mun	4,444	29.5.2020
A/TP/657	Poh Yea Ching Shea, 2 Mui Shue Hang Village, Tai Po	5,304	29.11.2019
A/TM/527	Filial Park, 25 Yeung Road, Tsing Shan Tsuen	6,265	19.7.2019
A/FSS/242	Fung Ying Seen Koon, Lot 5174 in D.D. 51, Fanling	22,933	11.11.2016
A/K11/210	Fat Jong Temple, 175 Shatin Pass Road, Tsz Wan Shan	5,760	23.1.2015
A/TM/441	Shan Guo, Lot 667 in D.D. 131, Yeung Tsing Road	8,000	5.4.2013
A/TM/398	Fat Yuen Ching Shea, Tsing Shan Tsuen, Tuen Mun	9,160	30.11.2012
A/TM/437	Shan Yuan, TMTL 392, Tsing Shan Tsuen, Tuen Mun	5,000	20.7.2012
A/K11/204	Chi Lin Nunnery Pu Tong Ta, Diamond Hill, Kowloon	6,800	6.12.2011
A/NE-TK/303	HKSGI Cultural & Recreational Centre, 33 Shan Nam Road, Tai Po	6,000	11.11.2011
A/NE-TKL/331	Wun Chuen Sin Kwoon, Various Lots in D.D. 77, Ping Che	6,072	28.1.2011
A/FSS/195	Kun Chung Temple, 12 Chi Fuk Circuit, Fanling	1,000	27.8.2010

6. CONCLUSION

In order to properly resolve the historic problems of Pre-cut-off Columbarium which have accumulated over the years, the PCO came into effect on 30.6.2017 and all the private columbarium in Hong Kong must be either covered with a Licence or an Exemption. In response to the requirement of PCO, the Applicant had submitted the PCL application to the PCLB on 23.3.2018 to apply for a Licence for the Monastery. The Applicant had fulfilled a series of specified requirements and obtained the TSOL on 13.10.2022. During the validity period of TSOL, the Applicant has to comply with a series of licensing requirements, including town planning, land lease and building safety.

This s.16 planning application is submitted to seek TPB's approval in order to partly to comply with the licensing requirements under the PCO and partly to satisfy the town planning requirements for the Pre-cut-off Columbarium with 4,301 niches in the Monastery. Planning and technical assessments prepared by the consultants have indicated that the development proposal is well justified based on the following reasons:-

- (a) The Monastery is a traditional religious institution which has been in existence at the site for more than 60 years and before the gazettal of the first Sha Tin OZP;
- (b) the application is aimed at regularising the existing niches from a Pre-cut-off Columbarium ancillary to the Monastery. It is in line with the spirit of the PCO;
- (c) the subject development is also in line with the Government's intention to relieve part of the urgent demand for columbarium niche spaces in Hong Kong;
- (d) the total number of niches in the Monastery will be largely reduced from 9,117 to 4,301 (among which 2,779 are already sold), thus the expected visitor demand per year for the Monastery will also be significantly reduced;
- (e) the Monastery is accessible by footpaths leading to Sha Tin Railway Station, public transport facilities and car parks;
- (f) the existing columbarium buildings are low-rise in nature and they are compatible with the adjacent land uses where a number of traditional temples, columbaria and graveyards are located; they are also far away from residential use and are segregated from them by slopes with mature trees;
- (g) it is in line with the planning intention of "G/IC" zone and TPB Guidelines No. 16A in that the GIC facilities within the religious institution would not be jeopardised, and the use and scale of the proposed development are not incompatible with the religious use and the adjacent community use setting;
- (h) it will allow the remaining niches in the Monastery to be put up for sale in order to meet the future need for their public and to support the payment of land premium;
- (i) the small scale development will unlikely result in any significant land use, traffic, environmental, sewerage, visual, landscape and geotechnical impacts; and
- (j) the application will not set an undesirable precedent for similar applications in view of its long history, unique background, small scale and the new policy initiatives.

In view of the planning justifications presented in this Planning Statement, honourable members of the TPB are requested to approve this s.16 planning application.

PART II- LIST OF APPENDICES

<i>Appendix I</i>	<i>Policy initiatives for Pre-cut-off Columbaria</i>
<i>Appendix II</i>	<i>Relevant Documents in Relation to the PCL Application</i>
<i>Appendix III</i>	<i>Traffic Impact Assessment</i>
<i>Appendix IV</i>	<i>Environmental Assessment</i>
<i>Appendix V</i>	<i>Geotechnical Planning Review Report</i>

Press Release

Private Columbaria Ordinance

Press Release

Important Dates

Frequently Asked Questions

Alternative Means of Disposal of Ashes

Private Columbaria Affairs Office

Enquiry, Suggestion and Complaint

Related Links

Policy initiatives related to land premium and traffic impact assessment of pre-cut-off columbaria announced by Government

The Government today (November 22) announced that the Chief Executive in Council has approved two policy initiatives to address the land premium and traffic impact assessment (TIA) issues of pre-cut-off columbaria seeking a licence.

According to the Private Columbaria Ordinance, a pre-cut-off columbarium means a columbarium that was in operation, and in which ashes were interred in niches, immediately before the cut-off time, i.e. 8am on June 18, 2014.

Policy initiatives in line with overall interests of the community

A government spokesman said, "We need to resolve properly the historic problems which have accumulated over the years. Quite a number of people had purchased niches from these columbaria or even interred the ashes of their deceased relatives therein before they knew that the Government would introduce a regulatory regime. Given this, we need to adopt a pragmatic and sensitive approach towards the consumers who have purchased these niches, and the dedicated persons, to minimise their losses and any social disruption arising from massive displacement of interred ashes.

"In contemplating these policy initiatives, the Government mainly takes into account the overall interests of the community so as to avoid affecting the descendants, in particular their wish not to disturb the interred ashes of the deceased as far as practicable.

"We must emphasise that all pre-cut-off columbaria will not automatically get a licence as a result of the policy initiatives. The Private Columbaria Licensing Board will still consider each application in accordance with the requirements for applying for a licence as set out in the Ordinance."

Land premium arrangement and safeguards to protect consumers

On land premium, in respect of pre-cut-off sold niches, originally only pre-cut-off columbaria eligible for an exemption in all other respects (in operation before January 1, 1990) were allowed to apply for waiving payment for the regularisation exercise (the waiving arrangement). The Government has now decided to extend the waiving arrangement to allow pre-cut-off columbaria eligible for a licence in all other respects (in operation before 8am on June 18, 2014) to apply.

The Government spokesman added, "Only those pre-cut-off columbaria eligible for a licence in all other respects can apply. In other words, the prerequisites are that the operator: 1) must be a pre-cut-off columbarium; 2) must fulfil the licensing criteria for a licence in all other respects, which include more than 10 relevant requirements on planning, building and fire safety.

Specifically, a pre-cut-off columbarium confirmed to be eligible for a licence in all other respects may apply for administratively regularising, in respect of the pre-cut-off sold niches, breaches of relevant lease conditions and/or unlawful occupation of unleased land by way of a waiver and/or a short term tenancy (STT), and waiving the relevant waiver fees, STT rentals and administrative fees before and during the licence

Updated
Information for Consumers

Updated
Information for Operators

Private Columbaria Licensing Board

List of Applications for Specified Instruments Received

Ash Temporary Storage Service by FEHD

Updated
Application Guide and Forms for Licence and Other Specified Instruments

Updated
Guidelines for Carrying out the Prescribed Ash Disposal Procedures

Updated
Other Multimedia Information

Updated
Information on Ash Disposal by Columbaria

period. However, each application will be considered on a case-by-case basis having regard to its circumstances and merits.

The Government will impose a series of safeguards on pre-cut-off sold niches covered by the waiving arrangement, including that the operators are not allowed to impose extra charges beyond what was provided in the original agreements with the consumers concerned.

At the same time, the operators should seek the agreement of the consumers to abide by the restrictions below: (1) for those partially filled or unfilled niches, replacing the name of a dedicated person where his/her ashes have yet to be interred with another person is only limited to his/her relative (in accordance with the definition of "relative" in the Ordinance); (2) for filled niches, if any interred ashes are removed subsequently in the future, such niches are not allowed to be "refilled". After the niches referred to in (1) have become the niches referred to in (2) in future, the restriction in (2) would also apply to them. As such, the operators have to provide to the Licensing Board registers for endorsement for the purpose of the restrictions in (1) and (2) above.

For the number of niches without agreement between the operator and the consumers being reached, or in the absence of other equally effective means to ensure compliance with the above safeguards, a full market value (FMV) land premium will be payable. If FMV land premium is paid, such niches could be traded in the market free of the above restrictions. The operators must pay an FMV land premium for all the post-cut-off sold or newly let out niches.

"The above waiving arrangement is aimed at protecting consumers. From the consumer's perspective, whether a pre-cut-off columbarium applies for an exemption or a licence should make no difference to them as they have already purchased or even have been using the relevant niches. If the operators recoup land premium from consumers who have purchased the niches in the past or they pass on the land premium to consumers who will purchase niches in future, various kinds of disputes will arise," said the spokesman.

Initiative relating to TIA

Taking into account the overall interests of the community, the Government has decided to use an empirical evidence approach as the basis for assessing traffic impacts when the Government departments process the licence application from a pre-cut-off columbarium whose operation only involves the number of niches sold before June 30, 2017 (the enactment date of the Ordinance).

The Government has studied this issue in depth and has the following three observations. Firstly, the columbaria concerned are not brand-new planned establishments but have already been in existence and operation in the community for a long time. Secondly, the traffic and pedestrian flow problem mainly surface during the grave-sweeping seasons (Ching Ming Festival and Chung Yeung Festival) and the situation outside the grave-sweeping seasons is usually not a major concern. Thirdly, an applicant for a licence would have to submit a management plan covering the traffic and crowd control measures for prior approval by the Licensing Board, and is required to comply with the licensing conditions relating to the traffic and pedestrian flow management measures imposed by the Board.

According to on-site observation, traffic and pedestrian flow management arrangements are already implemented by the Government departments in some of the areas where a number of columbaria are located together. The Government departments concerned have prepared contingency plans in areas with needs to cater for ad hoc situations. The Government has also noticed that some columbaria also

actively make some traffic arrangements during Ching Ming Festival and Chung Yeung Festival, such as providing dedicated coaches to pick up and drop off gravesweepers. If only niches sold as at June 30, 2017 of pre-cut-off columbaria are counted, the traffic level in those areas during the peak hours is, overall speaking, still at an acceptable level. On the part of individual columbaria, operators have the responsibility to provide practicable mitigation measures within their capability. The Government departments will reflect to the Licensing Board their views on suitable mitigation measures that should be followed up by individual cases. We believe that the Licensing Board will, having regard to the situation, vet the management plan of the operators and impose appropriate licensing conditions.

If a pre-cut-off columbarium would like to sell or newly let out niches after June 30, 2017, or any post-cut-off columbarium would like to submit planning or licence applications for their development, the TIA mechanism is applicable to them.

Responsibilities of private columbarium operators

"The operation of a private columbarium in Hong Kong must be covered by a licence, an exemption or a temporary suspension of liability according to the Ordinance. Only private columbaria that have obtained licences may sell or newly let out niches. This fundamental principle has not been changed and will not be changed," added the spokesman.

"Operators of private columbaria have the responsibility to abide by the various licensing requirements as stipulated under the Ordinance."

According to section 99 of the Ordinance, a person who commits an offence of providing information that is false or misleading is liable on conviction to a fine of \$500,000 and to imprisonment for two years. In addition, if an operator deceives the Government, thus resulting in prejudice to the Government, that person commits the offence of fraud under the Theft Ordinance, which would render an offender liable on conviction to a maximum penalty of imprisonment for 14 years. Moreover, if a columbarium operator and a consumer conspire to deceive the Government, they commit the offence of conspiracy to defraud. Such an act is contrary to Common Law and punishable under the Crimes Ordinance, which would render an offender liable to a maximum penalty of imprisonment for 14 years.

A Legislative Council brief on the above arrangements can be downloaded from the Food and Health Bureau's website (www.fhb.gov.hk/download/press_and_publications/otherinfo/160700_columbarium/e_legco_brief_on_land_premium_TIA.pdf).

Ends/Wednesday, November 22, 2017

Issued at HKT 17:30

APPENDIX II

Relevant Documents in Relation to the PCL Application

Annex I – Submission Letter

Annex II – AIP-TSOL Approval Letter

Annex III - Submission Letter of the Extension AIP-TSOL Application

Annex IV – Latest Plans submitted to the PCAO

Annex V – Positive Responses from the BD

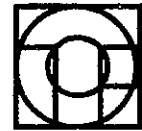
Annex VI – Positive Responses from FSD

Annex VII – Positive Responses from the EPD

Annex VIII – Positive Responses from the Police

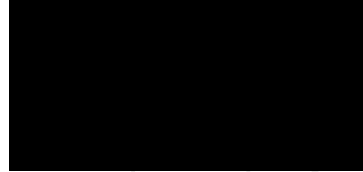
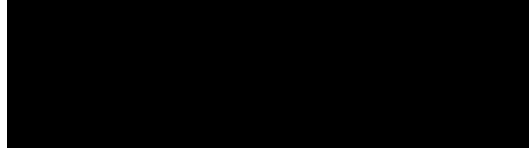
Annex IX – Comments from the PlanD

TOCO PLANNING CONSULTANTS LTD.
TOWN PLANNING, ENVIRONMENT & DEVELOPMENT CONSULTANCY



達材都市規劃
顧問有限公司

Secretariat of Private Columbaria Licensing Board



Dear Sir/ Madam,

23 March 2018

**Applications for "Pre-cut-off Columbarium" Licence and
Temporary Suspension of Liability for Ten Thousand Buddhas Monastery,
No. 221 Pai Tau Village, Shatin**

We submit herein, on behalf of H.K. Ten Thousand Buddhas Monastery Management Committee Limited, an application for a Columbarium Licence and an application for Temporary Suspension of Liability for "Pre-cut-off Columbarium" under the Private Columbaria Ordinance. The applications are intended to regularise the existing columbarium named Ten Thousand Buddhas Monastery at No. 221 Pai Tau Village, Shatin.

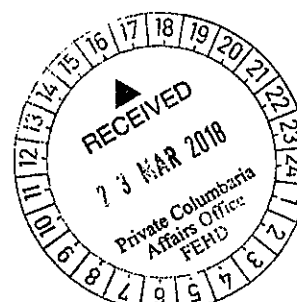
Please find attached an authorisation letter and a set of file with necessary documents in support of the columbarium applications for your attention. The Applicant has employed an Authorised Person (AP) – Mr. Kin Ming Chan, Maurice Lee and Associates Ltd. to undertake the necessary technical assessments for the applications such as building-related requirements, structural and fire safety requirements, electrical and mechanical safety requirements, and drawings prepared by AP. These outstanding documents will be submitted in due course.

Please contact the undersigned or my colleague Mr. Daniel Wei at [REDACTED] if you have any queries and additional information pertinent to the applications. For queries in relation to the niche count or operation of the columbarium, please contact Mr. Ng Chung Wa of Ten Thousand Buddhas Monastery at [REDACTED]. For queries in relation the building matter, please contact our AP – Mr. Kin Ming Chan at [REDACTED]. For queries in relation to land matters, please contact Mr. Patrick Lai at [REDACTED].

Yours faithfully,

Toco Planning Consultants Ltd.

Ted Chan
Managing Director



TED T. C. CHAN
MPIA, MUKIP, RPP



私營骨灰安置所事務辦事處
Private Columbaria Affairs Office

覆函請寄交食物環境衛生署並引用本署檔案編號

本署檔號: (124) in FEHD PC 72-40/62/2018/067 Pt. 4

掛號郵件

(i) Shatin Lot 358-359 DD 185, N.T., Hong Kong

(ii)



達材都市規劃顧問有限公司

香港萬佛寺管理委員會有限公司



吳先生：

根據《私營骨灰安置所條例》(第630章)(《條例》)
申請指明文書

骨灰安置所名稱:	萬佛寺
骨灰安置所地址:	新界沙田排頭村 221 號 (丈量約份第 185 約地段第 324 號(部分)、 359 號(部分)及毗鄰政府土地)
申請人:	香港萬佛寺管理委員會有限公司 (H.K. Ten Thousand Buddhas Monastery Management Committee Limited)
私營骨灰安置所發牌委員會 收到申請的日期:	2018 年 3 月 23 日
申請指明文書類別:	就截算前骨灰安置所申請牌照及暫免法律 責任書

原則上同意暫免法律責任書申請
通知書

現致函通知上述申請人，私營骨灰安置所發牌委員會(發牌委員會)已「原則上同意」上述名為萬佛寺的私營骨灰安置所的暫免法律責任書申請，有效期為3年，由發出此通知書的日期開始計算(即有效期由2022年10月13日至2025年10月12日)。

請注意以下事項:

2. 在上述有效期內，申請人須遵守以下的條件：

- (i) 申請人須確保該骨灰安置所持續符合由消防處制定及適時更新的“私營骨灰安置所消防安全規定”(請參看「私營骨灰安置所牌照及其他指明文書申請指引」附件9的附錄1)；
- (ii) 申請人須確保建議布局圖(圖則編號SK02)和樓面平面圖內標示的骨灰龕大樓的所有出口/捲閘於營業時間內保持開啟。如須關緊該出口門，以防止任何人進入，有關的鎖扣裝置須屬可由內毋須使用鑰匙迅速開啟的類型；以及
- (iii) 申請人須由此通知書起計每6個月或在法院作出判決後一周內(以較早者為準) 將有關此骨灰安置所處所的業權的法律訴訟(HCMP2308/2020)的最新情況和法院裁決結果以書面通知發牌委員會。

3. 如果申請人在「原則上同意暫免法律責任書申請」的有效期內不遵守上文第2段所述的條件，發牌委員會可能考慮取消上述「原則上同意暫免法律責任書申請」，並立即就整組申請作定奪。若屆時申請人仍未符合與該暫免法律責任書申請一併提交的牌照申請的所有規定和要求，發牌委員會將可能拒絕整組申請，在該情況下，上述骨灰安置所須結束營運，並按《條例》的相關規定處置骨灰。

4. 在上述3年的有效期內，申請人須根據載於附件一為了符合有關的暫免法律責任書申請要求而提交並獲發牌委員會接納的行動計劃連同時間表，合理地迅速採取所有所需步驟，以符合與該暫免法律責任書申請一併提交的牌照申請的要求，並盡快向發牌委員會(由骨灰所辦代收)提交有關的證明文件及資料。

5. 現時發牌委員會並未就上述暫免法律責任書申請作出最終定奪，在上述「原則上同意暫免法律責任書申請」的有效期間，上述骨灰安置所仍處於寬限期。若在「原則上同意暫免法律責任書申請」的有效期內，申請人已符合上述牌照申請的所有規定和要求，發牌委員會會考慮舉行公開會議審議該申請，以直接就該牌照申請作定奪。在定奪上述指明文書申請時，發牌委員會須顧及公眾利益及可顧及任何其他相關因素。

6. 發牌委員會「原則上同意暫免法律責任書申請」並不代表上述牌照申請最終一定獲批。現時就萬佛寺的牌照申請的建議圖則(包括龕位資料)的審核工作仍在進行中，現時未確定此暫免法律責任書申請是否符合《條例》第21(2)(a)(ii)條有關骨灰安放容量限於其在以截算時間狀況為準的容量的規定，「原則上同意暫免法律責任書申請」並不表示發牌委員會已接納與此暫

免法律責任書申請一併提交的牌照申請的建議圖則(包括龕位資料)內的資料。此外，關乎該處所用作骨灰安置所的業主同意範疇的審核工作有待關乎業權的法律訴訟結果，現時未確定此暫免法律責任書申請是否符合《條例》第23(2)條的規定。

7. 當上述「原則上同意暫免法律責任書申請」期限接近屆滿時，若申請人仍未符合與該暫免法律責任書申請一併提交的牌照申請的所有規定和要求，而如果申請人已按照載於附件二的行政安排提交附件二所指明的文件，發牌委員會會考慮應否延長「原則上同意暫免法律責任書申請」的有效期。發牌委員會在決定是否延長「原則上同意暫免法律責任書申請」的有效期時會考慮的因素載於附件二，當中包括申請人有否證明已根據其為了符合該暫免法律責任書申請要求而提交並獲發牌委員會接納的行動計劃連同時間表(見附件一)，合理地迅速採取所有所需步驟，以符合與該暫免法律責任書申請一併提交的牌照申請的所有要求。

8. 若申請人仍未符合與該暫免法律責任書申請一併提交的牌照申請的所有規定和要求，亦未能證明致使發牌委員會信納申請人已合理地迅速採取所有所需步驟，以符合《條例》中有關上述牌照申請的所有規定和要求，發牌委員會將不會延續「原則上同意暫免法律責任書申請」的有效期，而會就上述整組申請作定奪。若申請人在發牌委員會作出定奪時仍未符合有關上述牌照申請的所有規定和要求，發牌委員會將拒絕整組申請。在此情況下，骨灰安置所須結束營運，並按《條例》的相關規定處置骨灰。

9. 若有任何疑問，請致電 [REDACTED] 與個案經理駱泳媚女士聯絡。

私營骨灰安置所發牌委員會秘書林綺萍



2022年10月13日

重要提示

骨灰安置所營辦者有責任確保骨灰安置所符合所有適用於其骨灰安置所的法例和政府規定，並且遵守所有相關當局(包括但不限於建築事務監督、地政總署署長、規劃署署長、消防處處長、警務處處長、運輸署署長、環境保護署署長、機電工程署署長或其他決策局、政府部門以及有關的主管當局)按其執行的法例或職權所訂立的一切要求及條件，以及須就違反的事項承擔各類刑罰及法律責任。

重要提醒

任何私營骨灰安置所在 2018 年 3 月 29 日之後，如果沒有暫免法律責任書申請在處理中，亦未取得任何指明文書，便不能繼續營辦。任何人士在沒有指明文書的情況下營辦、維持、管理或以任何方式控制骨灰安置所即屬違法，循簡易程序定罪，可處罰款二百萬元及監禁 3 年；如循公訴程序定罪，則可處罰款五百萬元及監禁 7 年。

在寬限期後而沒有持有任何指明文書的情況下繼續營運骨灰安置所，或停辦骨灰安置所，營辦人須根據《私營骨灰安置所條例》附表 5 的「訂明骨灰處置程序」處置存放於該骨灰安置所內的骨灰，否則即屬犯罪，違例者可被檢控，循簡易程序定罪，可處最高罰款二百萬元及監禁 3 年；而循公訴程序定罪，則可處最高罰款五百萬元及監禁 7 年。

重要事項

《私營骨灰安置所條例》第 99 條 — 提供虛假或具誤導性的資料的罪行

(1) 任何人如 —

- (a) 根據本條例，就某骨灰安置所提出申請，而在該申請中，或在與該申請相關的情況下，提供在要項上屬虛假或具誤導性的資料；或
- (b) 在知悉某資料在要項上屬虛假或具誤導性的情況下，根據本條例，向署長、獲授權人員或公職人員，提供該資料，即屬犯罪。

(2) 任何人犯第(1)款所訂罪行，一經定罪，可處罰款五十萬元及監禁 2 年。

副本送：

暫免法律責任書申請檔案：FEHD PC 72-40/64/2018/078



貴處檔案: (78) in FEHD PC 72-40/62/2018/067 Pt.5
(19) in FEHD PC 72-40/64/2018/078 Pt.2

敬啟者，

有關沙田萬佛寺
(丈量約份第 185 約地段第 324 號(部分)、359 號(部分)及毗鄰政府土地)
就私營骨灰安置所條例申請暫免法律責任書及牌照事宜

提交予私營骨灰安置所發牌委員會考慮延長「原則上同意暫免法律責任書」
的有效期的文件

本公司因應私營骨灰安置所條例申請暫免法律責任書及牌照正積極處理相關要求，但由於「原則上同意暫免法律責任書」(責任書)的有效期至 2025 年 10 月 13 日，因此需要向私營骨灰安置所發牌委員會就責任書的有效期的 6 個月前(申請規定)申請延期，以便有充足時間完成餘下的相關牌照要求。

根據食環署 2024 年 12 月 27 日之信件，本公司現附上有關上述申請的延期文件給貴署考慮，當中包括:-

- 就 3(a) 關乎《私營骨灰安置所條例》第 21(3) 的規定更新的 PCLU2 表格;
- 就 3(b) 關乎消防安全的要求簽署附件一的申請人聲明及承諾書，及指明的文件／資料／證明書;
- 就 3(c) 關乎機電安全要求簽署附件二的申請人聲明及承諾書;
- 就 3(d) 進度報告;
- 就 3(e) 更新行動計劃表連同時間表;及
- 就 3(f) 最近期的周年申報表核證真實副本及近期的商業登記證。

如有任何疑問，請聯絡本人 ([REDACTED]) 或本公司之牌照申請顧問達材
都市規劃顧問有限公司 ([REDACTED]) 。

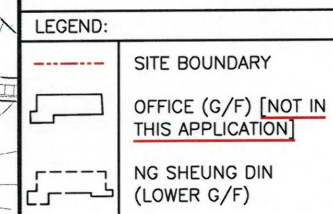
香港萬佛寺管理委員會有限公司


[REDACTED]



副本抄送- 衛生督察(私營骨灰安置所牌照組)6 (謝麗雅 女士)

Annex IV – Latest Plans submitted to the PCAO



MUST CONFORM TO THE REGISTER UNDER SECTION 3 OF THE BUILDINGS ORDINANCE (CAP.123)

			COLUMBARIUM BUILDING 1 LUNG WAH KOK 龍華閣	COLUMBARIUM BUILDING 2 MEI TOR DIN 彌陀殿	COLUMBARIUM BUILDING 3 LUNG WAH TONG 龍華堂	COLUMBARIUM BUILDING 4 NG SHEUNG DIN 五常殿	TOTAL
(A) ASH INTERMENT CAPACITY ⁽¹⁾	(i) TO BE PERMITTED UNDER LICENCE	NO. OF NICHEs	<u>500</u>	1228	<u>553</u>	<u>2020</u>	<u>4301</u>
		NO. OF SETs OF ASHES THAT MAY BE INTERRED IN THE NICHEs	<u>637</u>	<u>1658</u>	<u>553</u>	<u>2578</u>	<u>5426</u>
	(ii) SITUATION AS AT COT ⁽²⁾	NO. OF NICHEs	<u>500</u>	<u>1228</u>	<u>553</u>	2020	4301
		NO. OF SETs OF ASHES THAT MAY BE INTERRED IN THE NICHEs	<u>637</u>	<u>1658</u>	<u>553</u>	2578	<u>5426</u>
	(iii) SITE SITUATION AS AT THE TIME OF SUBMITTING APPLICATION	NO. OF NICHEs	<u>500</u>	<u>1228</u>	<u>553</u>	<u>2020</u>	<u>4301</u>
		NO. OF SETs OF ASHES THAT MAY BE INTERRED IN THE NICHEs	<u>637</u>	<u>1658</u>	<u>553</u>	<u>2578</u>	<u>5426</u>
(B) ASH INTERMENT RIGHT(s) SOLD AS AT THE BEGINNING OF THE ENACTMENT DATE ⁽³⁾		NO. OF NICHEs	500	1228	553	498	2779
		NO. OF SETs OF ASHES INTERRED IN THE NICHEs	355	560	391	227	1533

INFORMATION ON INTERMENT OF AT LEAST 1 SET OF ASHES IN A NICHE IMMEDIATELY BEFORE THE COT.	SERIAL NO. OF THE NICHE	LUNG WAH TONG, (富)209	LUNG WAH KOK, (富)127
	DATE OF INTERMENT OF ASHES	19 th June 2007	14 th December 2005

NOTES: (1) IF ASHES HAVE BEEN/WILL BE INTERRED OTHERWISE THAN IN NICHEs IN ANY AREA IN THE COLUMBARIUM, PLEASE PROVIDE THE RELATED INFORMATION SEPARATELY.
(2) "CUT-OFF TIME" (COT) MEANS 8 a.m. ON 18 JUNE 2014.
(3) ENACTMENT DATE MEANS 30 JUNE 2017.

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY
ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

I NG CHUNG WA CONFIRM THAT ALL OF THE ABOVE NICHE INFORMATION
PROVIDED FOR THIS APPLICATION IS TRUE AND COMPLETE.

15/05/2026
DATE (DD/MM/YYYY)

NG CHUNG WA
NAME AND SIGNATURE OF APPLICANT
(IF THE APPLICANT IS A NATURAL PERSON)/
AUTHORIZED PERSON/AUTHORIZED PARTNER*

HONG KONG IDENTITY CARD NUMBER/TRAVEL DOCUMENT NUMBER*



CHOP OF BODY CORPORATE/PARTNERSHIP* (IF APPLICABLE)
* DELETE IF INAPPLICABLE

15/05/2026
DATE (DD/MM/YYYY)

I SIU KOON HOI CARMINE, BEING AN AUTHORIZED PERSON/ STRUCTURAL ENGINEER* REGISTERED
UNDER SECTION 3 OF THE BUILDINGS ORDINANCE (CAP.123), HEREBY CERTIFY THAT THE FOLLOWING ITEMS
IN RESPECT OF THE NICHE INFORMATION PROVIDED IN THE ABOVE TABLE ARE TRUE AND COMPLETE:

- ITEM(A)(i) - THE ASH INTERMENT CAPACITY "TO BE PERMITTED UNDER LICENCE" CONFORMS TO THE
NICHE INFORMATION ACCOMPANYING THE PROPOSED FLOOR PLAN; AND
ITEM(A)(iii) - THE ASH INTERMENT CAPACITY AS AT THE TIME OF SUBMITTING APPLICATION
CONFORMS TO THE CURRENT SITE SITUATION.

SIU KOON HOI CARMINE
SIGNATURE AND NAME OF AUTHORIZED
PERSON/REGISTERED STRUCTURAL ENGINEER*



MAURICE LEE & ASSOCIATES LIMITED
李榮護建築工程師事務所有限公司
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REGISTRATION NUMBER#: AP(E) 98/82 RSE 98/82

DATE OF EXPIRY OF REGISTRATION#: 31.12.2030
MUST CONFORM TO THE REGISTER UNDER SECTION 3 OF THE BUILDINGS ORDINANCE (CAP.123)

PROPOSED LAYOUT PLAN (PLAN NO. SK02)

LEGEND:

- SITE BOUNDARY
- CERTIFIABLE BUILDING (IN COMPLIANCE WITH SECTION 3(1)(b) OF SCHEDULE 2 TO THE PRIVATE COLUMBARIA ORDINANCE)
- STRUCTURE CERTIFIABLE FOR A PRE-CUT-OFF COLUMBARIUM (IN COMPLIANCE WITH SECTION 4(3) OF SCHEDULE 2 TO THE PRIVATE COLUMBARIA ORDINANCE)
- OFFICE (G/F) [NOT IN THIS APPLICATION]
- SITE ACCESS

REMARK:

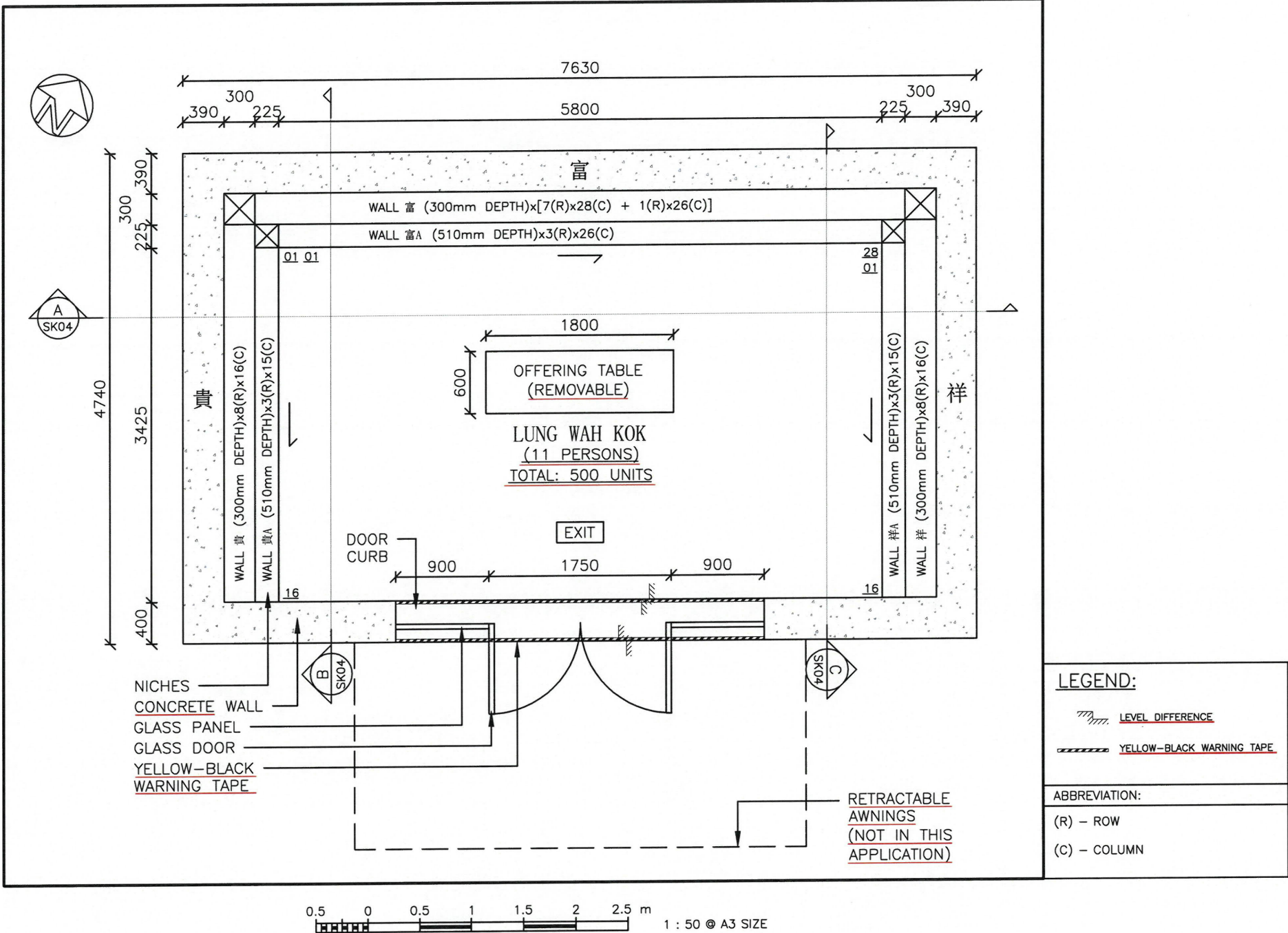
1 JOSS PAPER BURNER: EXISTING JOSS PAPER BURNER 2 HAVE ALREADY BEEN REMOVED AND AREA RESERVED FOR PROPOSED ECO JOSS PAPER BURNER 2, EXISTING JOSS PAPER BURNER 1 HAVE ALREADY BEEN REPLACED, ALL NEW ENVIRONMENTAL FRIENDLY BURNERS SHALL BE IN COMPLIANCE WITH AIR POLLUTION CONTROL ORDINANCE.

TABLE:

COLUMBARIUM PURPOSE BUILDING	ANCILLARY FACILITIES (NOT PART OF THE COLUMBARIUM LICENSE APPLICATION)
LUNG WAH KOK MEI TOR DIN LUNG WAH TONG NG SHEUNG DIN	OFFICE <u>EXIT STAIRCASES AND PLATFORM</u>
ANCILLARY FACILITIES	
2 NOS. JOSS PAPER BURNERS	

* DELETE IF INAPPLICABLE

PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY

ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026

DATE (DD/MM/YYYY)

NG CHUNG WA

NAME AND SIGNATURE OF APPLICANT
(IF THE APPLICANT IS A NATURAL PERSON)/
AUTHORIZED PERSON/AUTHORIZED PARTNER*

15/05/2026

DATE (DD/MM/YYYY)

SIU KOON HOI CARMINE

SIGNATURE AND NAME OF AUTHORIZED
PERSON/REGISTERED STRUCTURAL ENGINEER*
(AUTHORIZED PERSON/REGISTERED STRUCTURAL
ENGINEER MEANS A PERSON REGISTERED UNDER
SECTION 3 OF THE BUILDINGS ORDINANCE
(CAP.123))



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HONG KONG IDENTITY CARD NUMBER / TRAVEL DOCUMENT NUMBER*

CHOP OF BODY CORPORATE/PARTNERSHIP* (IF APPLICABLE)

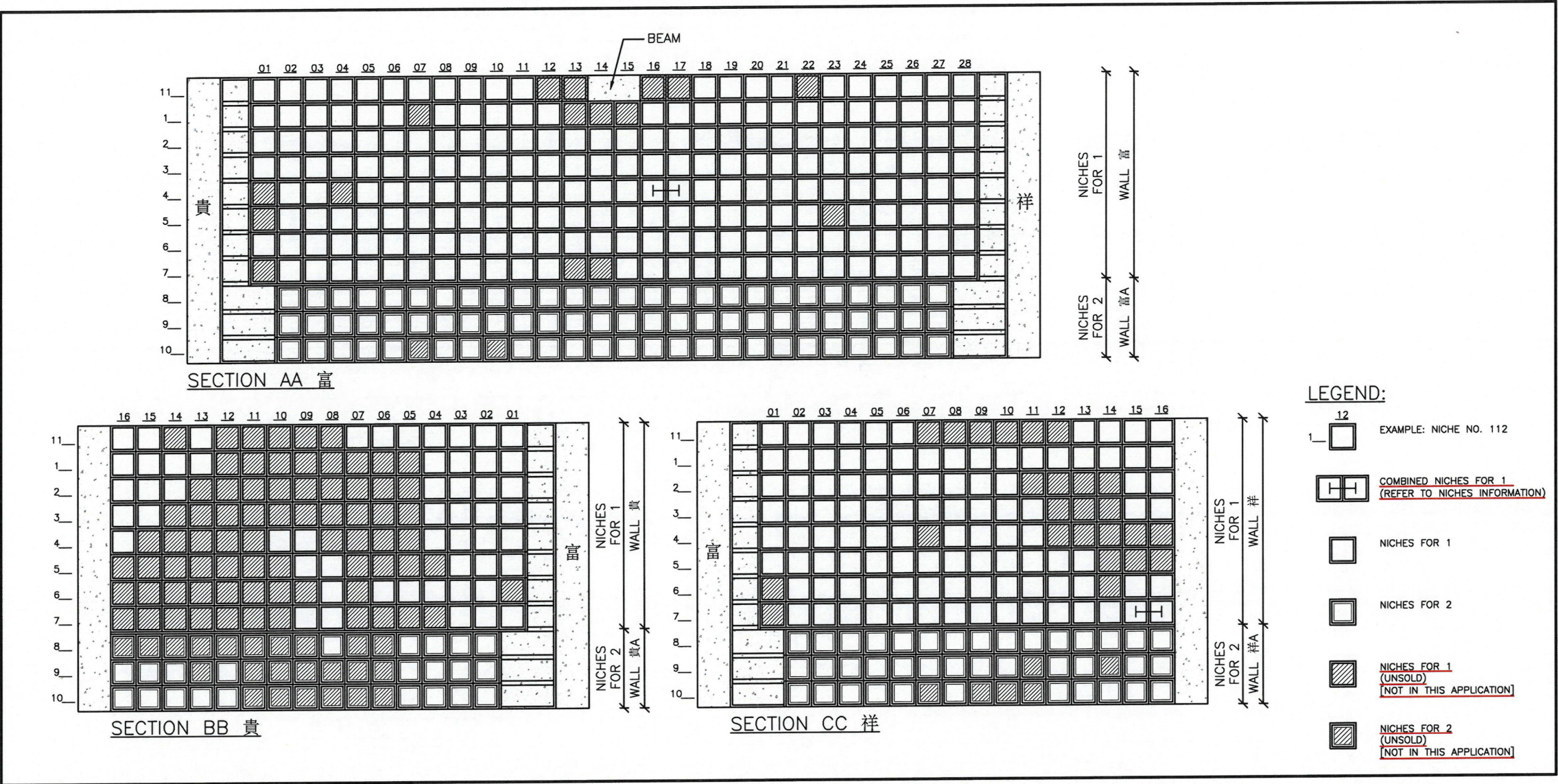
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REGISTRATION NUMBER#: AP(E) 98/82 RSE 98/82

DATE OF EXPIRY OF REGISTRATION#: 31.12.2030

MUST CONFORM TO THE REGISTER UNDER SECTION 3 OF THE BUILDINGS ORDINANCE (CAP.123)

PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



NOT TO SCALE © A3 SIZE

PROPOSED COLUMBARIUM BUILDING 1 LUNG WAH KOK 龍華閣 G/F NICHES ELEVATION (PLAN NO. SK04)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY

ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026

DATE (DD/MM/YYYY)

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15/05/2026

DATE (DD/MM/YYYY)

SIU KOON HOI CARMINE

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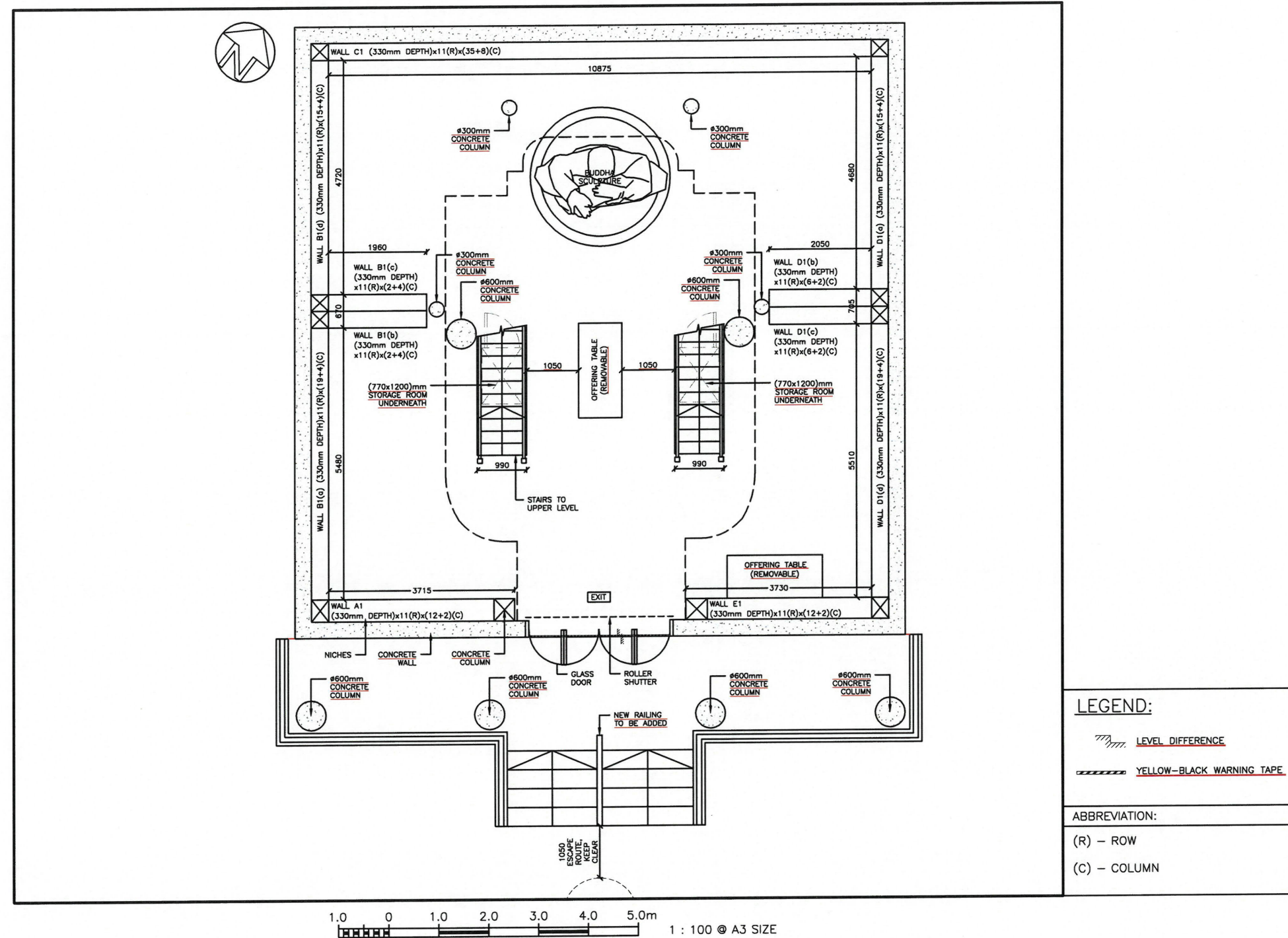
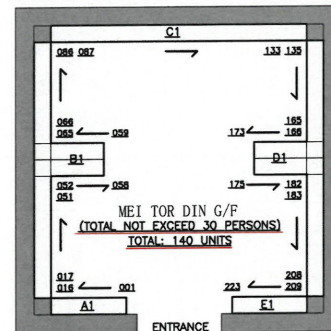
HONG KONG IDENTITY CARD NUMBER/TRAVEL DOCUMENT NUMBER*

CHOP OF BODY CORPORATE/PARTNERSHIP* (IF APPLICABLE)

* DELETE IF INAPPLICABLE



PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



PROPOSED FLOOR PLAN OF G/F COLUMBARIUM BUILDING 2 MEI TOR DIN 彌陀殿 (PLAN NO. SK05)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY

ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026
DATE (DD/MM/YYYY)

NG CHUNG WA

NAME AND SIGNATURE OF APPLICANT
(IF THE APPLICANT IS A NATURAL PERSON)/
AUTHORIZED PERSON/AUTHORIZED PARTNER*

15/05/2026
DATE (DD/MM/YYYY)

SIU KOON HOI CARMINE

SIGNATURE AND NAME OF AUTHORIZED
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(AUTHORIZED PERSON/REGISTERED STRUCTURAL
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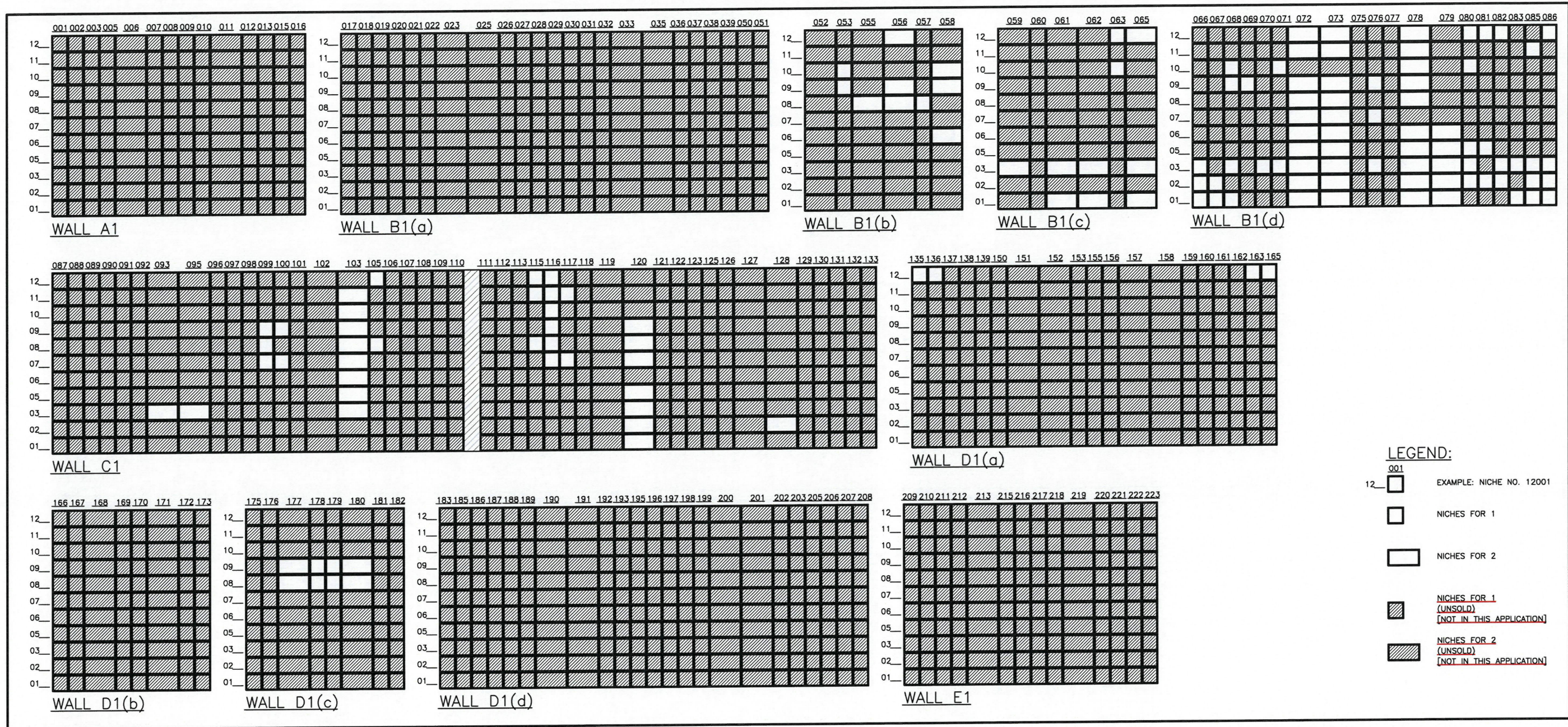
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HONG KONG IDENTITY CARD NUMBER/TRAVEL DOCUMENT NUMBER*

CHOP OF BODY CORPORATE/PARTNERSHIP* (IF APPLICABLE)

* DELETE IF INAPPLICABLE

PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



NOT TO SCALE @ A3 SIZE

PROPOSED COLUMBARIUM BUILDING 2 MEI TOR DIN 彌陀殿 G/F NICHES ELEVATION (PLAN NO. SK06)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY

ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026

DATE (DD/MM/YYYY)

NG CHUNG WA

NAME AND SIGNATURE OF APPLICANT
(IF THE APPLICANT IS A NATURAL PERSON)/
AUTHORIZED PERSON/AUTHORIZED PARTNER*

HONG KONG IDENTITY CARD NUMBER/ TRAVEL DOCUMENT NUMBER*

15/05/2026

DATE (DD/MM/YYYY)

SIU KOON HOI CARMINE

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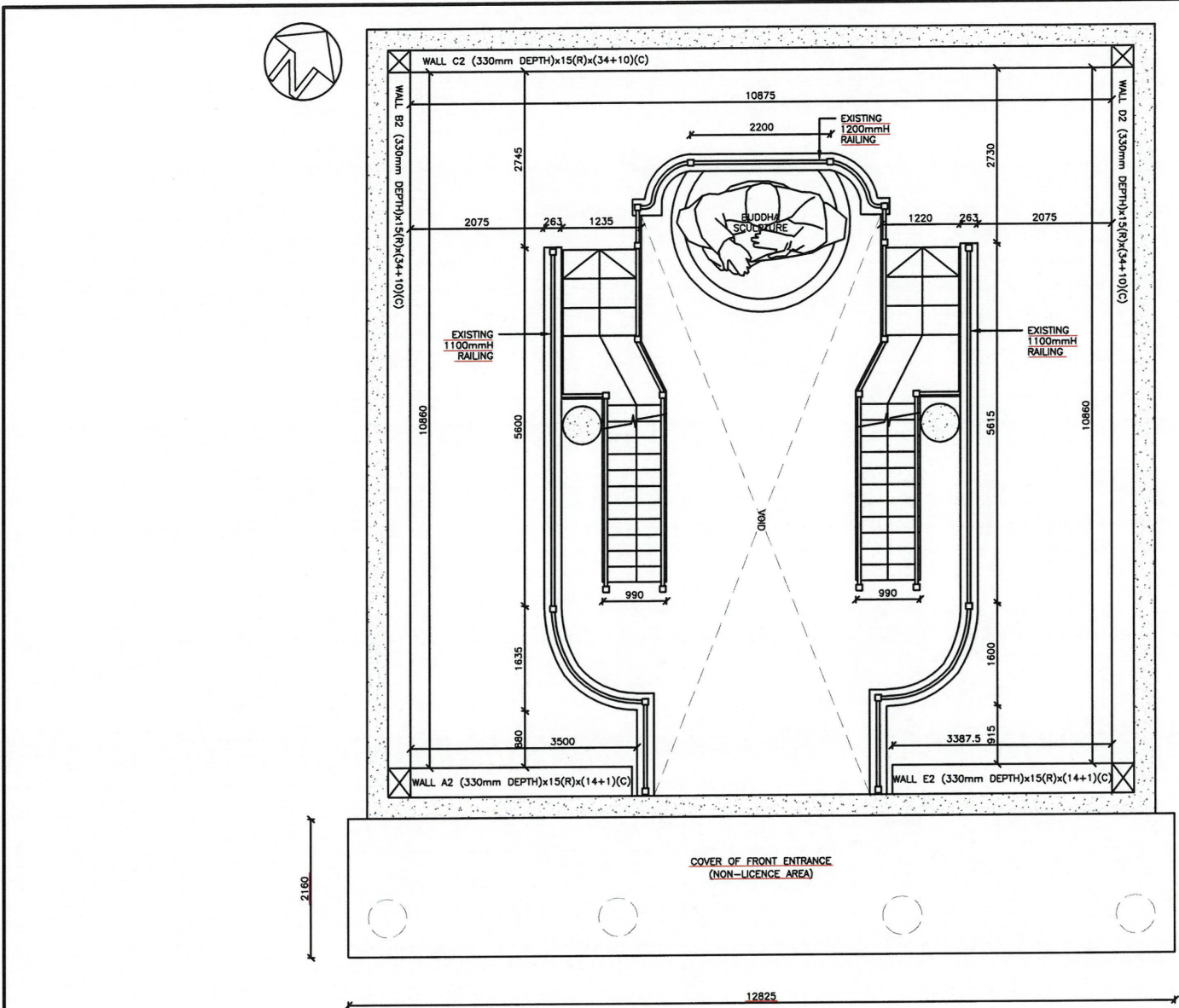
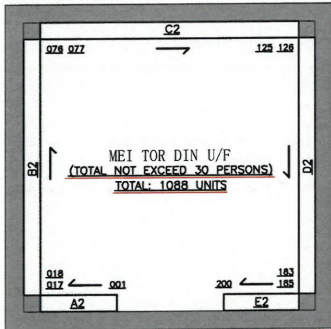
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* DELETE IF INAPPLICABLE

PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



ABBREVIATION:
(R) - ROW
(C) - COLUMN

PROPOSED FLOOR PLAN OF U/F COLUMBARIUM BUILDING 2 MEI TOR DIN 彌陀殿 (PLAN NO. SK07)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY
ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026 NG CHUNG WA
DATE (DD/MM/YYYY) NAME AND SIGNATURE OF APPLICANT
(IF THE APPLICANT IS A NATURAL PERSON)
AUTHORIZED PERSON/AUTHORIZED PARTNER*

HONG KONG IDENTITY CARD NUMBER/TRAVEL DOCUMENT NUMBER*

CHOP OF BODY CORPORATE/PARTNERSHIP* (IF APPLICABLE)
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15/05/2026
DATE (DD/MM/YYYY)

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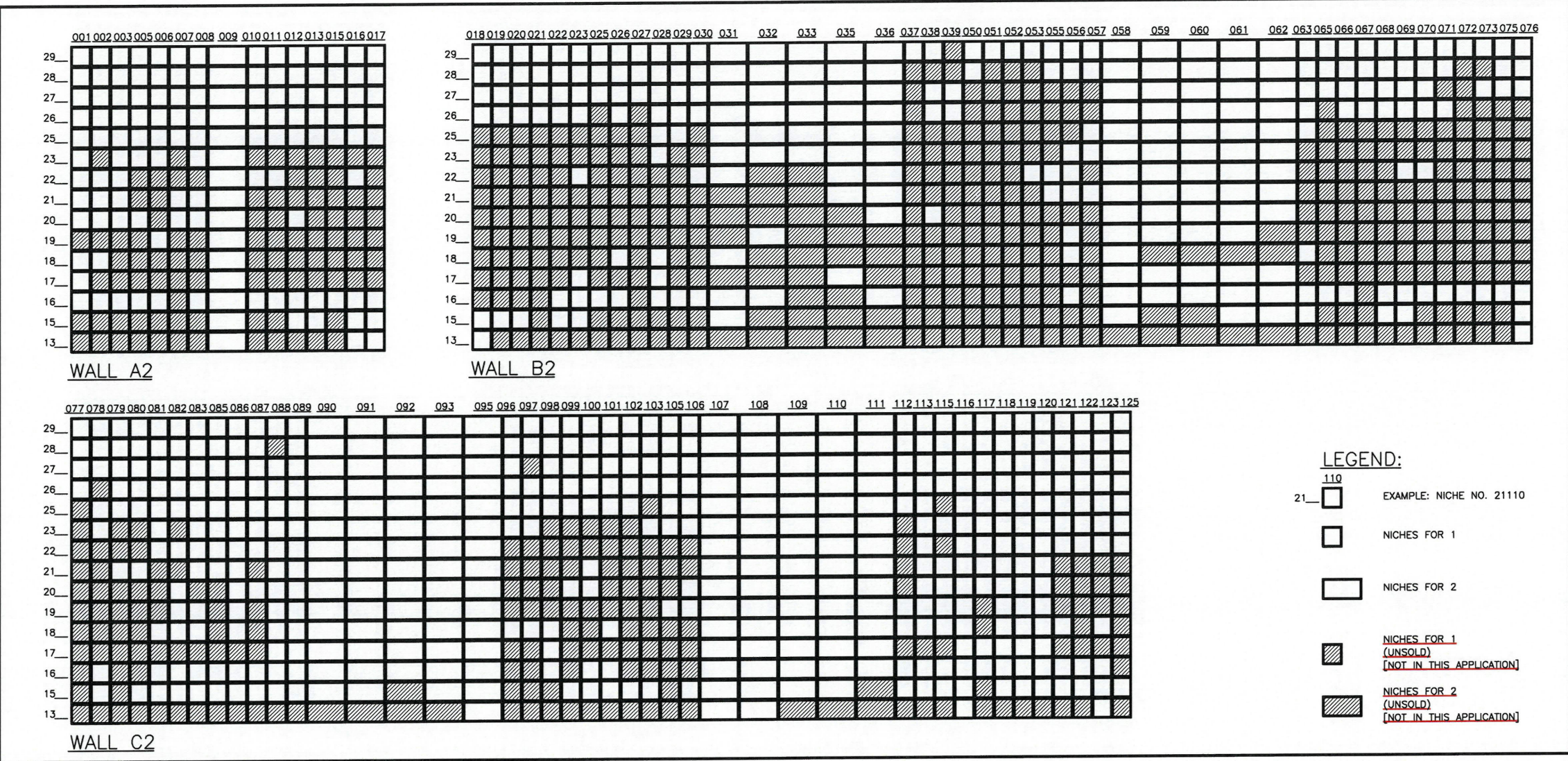
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DATE OF EXPIRY OF REGISTRATION#: 31.12.2030

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PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



NOT TO SCALE @ A3 SIZE
PROPOSED COLUMBARIUM BUILDING 2 MEI TOR DIN 彌陀殿 U/F NICHE ELEVATION (1 OF 2) (PLAN NO. SK08)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY
ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026 NG CHUNG WA
DATE (DD/MM/YYYY) NAME AND SIGNATURE OF APPLICANT
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AUTHORIZED PERSON/AUTHORIZED PARTNER*

HONG KONG IDENTITY CARD NUMBER/ TRAVEL DOCUMENT NUMBER*

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15/05/2026
DATE (DD/MM/YYYY)

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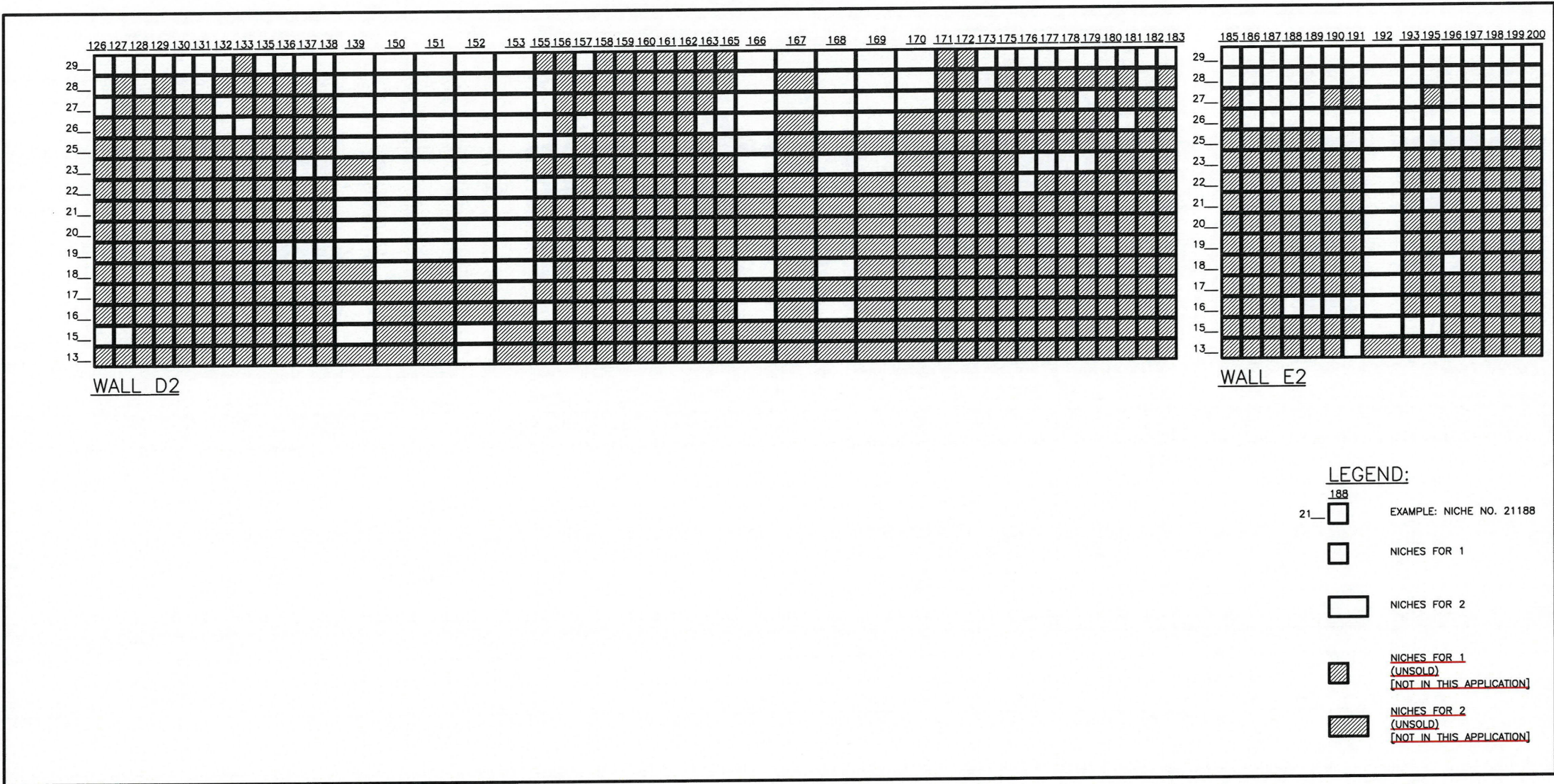


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PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



NOT TO SCALE @ A3 SIZE
PROPOSED COLUMBARIUM BUILDING 2 MEI TOR DIN 彌陀殿 U/F NICHES ELEVATION (2 OF 2) (PLAN NO. SK09)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY
ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026 NG CHUNG WA
DATE (DD/MM/YYYY) NAME AND SIGNATURE OF APPLICANT
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AUTHORIZED PERSON/AUTHORIZED PARTNER*

HONG KONG IDENTITY CARD NUMBER/ TRAVEL DOCUMENT NUMBER*

CHOP OF BODY CORPORATE/PARTNERSHIP* (IF APPLICABLE)
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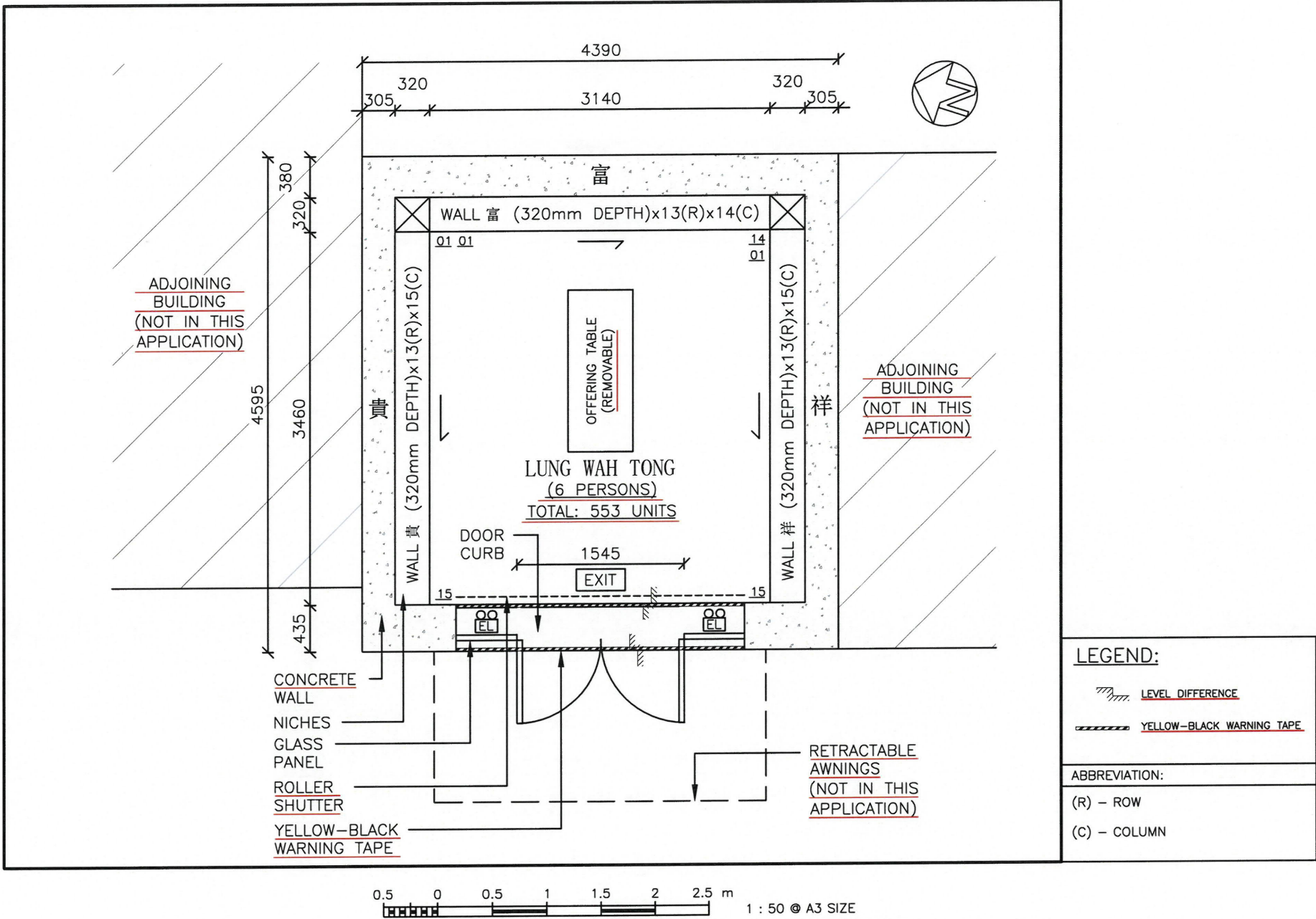
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PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY
ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026
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AUTHORIZED PERSON/AUTHORIZED PARTNER*

HONG KONG IDENTITY CARD NUMBER/TRAVEL DOCUMENT NUMBER*

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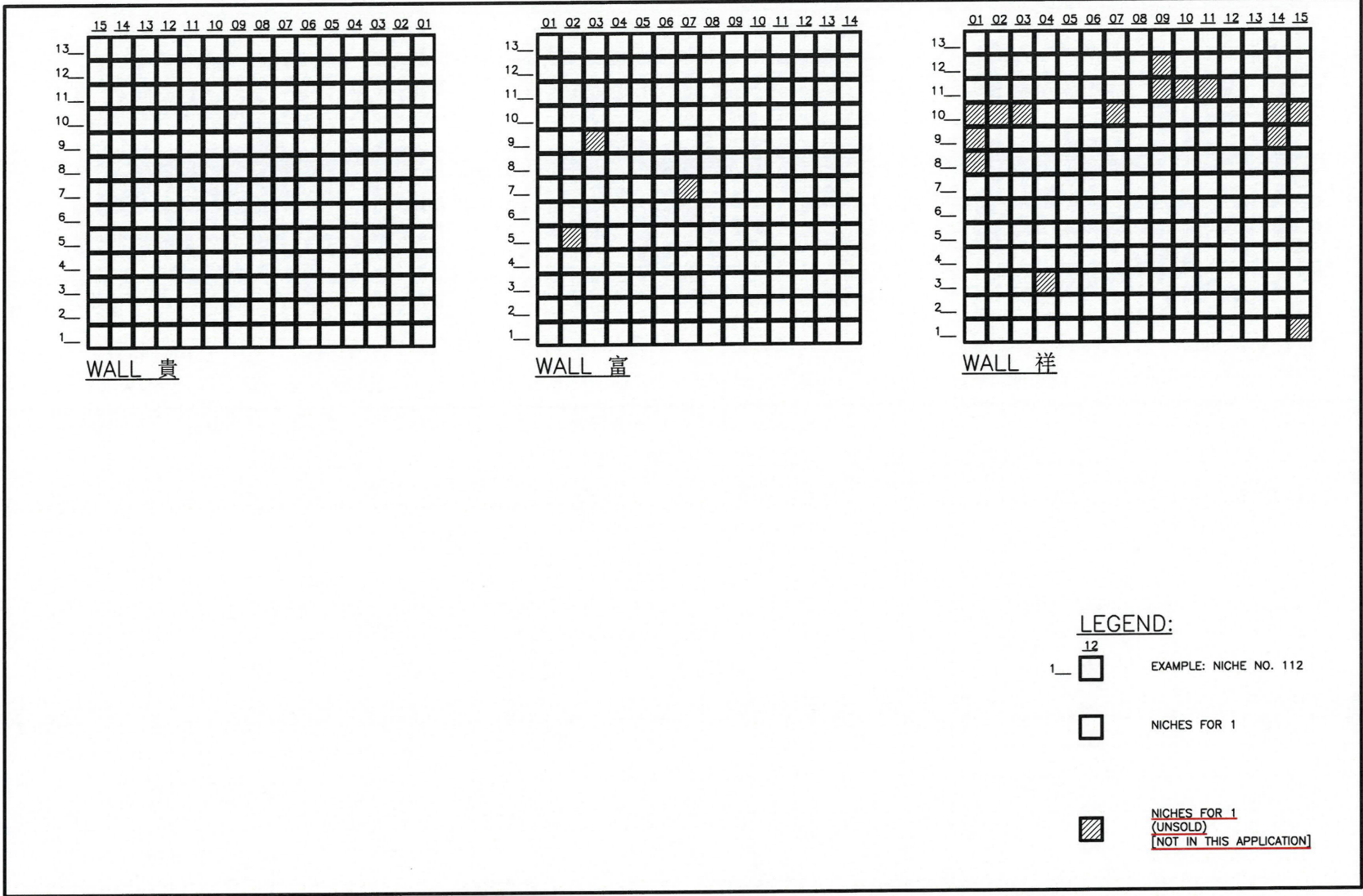
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PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



NOT TO SCALE @ A3 SIZE
PROPOSED COLUMBARIUM BUILDING 3 LUNG WAH TONG 龍華堂 G/F NICHES ELEVATION (PLAN NO. SK11)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY
ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026 NG CHUNG WA
DATE (DD/MM/YYYY) NAME AND SIGNATURE OF APPLICANT
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HONG KONG IDENTITY CARD NUMBER/TRAVEL DOCUMENT NUMBER*

CHOP OF BODY CORPORATE/PARTNERSHIP* (IF APPLICABLE)
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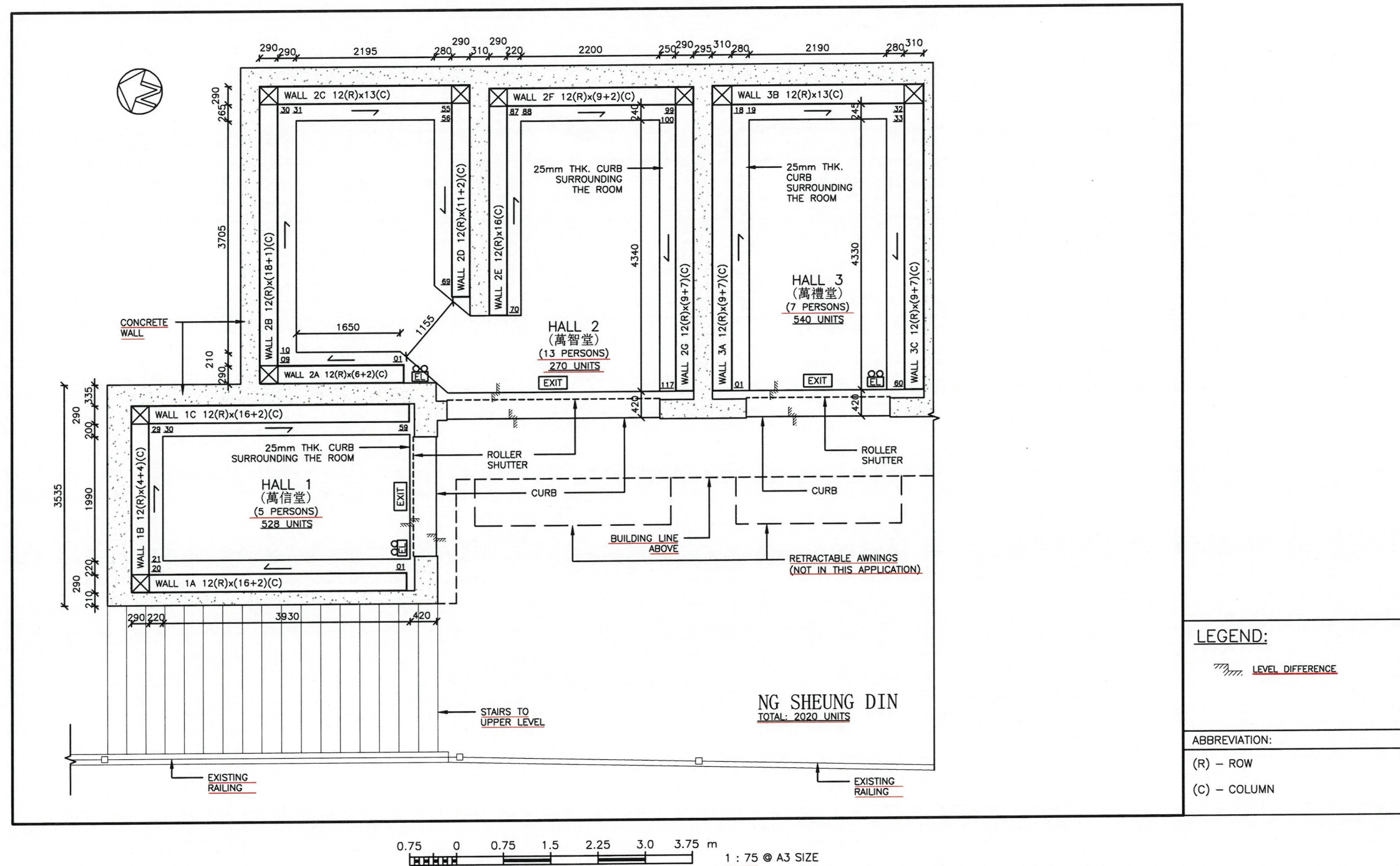
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PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



PROPOSED FLOOR PLAN OF LOWER G/F COLUMBARIUM BUILDING 4 NG SHEUNG DIN 五常殿 (1 OF 2) (PLAN NO. SK12)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY
ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026
DATE (DD/MM/YYYY)

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AUTHORIZED PERSON/AUTHORIZED PARTNER*

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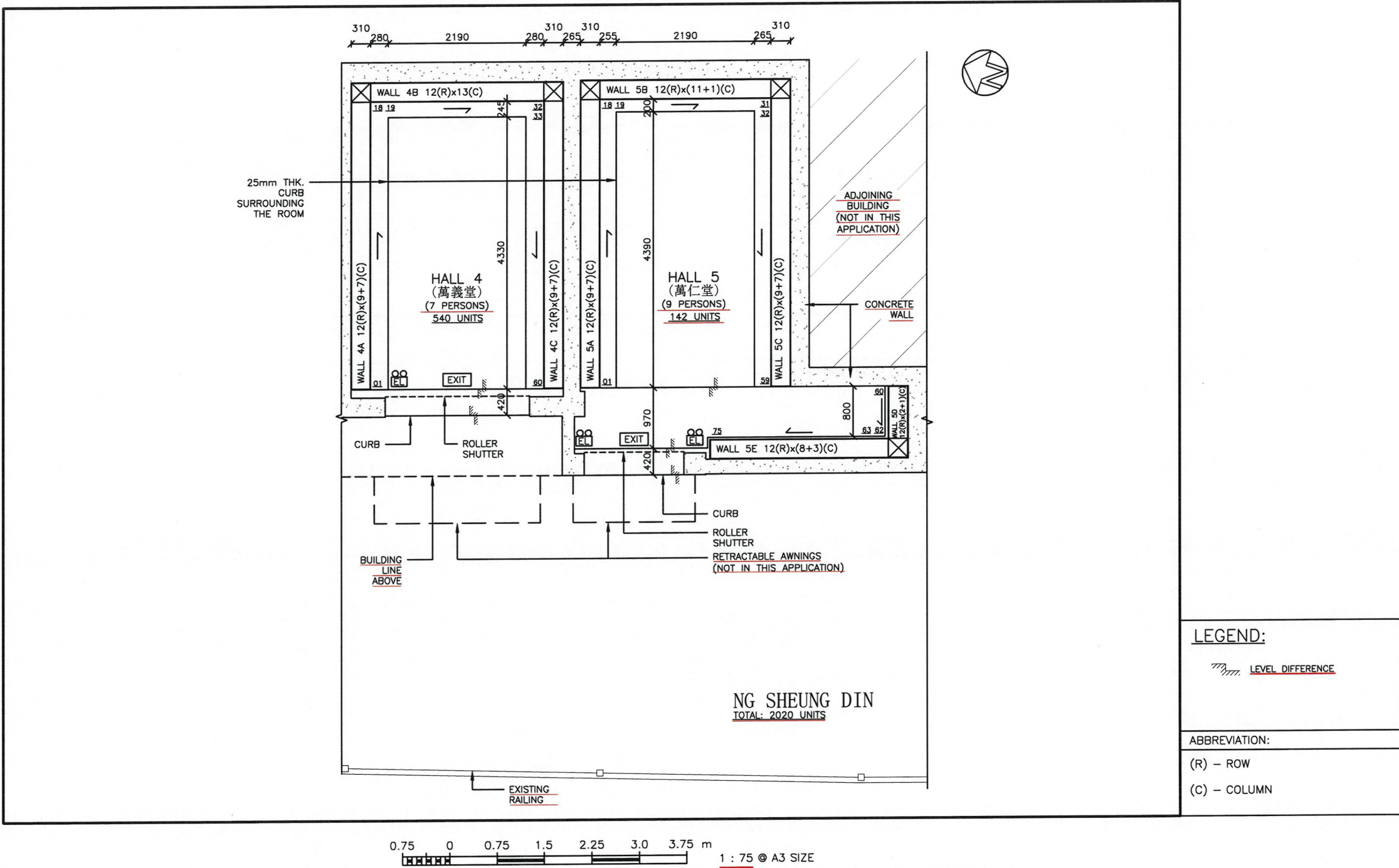
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HONG KONG IDENTITY CARD NUMBER/TRAVEL DOCUMENT NUMBER*

CHOP OF BODY CORPORATE/PARTNERSHIP* (IF APPLICABLE)

* DELETE IF INAPPLICABLE

PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



PROPOSED FLOOR PLAN OF LOWER G/F COLUMBARIUM BUILDING 4 NG SHEUNG DIN 五常殿 (2 OF 2) (PLAN NO. SK13)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY
ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026
DATE (DD/MM/YYYY)

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AUTHORIZED PERSON/AUTHORIZED PARTNER*

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HONG KONG IDENTITY CARD NUMBER/TRAVEL DOCUMENT NUMBER*

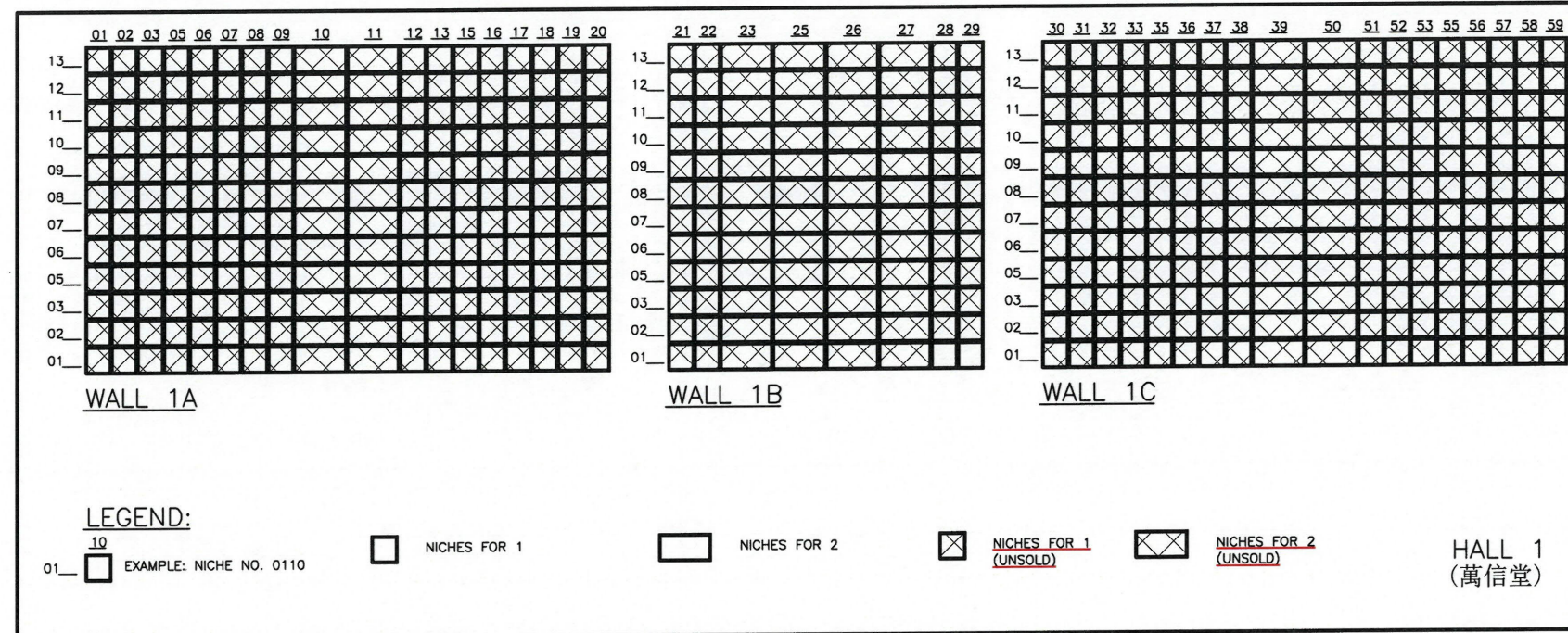
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PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



NOT TO SCALE @ A3 SIZE

PROPOSED COLUMBARIUM BUILDING 4 NG SHEUNG DIN 五常殿 LOWER G/F NICHES ELEVATION (1 OF 5) (PLAN NO. SK14)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY

ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

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AUTHORIZED PERSON/AUTHORIZED PARTNER*

15/05/2026

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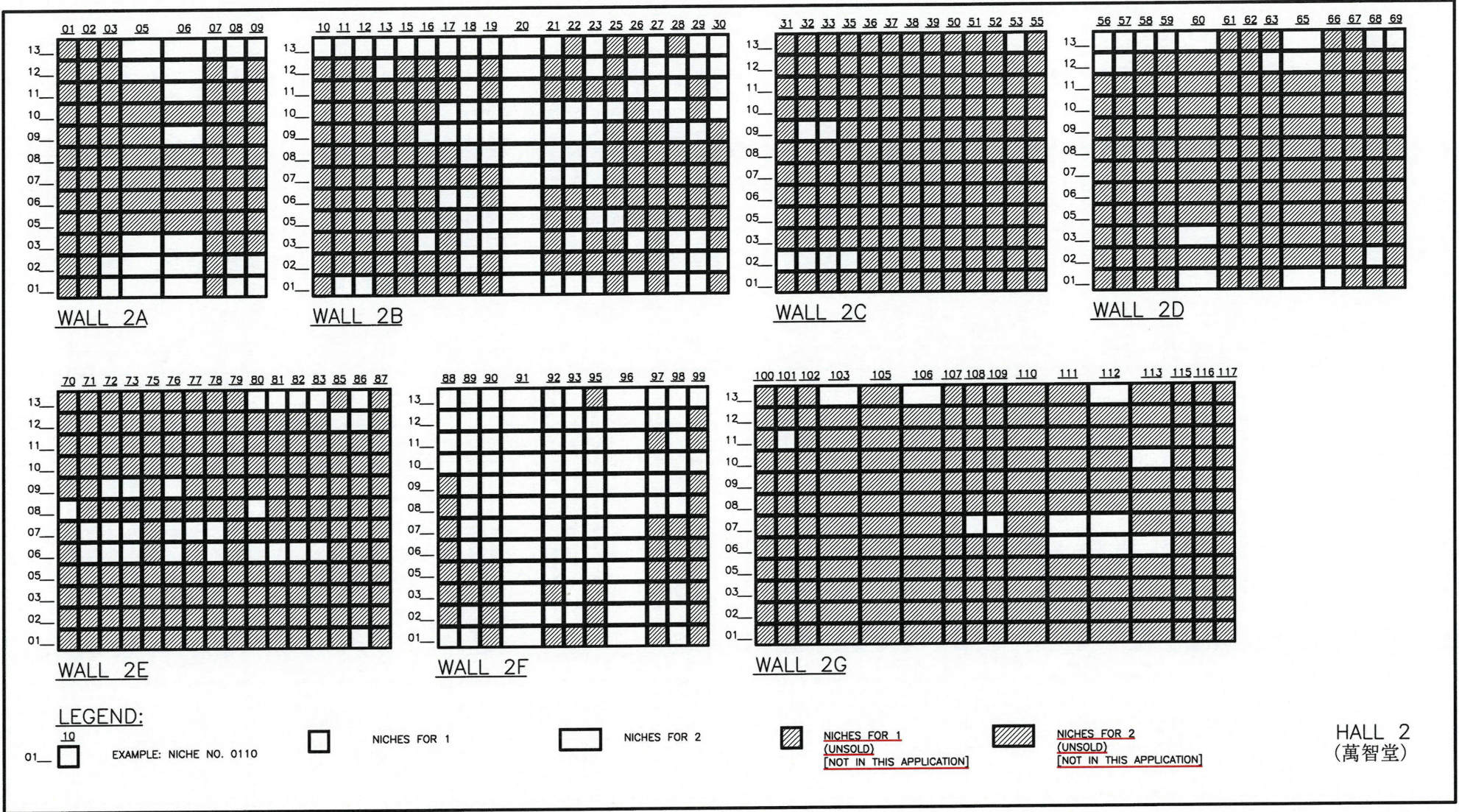
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HONG KONG IDENTITY CARD NUMBER/TRAVEL DOCUMENT NUMBER*

CHOP OF BODY CORPORATE/PARTNERSHIP* (IF APPLICABLE)

* DELETE IF INAPPLICABLE

PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



NOT TO SCALE @ A3 SIZE
PROPOSED COLUMBARIUM BUILDING 4 NG SHEUNG DIN 五常殿 LOWER G/F NICHES ELEVATION (2 OF 5) (PLAN NO. SK15)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY
ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026 NG CHUNG WA
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AUTHORIZED PERSON/AUTHORIZED PARTNER*

HONG KONG IDENTITY CARD NUMBER/TRAVEL DOCUMENT NUMBER*

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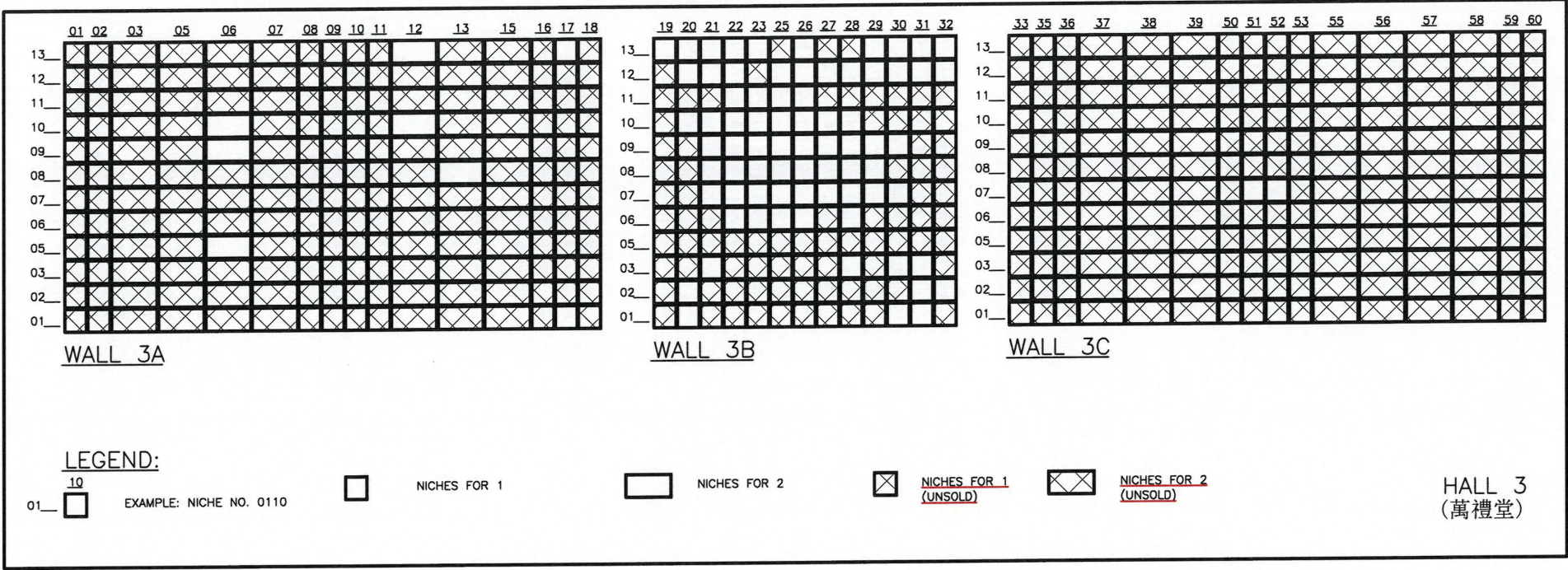
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PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



NOT TO SCALE @ A3 SIZE

PROPOSED COLUMBARIUM BUILDING 4 NG SHEUNG DIN 五常殿 LOWER G/F NICHES ELEVATION (3 OF 5) (PLAN NO. SK16)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY
ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026
DATE (DD/MM/YYYY)

NG CHUNG WA
NAME AND SIGNATURE OF APPLICANT
(IF THE APPLICANT IS A NATURAL PERSON)
AUTHORIZED PERSON/AUTHORIZED PARTNER*

15/05/2026
DATE (DD/MM/YYYY)

SIU KOON HOI CARMINE

SIGNATURE AND NAME OF AUTHORIZED
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HONG KONG IDENTITY CARD NUMBER/TRAVEL DOCUMENT NUMBER*

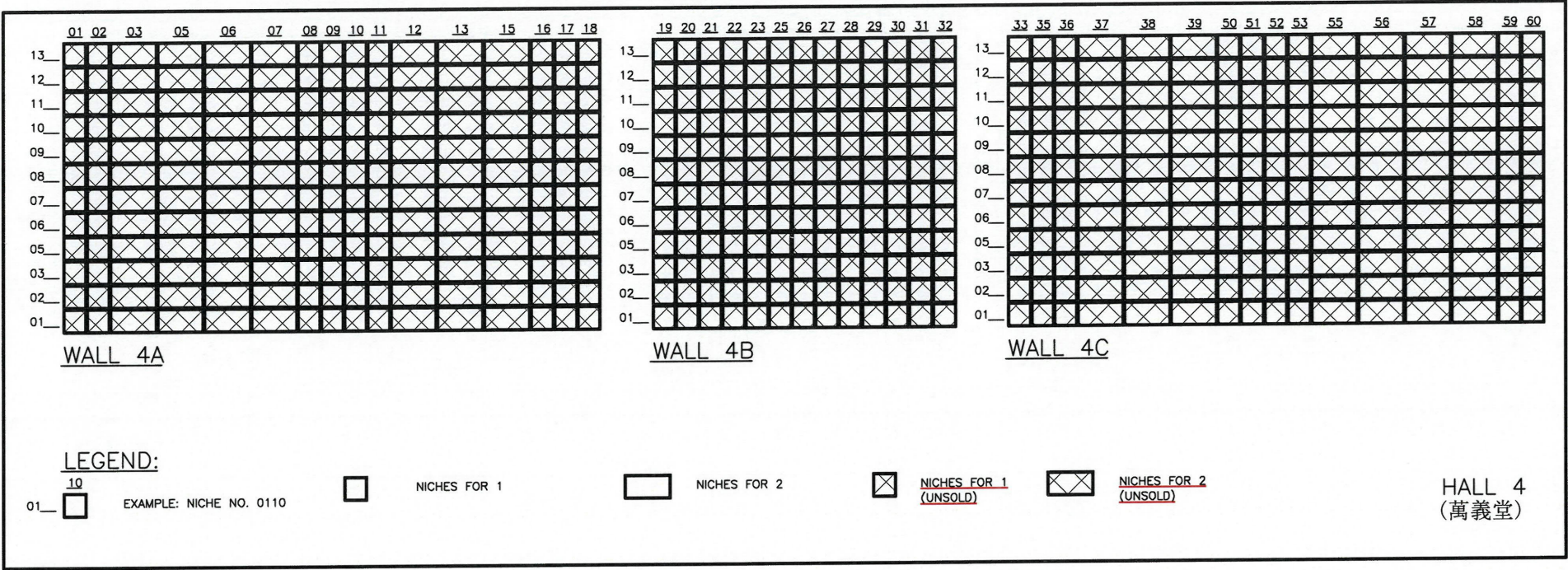
CHOP OF BODY CORPORATE/PARTNERSHIP* (IF APPLICABLE)
* DELETE IF INAPPLICABLE

REGISTRATION NUMBER#: AP(E) 98/82 RSE 98/82

DATE OF EXPIRY OF REGISTRATION#: 31.12.2030

MUST CONFORM TO THE REGISTER UNDER SECTION 3 OF THE BUILDINGS ORDINANCE (CAP.123)

PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



NOT TO SCALE @ A3 SIZE

PROPOSED COLUMBARIUM BUILDING 4 NG SHEUNG DIN 五常殿 LOWER G/F NICHES ELEVATION (4 OF 5) (PLAN NO. SK17)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY
ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026
DATE (DD/MM/YYYY)

NG CHUNG WA
NAME AND SIGNATURE OF APPLICANT
(IF THE APPLICANT IS A NATURAL PERSON)/
AUTHORIZED PERSON/AUTHORIZED PARTNER*

15/05/2026
DATE (DD/MM/YYYY)

SIU KOON HOI CARMINE

SIGNATURE AND NAME OF AUTHORIZED
PERSON/REGISTERED STRUCTURAL ENGINEER*
(AUTHORIZED PERSON/REGISTERED STRUCTURAL
ENGINEER MEANS A PERSON REGISTERED UNDER
SECTION 3 OF THE BUILDINGS ORDINANCE
(CAP.123))



MAURICE LEE & ASSOCIATES LIMITED
李榮護建築工程師事務所有限公司
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HONG KONG IDENTITY CARD NUMBER/ TRAVEL DOCUMENT NUMBER*

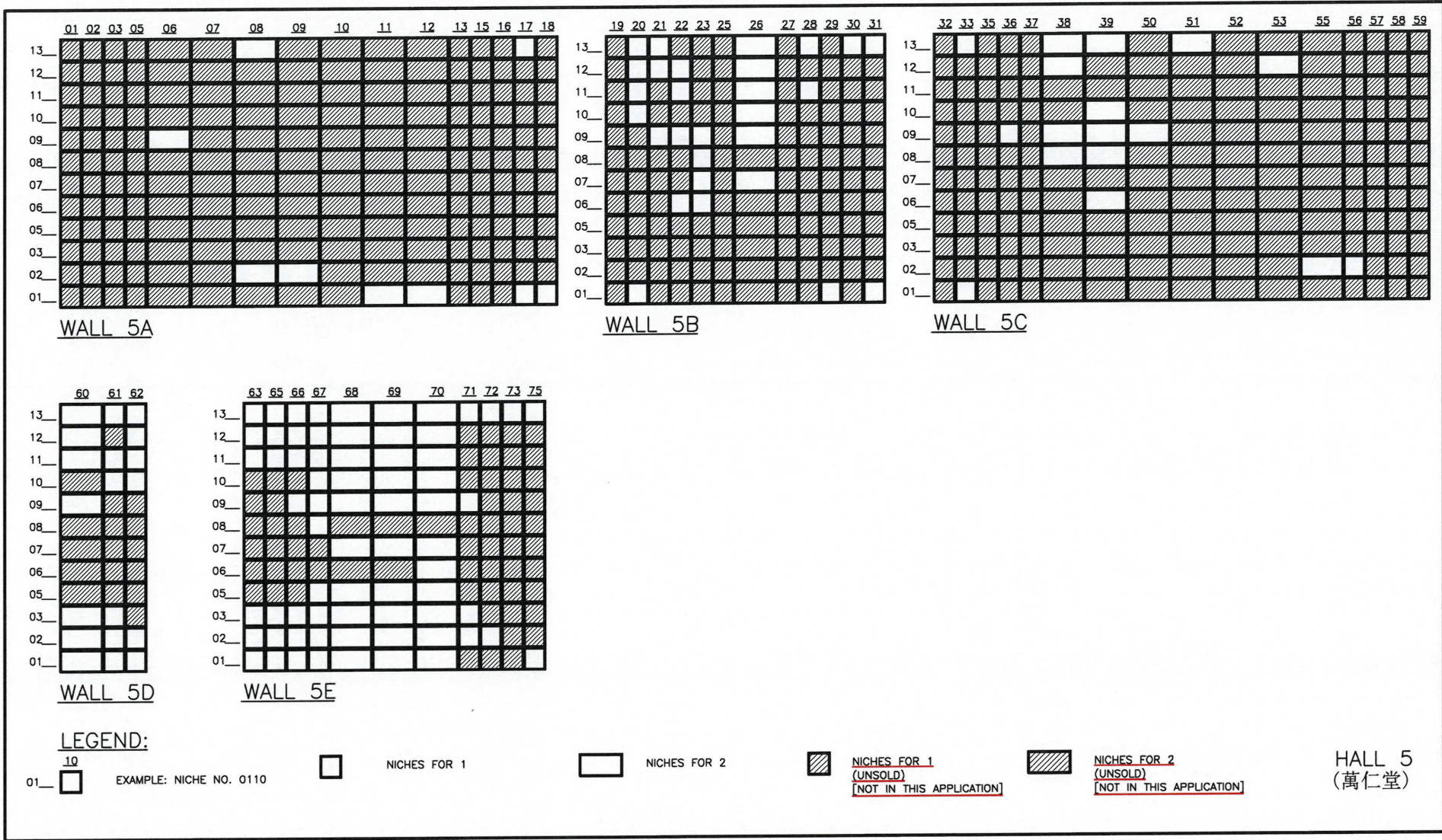
CHOP OF BODY CORPORATE/PARTNERSHIP* (IF APPLICABLE)
* DELETE IF INAPPLICABLE

REGISTRATION NUMBER#: AP(E) 98/82 RSE 98/82

DATE OF EXPIRY OF REGISTRATION#: 31.12.2030

MUST CONFORM TO THE REGISTER UNDER SECTION 3 OF THE BUILDINGS ORDINANCE (CAP.123)

PROPOSED FLOOR PLAN
APPLICATION FOR LICENCE IN RESPECT OF PRE-CUT-OFF COLUMBARIUM



NOT TO SCALE @ A3 SIZE

PROPOSED COLUMBARIUM BUILDING 4 NG SHEUNG DIN 五常殿 LOWER G/F NICHES ELEVATION (5 OF 5) (PLAN NO. SK18)

NAME OF COLUMBARIUM: TEN THOUSAND BUDDHAS MONASTERY
ADDRESS: NO. 221 PAI TAU VILLAGE, SHA TIN, NEW TERRITORIES (LOT NOS. 324(PART), 359(PART) IN DD185 AND ADJOINING GOVERNMENT LAND)

15/05/2026
DATE (DD/MM/YYYY)

NG CHUNG WA
NAME AND SIGNATURE OF APPLICANT
(IF THE APPLICANT IS A NATURAL PERSON)/
AUTHORIZED PERSON/AUTHORIZED PARTNER*

15/05/2026
DATE (DD/MM/YYYY)

SIU KOON HOI CARMINE

SIGNATURE AND NAME OF AUTHORIZED
PERSON/REGISTERED STRUCTURAL ENGINEER*
(AUTHORIZED PERSON/REGISTERED STRUCTURAL
ENGINEER MEANS A PERSON REGISTERED UNDER
SECTION 3 OF THE BUILDINGS ORDINANCE
(CAP.123))



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HONG KONG IDENTITY CARD NUMBER/TRAVEL DOCUMENT NUMBER*

CHOP OF BODY CORPORATE/PARTNERSHIP* (IF APPLICABLE)
* DELETE IF INAPPLICABLE

REGISTRATION NUMBER#: AP(E) 98/82 RSE 98/82

DATE OF EXPIRY OF REGISTRATION#: 31.12.2030

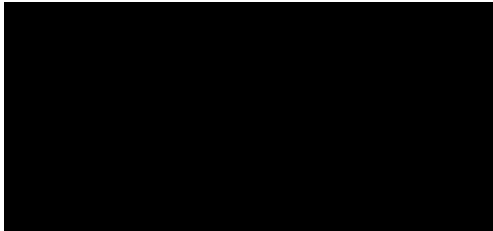
MUST CONFORM TO THE REGISTER UNDER SECTION 3 OF THE BUILDINGS ORDINANCE (CAP.123)

覆函請寄交食物環境衛生署並引用本署檔案編號

本署檔號: (174) in FEHD PC 72-40/64/2018/078

掛號郵件

萬佛寺



吳先生：

根據《私營骨灰安置所條例》（第630章）（《條例》）

申請指明文書

萬佛寺

新界沙田排頭村221號

(丈量約份第185約地段第323號(部分)、第324號(部分)、
第358號及第359號(部分)及毗鄰政府土地)

關於你在 2018 年 3 月 23 日就上述私營骨灰安置所向私營骨灰安置所發牌委員會(發牌委員會) 提交的牌照及暫免法律責任書申請，私營骨灰安置所事務辦事處(骨灰所辦) 已分送到相關部門，由各有關部門審核屬於其範疇的證明文件及資料，並就申請是否符合該範疇的要求給予意見。就關乎暫免法律責任書申請的部份，屋宇署就你提交的文件及資料提出的意見詳情列於附件一。

如需要就屋宇署要求澄清及/或補交所須文件及資料等事項回應及補充文件和資料，請盡快向骨灰所辦提交回應及補充文件和資料，以便本署送交有關部門跟進上述申請。若你對屋宇署的意見有任何疑問，請致電 3842 3309 與屋宇測量師/牌照 16 關汝傑先生聯絡。

申請人是否因應上述部門的意見而進行某些跟進工作(例如改動處所/裝置的工程) 純屬申請人的決定，完成某些跟進工作並不保證上述指明文書申請一定最終獲批。各有關部門就該申請是否符合該部門範疇的要求給予的意見會提交發牌委員會考慮。當發牌委員會就某項指明文書申請作出定奪時，該項申請必須已提交足夠證明致使委員會信納該申請符合《條例》指明的所有規定及發牌委員會的所有相關要求，發牌委員會才會考慮是否批出指明文書。在作出決定時，發牌委員會須顧

及公眾利益及可顧及任何其他相關因素。

以上並非涵蓋所有相關部門就上述私營骨灰安置所提交的牌照及暫免法律責任書申請的意見，當骨灰所辦陸續收到其他有關部門的意見時，會盡快通知申請人。此外，在處理有關指明文書申請的過程中，各部門有可能因應新的資訊及/或最新的情況而修訂其意見及/或建議的要求/條件。

若有任何疑問，請致電 [REDACTED] 或電郵發送致 [REDACTED] 與個案經理駱泳媚女士聯絡。

食物環境衛生署署長

(朱俊禧



代行)

2021 年 1 月 28 日

重要事項

《私營骨灰安置所條例》第 99 條 — 提供虛假或具誤導性的資料的罪行

- (1) 任何人如 —
 - (a) 根據本條例，就某骨灰安置所提出申請，而在該申請中，或在與該申請相關的情況下，提供在要項上屬虛假或具誤導性的資料；或
 - (b) 在知悉某資料在要項上屬虛假或具誤導性的情況下，根據本條例，向署長、獲授權人員或公職人員，提供該資料，
即屬犯罪。
- (2) 任何人犯第(1)款所訂罪行，一經定罪，可處罰款五十萬元及監禁 2 年。

重要提醒

- (1) 任何私營骨灰安置所在2018年3月29日之後，如果沒有暫免法律責任書申請在處理中，亦未取得任何指明文書，便不能繼續營辦。任何人士在沒有指明文書的情況下營辦、維持、管理或以任何方式控制骨灰安置所即屬違法，循簡易程序定罪，可處罰款二百萬元及監禁3年；如循公訴程序定罪，則可處罰款五百萬元及監禁7年。
- (2) 在寬限期後而沒有持有任何指明文書的情況下繼續營運骨灰安置所，或停辦骨灰安置所，營辦人須根據《私營骨灰安置所條例》附表5的「訂明骨灰處置程序」處置存放於該骨灰安置所內的骨灰，否則即屬犯罪，違例者可被檢控，循簡易程序定罪，可處最高罰款二百萬元及監禁3年；而循公訴程序定罪，則可處最高罰款五百萬元及監禁7年。

屋宇署對根據《私營骨灰安置所條例》(《條例》)(第630章)
就截至前骨灰安置所提交的暫免法律責任書申請的意見

(適用於2017年6月30日前已售出的龕位/
適用於在2017年6月30日未售出的龕位)*

骨灰安置所名稱： 萬佛寺
申請人姓名： H.K. Ten Thousand Buddhas Monastery Management Committee Limited
骨灰安置所地址： No. 221 Pai Tau Village, Sha Tin, New Territories
(Lot No. 323 (Part), 324 (Part), 358 & 359 (Part) in D.D. 185
and adjoining government land)

檔號： (92) in FEHD PC 72-40/64/2018/078 (TSOL)

本署對題述申請(包括申請人就申請提交的建議圖則)的意見如下：

I. 是否有《條例》第 17 條所述的指明執法行動針對有關骨灰安置所？

[請在以下其中一個方格內加上✓號。]

- ☒ 沒有《條例》第 17 條所述按《建築物條例》採取的指明執法行動針對有關骨灰安置所。
- ☐ 有《條例》第 17 條所述按《建築物條例》採取的指明執法行動針對有關骨灰安置所，詳情載於附錄 3。

II. 暫免法律責任書申請是否符合《條例》第 21(3)條的要求：

[請在以下其中一個方格內加上✓號。]

- ☒ 申請符合“有關骨灰安置所已獲合資格專業人士證明在樓宇安全及消防安全方面，不構成明顯或迫切的危險”的要求。
- ☐ 申請並未符合“有關骨灰安置所已獲合資格專業人士證明在樓宇安全及消防安全方面，不構成明顯或迫切的危險”的要求。
- ☐ 申請人須提供進一步資料，以便本署審核申請是否符合《條例》第21(3)條。申請人須提供的資料載列於附錄 1(見第V部)。

III. 對申請人就暫免法律責任書申請提交的建議圖則的意見

[尤其請按《條例》附表 2 就建築物 / 構築物的分類提供意見。]

[請在以下其中一個方格內加上✓號。]

☒ 本署對上述暫免法律責任書申請的建議圖則並無意見。

☐ 本署對上述暫免法律責任書申請的建議圖則有以下意見：

IV. 對暫免法律責任書申請人所提交有關符合申請牌照及 / 或豁免書要求的行動計劃(如適用)的意見

[請在適當方格內加上✓號。]

☒ 本署對有關符合申請牌照要求的行動計劃並無意見 / 有以下意見
下意見*：

☐ 本署對申請人有關符合申請豁免書要求的行動計劃並無意見 / 有以下意見*：

V. 對將列入“須符合的要求的通知書”內的要求的意見

[請在以下其中一個方格內加上✓號。]

☒ 就暫免法律責任書的申請，本署對將列入“須符合的要求的通知書”內的要求並無意見。

☐ 本署建議把附錄 1 所載的要求列入發給申請人的“須符合的要求的通知書”。

[註：如已根據《建築物條例》第 27A(1)條發出危險斜坡修葺令，但該命令未獲遵從，屋宇署可考慮是否應把這項命令納入附錄 1 或附錄 2。]

VI. 建議對將發出的暫免法律責任書(如批准)施加的條件

如私營骨灰安置所發牌委員會決定批准這宗申請，

[請在以下其中一個方格內加上✓號。]

- ☒ 本署建議對暫免法律責任書施加附錄 2所載的條件。
- ☐ 本署對施加於暫免法律責任書的條件並無任何建議。
- ☐ 本署會待暫免法律責任書的申請人報告已符合“須符合的要求的通知書”內關乎建築物的要求後，才提出建議(見附錄 1)。

VII. 訴訟程序

[請在以下其中一個方格內加上✓號。]

- ☒ 本署與上述申請指明文書的私營骨灰安置所或申請人現時沒有進行訴訟程序。
- ☐ 本署與上述申請指明文書的私營骨灰安置所或申請人現正進行訴訟程序，詳情如下：

VIII. 其他意見

1. 上述意見只限於所提交的建議布局圖(圖則編號:SK01, SK02, SK03, SK05, SK07, SK10, SK12 及 SK13, 簽署日期: 2020 年 7 月 23 日) 內圖例有著色標示的建築物。
2. 根據本署記錄，根據《建築物條例》第 27A 條發出危險斜坡修葺令(命令編號: DH0173/NT/09/C, 發出日期: 2009 年 11 月 13 日)，但該命令尚未獲遵從。

屋宇署向私營骨灰安置所事務辦事處提出上述意見的日期：2021年1月19日

*刪去不適用者

如私營骨灰安置所發牌委員會根據《私營骨灰安置所條例》(第630章)
批准指明文書申請
屋宇署建議施加於指明文書的關乎建築物的條件

就~~骨灰安置所~~ / 截算前~~骨灰安置所~~*申請牌照及申請暫免法律責任書

(適用於2017年6月30日前已售出的龕位/
適用於在2017年6月30日未售出的龕位)*

骨灰安置所名稱：萬佛寺
申請人姓名：H.K. Ten Thousand Buddhas Monastery Management Committee Limited
骨灰安置所地址：No. 221 Pai Tau Village, Sha Tin, New Territories
(Lot No. 323 (Part), 324 (Part), 358 & 359 (Part) in D.D. 185
and adjoining government land)

檔號：(92) in FEHD PC 72-40/64/2018/078 (TSOL)

項目	建議施加的條件
1	申請人須確保建議布局圖(圖則編號SK02)和樓面平面圖內標示的骨灰龕大樓的所有出口/捲閘於營業時間內保持開啟。如須關緊該出口門，以防止任何人進入，有關的鎖扣裝置須屬可由內毋須使用鑰匙迅速開啟的類型。

屋宇署向私營骨灰安置所事務辦事處提出上述意見的日期：2021年1月19日

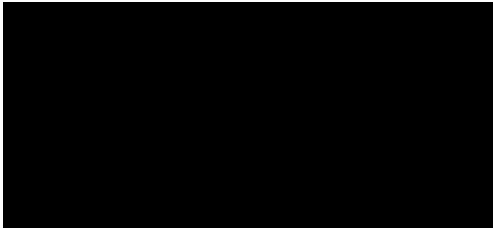
*刪去不適用者

覆函請寄交食物環境衛生署並引用本署檔案編號

本署檔號: (94) in FEHD PC 72-40/62/2018/067 Pt. 3

掛號郵件

萬佛寺



吳先生:

根據《私營骨灰安置所條例》(第630章)(《條例》)
申請指明文書
萬佛寺
新界沙田排頭村221號
(丈量約份第185約地段第323號(部分)、第324號(部分)、
第358號及第359號(部分)及毗鄰政府土地)

關於你在 2018 年 3 月 23 日就上述私營骨灰安置所向私營骨灰安置所發牌委員會(發牌委員會) 提交的牌照及暫免法律責任書申請, 私營骨灰安置所事務辦事處(骨灰所辦) 已分送到相關部門, 由各有關部門審核屬於其範疇的證明文件及資料, 並就申請是否符合該範疇的要求給予意見。屋宇署及消防處就你提交的文件及資料提出的意見詳情列於附件一。

如需要就屋宇署及消防處要求澄清及/或補交所須文件及資料等事項回應及補充文件和資料, 請盡快向骨灰所辦提交回應及補充文件和資料, 以便本署送交有關部門跟進上述申請。若你對屋宇署的意見有任何疑問, 請致電 3842 3308 與屋宇測量師/牌照 15 何迦榮先生聯絡; 若你對消防處的意見有任何疑問, 請致電 2302 5326 與消防隊長(私營骨灰安置所專責隊伍) 徐達志先生聯絡。

申請人是否因應上述部門的意見而進行某些跟進工作(例如改動處所/裝置的工程) 純屬申請人的決定, 完成某些跟進工作並不保證上述指明文書申請一定最終獲批。各有關部門就該申請是否符合該部門範疇的要求給予的意見會提交發牌委員會考慮。當發牌委員會就某項指明文書申請作出定奪時, 該項申請必須已提交足夠證明致使委員會信納該申請符合《條例》指明的所有規定及發牌委員會的所有相

關要求，發牌委員會才會考慮是否批出指明文書。在作出決定時，發牌委員會須顧及公眾利益及可顧及任何其他相關因素。

以上並非涵蓋所有相關部門就上述私營骨灰安置所提交的牌照及暫免法律責任書申請的意見，當骨灰所辦陸續收到其他有關部門的意見時，會盡快通知申請人。此外，在處理有關指明文書申請的過程中，各部門有可能因應新的資訊及/或最新的情況而修訂其意見及/或建議的要求/條件。

若有任何疑問，請致電 [REDACTED] 或電郵發送致 [REDACTED] 與個案經理駱泳媚女士聯絡。

食物環境衛生署署長

(朱俊禧



代行)

2020 年 11 月 16 日

重要事項

《私營骨灰安置所條例》第 99 條 — 提供虛假或具誤導性的資料的罪行

- (1) 任何人如 —
 - (a) 根據本條例，就某骨灰安置所提出申請，而在該申請中，或在與該申請相關的情況下，提供在要項上屬虛假或具誤導性的資料；或
 - (b) 在知悉某資料在要項上屬虛假或具誤導性的情況下，根據本條例，向署長、獲授權人員或公職人員，提供該資料，
即屬犯罪。
- (2) 任何人犯第(1)款所訂罪行，一經定罪，可處罰款五十萬元及監禁 2 年。

重要提醒

- (1) 任何私營骨灰安置所在2018年3月29日之後，如果沒有暫免法律責任書申請在處理中，亦未取得任何指明文書，便不能繼續營辦。任何人士在沒有指明文書的情況下營辦、維持、管理或以任何方式控制骨灰安置所即屬違法，循簡易程序定罪，可處罰款二百萬元及監禁3年；如循公訴程序定罪，則可處罰款五百萬元及監禁7年。
- (2) 在寬限期後而沒有持有任何指明文書的情況下繼續營運骨灰安置所，或停辦骨灰安置所，營辦人須根據《私營骨灰安置所條例》附表5的「訂明骨灰處置程序」處置存放於該骨灰安置所內的骨灰，否則即屬犯罪，違例者可被檢控，循簡易程序定罪，可處最高罰款二百萬元及監禁3年；而循公訴程序定罪，則可處最高罰款五百萬元及監禁7年。

副本送(如適用)：

暫免法律責任書申請檔案：FEHD PC 72-40/64/2018/078

消防處對根據《私營骨灰安置所條例》(第630章)
就骨灰安置所 / 截算前骨灰安置所*提交的牌照申請的意見

(適用於2017年6月30日前已售出的龕位 /
適用於在2017年6月30日未售出的龕位)*

骨灰安置所名稱： 萬佛寺

申請人姓名： 香港萬佛寺管理委員會有限公司

骨灰安置所地址： 新界沙田排頭村221號(丈量約份第185約地段第323號
(部分)、第324號(部分)、第358號及第359號(部分)及毗鄰
政府土地

檔號： (76) in FEHD PC 72-40/62/2018/067 Pt. 3 (Licence)

本處對題述申請(包括申請人就申請提交的建議圖則的意見如下：

I. 是否符合關乎私營骨灰安置所的消防安全要求：

[請在以下其中一個方格內加上✓號。]

(i) 如申請人未報告已遵辦消防安全規定

☐ 申請人須遵辦附錄1所載列的消防安全規定(見第IV部)。

(ii) 如申請人報告經已遵辦消防安全規定

☒ 申請人已完全遵辦消防安全規定。

☐ 申請人未能完全遵辦消防安全規定，理由如下：

☐ 申請人須提供進一步資料，以便本處知悉申請人已完全遵辦所發出的消防安全規定。所需資料載列於附錄 1(見第 IV 部)。

II. 對申請人就申請提交的建議圖則的意見

[請在以下其中一個方格內加上✓號。]

☒ 本處對上述牌照申請的建議圖則並無意見。

☐ 本處對上述牌照申請的建議圖則有以下意見：

III. 對牌照申請人提交的管理方案的意見

[請在以下其中一個方格內加上✓號。]

☒ 本處對上述管理方案並無意見。

☐ 本處對上述管理方案有以下意見：

IV. 對將列入“須符合的要求的通知書”內的要求意見

[請在以下其中一個方格內加上✓號。]

☒ 就上述牌照申請，本處對將列入“須符合的要求的通知書”內的要求並無意見。

☐ 本處建議把附錄 1所載的要求列入發給申請人的“須符合的要求的通知書”。

V. 建議對將發出的牌照(如批准)施加的條件

如私營骨灰安置所發牌委員會決定批准這宗申請，

[請在以下其中一個方格內加上✓號。]

- ☒ 本處建議對牌照施加附錄 2所載的條件。
- ☐ 本處對施加於牌照的條件並無任何建議。
- ☐ 本處會待牌照的申請人報告已符合“須符合的的要求的通知書”內的消防安全要求後，才提出建議(見附錄 1)。

VI. 訴訟程序

[請在以下其中一個方格內加上✓號。]

- ☒ 本處對上述申請指明文書的私營骨灰安置所或申請人現時沒有在違反消防條例或其相關條例上提出檢控。
- ☐ 本處對上述申請指明文書的私營骨灰安置所或申請人現時有在違反消防條例或其相關條例上提出檢控，詳情如下：

VII. 其他意見

沒有。

消防處向私營骨灰安置所事務辦事處提出上述意見的日期： 28/10/2020

檔案編號(43) in FP PCTF/57/3001 dated 28/10/2020

*~~刪去不適用者~~

如私營骨灰安置所發牌委員會根據《私營骨灰安置所條例》(第630章)
批准指明文書申請

消防處建議施加於指明文書的消防安全條件
就骨灰安置所 / 截至前骨灰安置所申請牌照

(適用於2017年6月30日前已售出的龕位 /
適用於在2017年6月30日未售出的龕位)*

骨灰安置所名稱： 萬佛寺
申請人姓名： 香港萬佛寺管理委員會有限公司
骨灰安置所地址： 新界沙田排頭村221號(丈量約份第185約地段第323號
(部分)、第324號(部分)、第358號及第359號(部分)及毗
鄰政府土地

檔號： (76) in FEHD PC 72-40/62/2018/067 Pt. 3 (Licence)

項目	建議施加的條件
	"指明文書持有人須確保該骨灰安置所持續符合由消防處制定及適時更新的"私營骨灰安置所消防安全規定"(請參看「私營骨灰安置所牌照及其他指明文書申請指引」附件9的附錄1)。"

消防處向私營骨灰安置所事務辦事處提出上述意見的日期： 28.10.2020

檔案編號(43) in FP PCTF/57/3001 dated 28/10/2020

*刪去不適用者

消防處對根據《私營骨灰安置所條例》(第630章)
就截算前骨灰安置所提交的暫免法律責任書申請的意見

(適用於2017年6月30日前已售出的龕位/
適用於在2017年6月30日未售出的龕位)*

骨灰安置所名稱： 萬佛寺

申請人姓名： 香港萬佛寺管理委員會有限公司

骨灰安置所地址： 新界沙田排頭村221號(丈量約份第185約地段第
323號(部分)、第324號(部分)、第358號及第359號(部
分)及毗鄰政府土地

檔號： (94) in FEHD PC 72-40/64/2018/078 (TSOL)

本處對題述申請(包括申請人就申請提交的建議圖則)的意見如下：

I. 是否符合消防安全要求：

[請在以下其中一個方格內加上✓號。]

(i) 如申請人未報告已遵辦消防安全規定

☐ 申請人須遵辦附錄1所載列的消防安全規定(見第IV部)。

(ii) 如申請人報告經已遵辦消防安全規定

☒ 申請人已完全遵辦消防安全規定。

☐ 申請人未能完全遵辦消防安全規定，理由如下：

☐ 申請人須提供進一步資料，以便本處知悉申請人已完全遵辦所發出的消防安全規定。所需資料載列於附錄 1(見第 IV 部)。

II. 對暫免法律責任書申請人提交的建議圖則的意見

[請在以下其中一個方格內加上✓號。]

☒ 本處對上述暫免法律責任書申請的建議圖則並無意見。

☐ 本處對上述暫免法律責任書申請的建議圖則有以下意見：

III. 對暫免法律責任書申請人所提交有關符合申請牌照及 / 或豁免書要求的行動計劃的意見(如適用)

[請在適當方格內加上✓號。]

☒ 本處對申請人有關符合申請牌照要求的行動計劃並無意見 / 有以下意見*：

不適用。

☐ 本處對申請人有關符合申請豁免書要求的行動計劃並無意見 / 有以下意見*：

IV. 對將列入“須符合的的要求的通知書”內的要求的意見

[請在以下其中一個方格內加上✓號。]

☒ 就上述暫免法律責任書申請，本處對將列入“須符合的的要求的通知書”內的要求並無意見。

☐ 本處建議把附錄1所載的要求列入發給申請人的“須符合的的要求的通知書”。

V. 建議對將發出的暫免法律責任書(如批准)施加的條件

如私營骨灰安置所發牌委員會決定批准這宗申請，

[請在以下其中一個方格內加上✓號。]

- ☒ 本處建議對暫免法律責任書施加附錄 2所載的條件。
- ☐ 本處對施加於暫免法律責任書的條件並無任何建議。
- ☐ 本處會待暫免法律責任書的申請人報告已符合“須符合的要求的
通知書”內的消防安全要求後，才提出建議(見附錄1)。

VI. 訴訟程序

[請在以下其中一個方格內加上✓號。]

- ☒ 本處對上述申請指明文書的私營骨灰安置所或申請人現時沒有在
違反消防條例或其相關條例上提出檢控。
- ☐ 本處對上述申請指明文書的私營骨灰安置所或申請人現時有在違
反消防條例或其相關條例上提出檢控，詳情如下：

VII. 其他意見

沒有。

消防處向私營骨灰安置所事務辦事處提出上述意見的日期： 28/10/2020

檔案編號(26) in FP PCTF/57/3001/T dated 28/10/2020

*刪去不適用者

如私營骨灰安置所發牌委員會根據《私營骨灰安置所條例》(第630章)

批准指明文書申請

消防處建議施加於指明文書的消防安全條件

就截至前骨灰安置所申請暫免法律責任書

(適用於2017年6月30日前已售出的龕位 /

適用於在2017年6月30日未售出的龕位)*

骨灰安置所名稱： 萬佛寺

申請人姓名： 香港萬佛寺管理委員會有限公司

骨灰安置所地址： 新界沙田排頭村221號(丈量約份第185約地段第323號(部分)、第324號(部分)、第358號及第359號(部分)及毗鄰政府土地

檔號： (94) in FEHD PC 72-40/64/2018/078 (TSOL)

項目	建議施加的條件
	"指明文書持有人須確保該骨灰安置所持續符合由消防處制定及適時更新的"私營骨灰安置所消防安全規定"(請參看「私營骨灰安置所牌照及其他指明文書申請指引」附件 9 的附錄 1)。"

消防處向私營骨灰安置所事務辦事處提出上述意見的日期： 28.10.2020

檔案編號(26) in FP PCTF/57/3001/T dated 28/10/2020

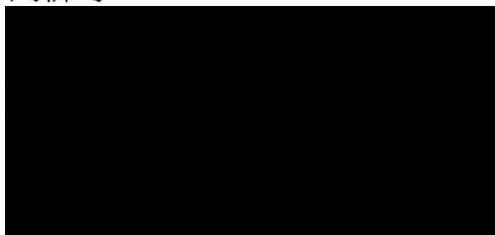
*刪去不適用者

覆函請寄交食物環境衛生署並引用本署檔案編號

本署檔號: (32) in FEHD PC 72-40/62/2018/067 Pt. 5

掛號郵件

萬佛寺



吳先生：

根據《私營骨灰安置所條例》（第630章）（《條例》）

申請指明文書

萬佛寺

新界沙田排頭村221號(丈量約份第185約地段第324號(部分)、
359號(部分)及毗鄰政府土地)

關於你在 2018 年 3 月 23 日就上述私營骨灰安置所向私營骨灰安置所發牌委員會(發牌委員會) 提交的牌照及暫免法律責任書申請，私營骨灰安置所事務辦事處(骨灰所辦) 已分送到相關部門，由各有關部門審核屬於其範疇的證明文件及資料，並就申請是否符合該範疇的要求給予意見。環境保護署就你提交的文件及資料提出的意見詳情列於附件一。

如需要就環境保護署要求澄清及/或補交所須文件及資料等事項回應及補充文件和資料，請盡快向骨灰所辦提交回應及補充文件和資料，以便本署送交有關部門跟進上述申請。若你對環境保護署的意見有任何疑問，請致電 3151 7055 與項目主任(骨灰安置所) 黃夏明先生聯絡。

申請人是否因應上述部門的意見而進行某些跟進工作(例如改動處所/裝置的工程/提交文件) 純屬申請人的決定，完成某些跟進工作並不保證上述指明文書申請一定最終獲批。各有關部門就該申請是否符合該部門範疇的要求給予的意見會提交發牌委員會考慮。當發牌委員會就某項指明文書申請作出定奪時，該項申請必須已提交足夠證明致使委員會信納該申請符合《條例》指明的所有規定及發牌委員會的所有相關要求，發牌委員會才會考慮是否批出指明文書。在作出決定時，發牌委員會須顧及公眾利益及可顧及任何其他相關因素。

以上並非涵蓋所有相關部門就上述私營骨灰安置所提交的牌照及暫免法律責任書申請的意見，當骨灰所辦陸續收到其他有關部門的意見時，會盡快通知申請人。此外，在處理有關指明文書申請的過程中，各部門有可能因應新的資訊及/或最新的情況而修訂其意見及/或建議的要求/條件。

若有任何疑問，請致電 [REDACTED] 或電郵發送致 [REDACTED] 與個案經理謝麗雅女士聯絡。

食物環境衛生署署長

(劉穎賢



代行)

2023 年 4 月 13 日

重要事項

《私營骨灰安置所條例》第 99 條 — 提供虛假或具誤導性的資料的罪行

- (1) 任何人如 —
 - (a) 根據本條例，就某骨灰安置所提出申請，而在該申請中，或在與該申請相關的情況下，提供在要項上屬虛假或具誤導性的資料；或
 - (b) 在知悉某資料在要項上屬虛假或具誤導性的情況下，根據本條例，向署長、獲授權人員或公職人員，提供該資料，
即屬犯罪。
- (2) 任何人犯第(1)款所訂罪行，一經定罪，可處罰款五十萬元及監禁 2 年。

重要提醒

- (1) 任何私營骨灰安置所在2018年3月29日之後，如果沒有暫免法律責任書申請在處理中，亦未取得任何指明文書，便不能繼續營辦。任何人士在沒有指明文書的情況下營辦、維持、管理或以任何方式控制骨灰安置所即屬違法，循簡易程序定罪，可處罰款二百萬元及監禁3年；如循公訴程序定罪，則可處罰款五百萬元及監禁7年。
- (2) 在寬限期後而沒有持有任何指明文書的情況下繼續營運骨灰安置所，或停辦骨灰安置所，營辦人須根據《私營骨灰安置所條例》附表5的「訂明骨灰處置程序」處置存放於該骨灰安置所內的骨灰，否則即屬犯罪，違例者可被檢控，循簡易程序定罪，可處最高罰款二百萬元及監禁3年；而循公訴程序定罪，則可處最高罰款五百萬元及監禁7年。

環境保護署對根據《私營骨灰安置所條例》(第630章)
就骨灰安置所 / 截算前骨灰安置所*提交的牌照申請的意見

(適用於2017年6月30日前已售出的龕位 /
適用於在2017年6月30日未售出的龕位)*

骨灰安置所名稱： 萬佛寺
申請人姓名： H.K. Ten Thousand Buddhas Monastery Management Committee Limited
骨灰安置所地址： No. 221 Pai Tau Village, Sha Tin, New Territories (Lot Nos. 324 (Part), 359 (Part) in DD 185 and adjoining government land)

檔號： (28) in FEHD PC 72-40/62/2018/067 Pt. 5 (牌照)

本署對題述申請(包括申請人就申請提交的建議圖則)的意見如下：

I. 是否符合關乎環境保護的要求：

[請在以下其中一個方格內加上✓號。]

☒ 上述牌照申請符合關乎環境保護的要求。

☐ 上述牌照申請不符合關乎環境保護的要求，理由如下：

☐ 申請人須提供進一步資料，以便本署審核申請是否符合關乎環境保護的要求。所需資料載列於附錄 1(見第 IV 部)。

II. 對申請人就申請提交的建議圖則的意見

[請在以下其中一個方格內加上✓號。]

☐ 本署對上述牌照申請的建議圖則並無意見。

☒ 本署對上述牌照申請的建議圖則有以下意見：

由於尚未有落實計劃在「彌陀殿」旁安裝另一座環保化寶爐 1 (Joss Paper Burner 1)，申請人應在建議平面布局圖上(編號：SK02) 擬建位置將「Joss Paper Burner 1」標示為「Area Reserved for proposed Joss Paper Burner 1」。

III. 對暫免法律責任書申請人所提交有關符合申請牌照要求的行動計劃的意見(如適用)

本署對申請人有關符合申請牌照要求的行動計劃並無意見 / 有以下意見*：

申請人在呈交的平面布局圖上，已標示兩座化寶爐的位置，分別位於「龍華堂」及「彌陀殿」毗鄰，而在「龍華堂」旁邊於早前已完成安裝一座符合規定的環保化寶爐 (Joss Paper Burner 2)。若將來申請人決定於「彌陀殿」旁落實安裝另一座環保化寶爐 (即 Joss Paper Burner 1)，必須預先通知，並獲本署審核其運作表現達到要求後方可使用。

IV. 對將列入“須符合的要求的通知書”內的要求的意見

[請在以下其中一個方格內加上✓號。]

- ☒ 就上述牌照申請，本署對將列入“須符合的要求的通知書”內的要求並無意見。
- ☐ 本署建議把附錄 1所載的要求列入發給申請人的“須符合的要求的通知書”。

V. 建議對將發出的牌照(如批准)施加的條件

如私營骨灰安置所發牌委員會決定批准這宗申請，

[請在以下其中一個方格內加上✓號。]

- ☒ 本署建議對牌照施加附錄 2所載的條件。
- ☐ 本署對施加於牌照的條件並無任何建議。
- ☐ 本署會待牌照的申請人報告已符合“須符合的要求的通知書”內關乎環境保護的要求後，才提出建議(見附錄1)。

VI. 訴訟程序

[請在以下其中一個方格內加上✓號。]

☒ 本署與上述申請指明文書的私營骨灰安置所或申請人現時沒有進行訴訟程序。

☐ 本署與上述申請指明文書的私營骨灰安置所或申請人現正進行訴訟程序，詳情如下：

VII. 其他意見

申請人須落實執行有效措施，確保燃燒冥鏹、燒香活動不會對附近的地方構成空氣污染滋擾，其中包括建議每位客人燃點微香一枝及減少香爐數目，於清明及重陽期間增加員工清理香燭的次數、並於顯眼處張貼告示提醒訪客減少燃點香燭。

環境保護署向私營骨灰安置所事務辦事處提出上述意見的日期：3.4.2023

*刪去不適用者

如私營骨灰安置所發牌委員會根據《私營骨灰安置所條例》(第630章)

批准指明文書申請

環境保護署建議施加於指明文書的關乎環境保護的條件

(適用於2017年6月30日前已售出的龕位/
適用於在2017年6月30日未售出的龕位)*

骨灰安置所名稱：萬佛寺
 申請人姓名：HK Ten Thousand Buddhas Monastery Management Committee Limited
 骨灰安置所地址：No. 221 Pai Tau Village, Sha Tin, New Territories (Lot Nos. 324 (Part),
359 (Part) in DD 185 and adjoining government land)

檔號：(28) in FEHD PC 72-40/62/2018/067 Pt. 5 (牌照)

項目	建議施加的條件
1	持牌人須確保訪客在祭祀時，只可使用獲環境保護署審核裝備有效空氣污染控制設備的環保爐內燃燒冥鏹，並在顯眼位置以耐用物料展示相關告示。 於燃燒冥鏹前，持牌人須確保化寶爐相關空氣污染控制設備已啟動及正常運作，亦應確保只有紙祭品才可放進爐內燃燒，所有包裝物料（特別是塑膠物料）應在燃燒前移除。須委派受過訓練的操作人員控制火爐燃燒冥鏹的速度，以免因超出空氣污染控制設備的負荷而排放可見的煙氣。空氣污染控制設備的保養及維修應交由具備相關技術的人員負責，以確保設備的運作達到最佳性能。此外，亦應對所有組件進行定期檢查及維修。
2	骨灰安置所內的殯儀或祭祀活動必須限制在日間進行，例如由上午9時至下午5時之間，以免對附近市民造成噪音滋擾。
3	若骨灰安置所安裝或更改任何產生噪音的設施，其中包括空調機、水冷機組、通風機組、泵水系統、播放祭祀音樂的擴音機等，發出的噪音必須符合載列於「管制非住用處所、非公衆地方或非建築地盤噪音技術備忘錄」的噪音標準。
4	
5	

環境保護署向私營骨灰安置所事務辦事處提出上述意見的日期：3.4.2023

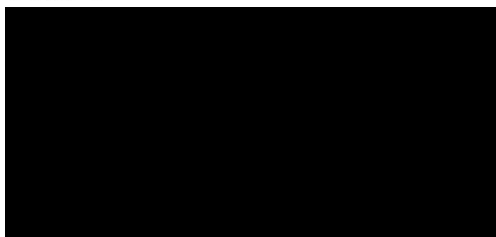
*刪去不適用者

覆函請寄交食物環境衛生署並引用本署檔案編號

本署檔號: (17) in FEHD PC 72-40/62/2018/067 Pt. 2

掛號郵件

萬佛寺



吳先生：

根據《私營骨灰安置所條例》（第630章）（《條例》）
申請指明文書
萬佛寺
新界沙田排頭村221號
(丈量約份第185約地段第323號(部分)、第324號(部分)、
第358號及第359號(部分)及毗鄰政府土地)

關於你在 2018 年 3 月 23 日就上述私營骨灰安置所向私營骨灰安置所發牌委員會(發牌委員會)提交的牌照及暫免法律責任書申請，私營骨灰安置所事務辦事處(骨灰所辦) 已分送到相關部門，由各有關部門審核屬於其範疇的證明文件及資料，並就申請是否符合該範疇的要求給予意見。香港警務處就你提交的文件及資料提出的意見詳情列於附件一。

如需要就香港警務處要求澄清及/或補交所須文件及資料等事項回應及補充文件和資料，請盡快向骨灰所辦提交回應及補充文件和資料，以便本署送交有關部門跟進上述申請。若你對香港警務處的意見有任何疑問，請致電 3660 4301 與督導主任(骨灰安置所) 譚國基先生聯絡。

申請人是否因應上述部門的意見而進行某些跟進工作(例如改動處所/裝置的工程) 純屬申請人的決定，完成某些跟進工作並不保證上述指明文書申請一定最終獲批。各有關部門就該申請是否符合該部門範疇的要求給予的意見會提交發牌委員會考慮。當發牌委員會就某項指明文書申請作出定奪時，該項申請必須已提交足夠證明致使委員會信納該申請符合《條例》指明的所有規定及發牌委員會的所有相關要求，發牌委員會才會考慮是否批出指明文書。在作出決定時，發牌委員會須顧

及公眾利益及可顧及任何其他相關因素。

以上並非涵蓋所有相關部門就上述私營骨灰安置所提交的牌照及暫免法律責任書申請的意見，當骨灰所辦陸續收到其他有關部門的意見時，會盡快通知申請人。此外，在處理有關指明文書申請的過程中，各部門有可能因應新的資訊及/或最新的情況而修訂其意見及/或建議的要求/條件。

若有任何疑問，請致電 [REDACTED] 或電郵發送致 [REDACTED] 與個案經理卓慧嘉女士聯絡。

食物環境衛生署署長

(朱俊禧



代行)

2019 年 7 月 23 日

重要事項

《私營骨灰安置所條例》第 99 條 — 提供虛假或具誤導性的資料的罪行

- (1) 任何人如 —
 - (a) 根據本條例，就某骨灰安置所提出申請，而在該申請中，或在與該申請相關的情況下，提供在要項上屬虛假或具誤導性的資料；或
 - (b) 在知悉某資料在要項上屬虛假或具誤導性的情況下，根據本條例，向署長、獲授權人員或公職人員，提供該資料，
即屬犯罪。
- (2) 任何人犯第(1)款所訂罪行，一經定罪，可處罰款五十萬元及監禁 2 年。

重要提醒

- (1) 任何私營骨灰安置所在2018年3月29日之後，如果沒有暫免法律責任書申請在處理中，亦未取得任何指明文書，便不能繼續營辦。任何人士在沒有指明文書的情況下營辦、維持、管理或以任何方式控制骨灰安置所即屬違法，循簡易程序定罪，可處罰款二百萬元及監禁3年；如循公訴程序定罪，則可處罰款五百萬元及監禁7年。
- (2) 在寬限期後而沒有持有任何指明文書的情況下繼續營運骨灰安置所，或停辦骨灰安置所，營辦人須根據《私營骨灰安置所條例》附表5的「訂明骨灰處置程序」處置存放於該骨灰安置所內的骨灰，否則即屬犯罪，違例者可被檢控，循簡易程序定罪，可處最高罰款二百萬元及監禁3年；而循公訴程序定罪，則可處最高罰款五百萬元及監禁7年。

副本送(如適用)：

暫免法律責任書申請檔案：FEHD PC 72-40/64/2018/078

香港警務處對根據《私營骨灰安置所條例》(第630章)
就~~骨灰安置所~~／~~截算前~~骨灰安置所*申請牌照時提交的管理方案的意見

(適用於2017年6月30日前已售出的龕位 /
適用於在2017年6月30日未售出的龕位)*

骨灰安置所名稱	: 萬佛寺
申請人姓名	: 香港萬佛寺管理委員會有限公司
骨灰安置所地址	: 新界沙田排頭村221號 (丈量約份第185約地段 第323號(部份)、第324號(部份)、第358號及 第359號(部份)及毗鄰政府土地)

檔號: (8) in FEHD PC 72-40/62/2018/067 Pt.2 (Licence)

本處對題述申請(包括申請人就申請提交的建議圖則)的意見如下:

I. 對私營骨灰安置所的管理方案的意見

[請在以下其中一個方格內加上✓號。]

- ☒ 管理方案可以接受，而本處不反對向有關~~截算前~~骨灰安置所／~~骨~~
~~灰安置所~~*發出牌照。
- ☐ 就有關~~截算前~~骨灰安置所 / 骨灰安置所*的牌照申請而言，管理
方案不可接受，理由是：

- ☐ 申請人須提供進一步資料，以便本處審核私營骨灰安置所的管理
方案是否可以接受。申請人須提供的資料載列於附錄 1(見第 III
部)。

II. 對牌照申請人提交的建議圖則的意見

[請在以下其中一個方格內加上✓號。]

- ☒ 本處對上述牌照申請的建議圖則並無意見。
- ☐ 本處對上述牌照申請的建議圖則有以下意見：

III. 對將列入“須符合的要求的通知書”內的要求的意見

[請在以下其中一個方格內加上✓號。]

- ☒ 就上述牌照申請，本處對將列入“須符合的要求的通知書”內的要求並無意見。
- ☐ 就上述牌照申請，本處建議把附錄 1所載的要求列入發給申請人的“須符合的要求的通知書”。

IV. 建議對將發出的牌照(如批准)施加的條件

如私營骨灰安置所發牌委員會決定批准這宗申請，

[請在以下其中一個方格內加上✓號。]

- ☐ 本處建議對牌照施加附錄 2所載的條件。
- ☒ 本處對施加於牌照的條件並無任何建議。
- ☐ 本處會待牌照申請人報告已符合“須符合的要求的通知書”內有關管理方案的要求後，才提出建議(見附錄 1)。

V. 訴訟程序

[請在以下其中一個方格內加上✓號。]

- ☒ 本處與上述申請指明文書的私營骨灰安置所或申請人現時沒有進行與上述申請有關的訴訟程序。
- ☐ 本處與上述申請指明文書的私營骨灰安置所或申請人現正進行與上述申請有關的訴訟程序，詳情如下：

VI. 其他意見

沒有

香港警務處向私營骨灰安置所事務辦事處提出上述意見的日期：
2019年7月11日

*~~刪去不適用者~~

規劃署對根據《私營骨灰安置所條例》(《條例》)(第630章)
就截算前骨灰安置所提交的牌照及暫免法律責任書申請的意見

骨灰安置所名稱： 萬佛寺
申請人姓名： 香港萬佛寺管理委員會有限公司
骨灰安置所地址： 新界沙田排頭村221號 (丈量約份第185約地段第323號(部分)、第324號(部分)、第358號及第359號(部分)及毗鄰政府土地

檔號：(27) in FEHD PC 72-40/62/2018/067 Pt.3 (牌照)

檔號：(66) in FEHD PC 72-40/64/2018/078 (暫免法律責任書)

本署對題述申請(包括申請人就申請提交的建議圖則)的意見如下：

I. 是否有《條例》第17條所述的指明執法行動針對有關骨灰安置所？

[請在以下其中一個方格內加上✓號。]

☒ 沒有《條例》第 17 條所述就違例發展採取的指明執法行動針對有關骨灰安置所。

☐ 有《條例》第 17 條所述就違例發展採取的指明執法行動針對有關骨灰安置所，詳情載於附錄 3。

II. 關乎規劃要求內有關「骨灰安置」的規定：

(1) 是否准許在牌照申請範圍內存放骨灰？

☐ 是 ☒ 否

(2) 如上述第(II)部問題(1) 的答案為「是」，請在適當方格內加上✓號：

☐ 在有關分區計劃大綱圖內，存放骨灰屬經常准許的用途
(如有特定限制，請註明：_____)

☐ 已獲城市規劃委員會根據《城市規劃條例》第 16 條批准規劃許可申請

☐ 屬現有用途

(3) 如在上述第(II)部問題(1) 的答案為「是」，有否註明在牌照申請範圍內准許骨灰龕位數目上限？

☐ 有，請註明准許骨灰龕位數目上限：_____ 個

☐ 否

(4) 如在上述第(II)部問題(1) 的答案為「是」，有否註明在牌照申請範圍內准許安放骨灰份數(或骨灰甕數)上限？

☐ 有，請註明准許上限：_____ 份骨灰/個骨灰甕

☐ 否

(5) 如上述第(II)部問題(1) 的答案為「否」，理由如下：

「靈灰安置所」在相關法定圖則下的「政府、機構或社區」地帶屬於「第二欄」用途，並須先向城市規劃委員會（城規會）申請規劃許可。而「靈灰安置所」並非相關法定圖則下的「鄉村式發展」地帶的准許用途。

(6) [如申請人須提供進一步資料，請在以下方格內加上✓號]

- ☒ 申請人須提供進一步資料，以便本署審核申請是否符合《條例》內關乎規劃的要求內有關「骨灰安置」的規定。所需資料載列於附錄1(見第V部)。

III. 對申請人就牌照申請提交的建議圖則的意見

[請在以下其中一個方格內加上✓號。]

- ☐ 本署對上述牌照申請的建議圖則並無意見。
- ☒ 本署對上述牌照申請的建議圖則有以下意見：
請參閱上列第 II 部分的意見。

IV. 對牌照申請人所提交的管理方案的意見

[請在適當方格內加上✓號。]

- ☒ 本署對上述管理方案並無意見。進一步的意見將會於根據城市規劃條例第 12A 條或第 16 條提出的申請獲批准後提供(如有)。
- ☐ 本署對上述管理方案有以下意見：
- ☐ 沒有提交管理方案。請要求申請人提交管理方案，以便進一步處理／在根據城市規劃條例第 12A 條或 16 條提出規劃申請時提交可容納的訪客量及入場管制／交通及公共運輸安排／人流管理／應對火警或其他緊急情況的應變方案等資料*。
 - ☐ 管理方案沒有提供以下的資料：可容納的訪客量及入場管制／交通及公共運輸安排／人流管理／應對火警或其他緊急情況的應變方案／其他(請註明：_____)*。請要求申請人提交已包括上述資料的修訂管理方案。
 - ☐ 管理方案沒有提供下列的資料：可容納的訪客量及入場管制／交通及公共運輸安排／人流管理／應對火警或其他緊急情況的應變方案／其他(請註明：_____)*。請要求申請人在根據城市規劃條例第 12A 條或第 16 條提出的規劃申請時提交所有上述資料。
- ☐ 其他意見：_____

V. 對將列入“須符合的要求的通知書”內的要求的意見

[請在以下其中一個方格內加上✓號。]

- ☐ 就牌照的申請，本署對將列入“須符合的要求的通知書”內的要求並無意見。
- ☒ 本署建議把附錄 1所載的要求列入發給申請人的“須符合的要求的通知書”。

VI. 建議對將發出的牌照(如批准)施加的條件

如私營骨灰安置所發牌委員會決定批准這宗申請，
[請在以下其中一個方格內加上✓號。]

- ☐ 本署建議對牌照施加附錄 2所載的條件。
- ☐ 本署對施加於牌照的條件並無任何建議。
- ☒ 本署會待牌照的申請人報告已符合“須符合的要求的通知書”內關乎規劃的要求後，才提出建議(見附錄 1)。

VII. 對暫免法律責任書申請人所提交有關符合申請牌照要求的行動計劃(如適用)的意見

[請在適當方格內加上✓號。]

- ☒ 本署對申請人的行動計劃並無意見。
- ☐ 本署對申請人的行動計劃有以下意見：

VIII. 訴訟程序*

[請在以下其中一個方格內加上✓號。]

- ☒ 本署與上述申請指明文書的私營骨灰安置所或申請人現時沒有進行訴訟程序。
- ☐ 本署與上述申請指明文書的私營骨灰安置所或申請人現正進行訴訟程序，詳情如下：

IX. 其他意見

請申請人注意，在根據《城市規劃條例》第 12A 條 /16 條向城規會提交規劃申請前，應先向發牌委員會就牌照申請提交已獲合資格人士核證的建議圖則(包括龕位資料)，並在骨灰所辦完成審核及接納龕位資料後，才向城規會提交規劃申請。

在提交規劃申請時，申請人應利用夾附在申請指引附件 8 中附錄 1 的表格一併提交龕位數目的詳情，並應提交可容納的訪客量及入場管制／交通及公共運輸安排／人流管理／應對火警或其他緊急情況的應變方案等資料。

首份涵蓋有關地點的法定圖則的公告在憲報刊登的日期是: 1961 年 4 月 28 日。如申請人要求享有法定圖則下「現有用途」權利，應提交：

- 在緊接首份涵蓋申請地點／處所的法定圖則的公告在憲報刊登前已被用作「靈灰安置所」用途及其規模的證明，即地點／處所的範圍及龕位數目；以及
- 自首份涵蓋申請地點／處所的法定圖則的公告在憲報刊登以來一直持續進行「靈灰安置所」用途及其規模的證明，即地點／處所的範圍及龕位數目；或
- 自首份涵蓋申請地點／處所的法定圖則的公告在憲報刊登其後的任何一份圖則所准許的「靈灰安置所」用途，而該「靈灰安置所」用途在有關圖則有效期內展開，而且自展開以來一直持續進行及其規模的證明，即地點／處所的範圍及龕位數目。
- 有關證明包括布局圖、地點／處所的照片／航攝照片、已批准的建築圖則、短期豁免書、短期租約、租賃協議、商業登記申請表、土地業權證明、單據等)

規劃署向私營骨灰安置所事務辦事處提出上述意見的日期： 3.4.2020

*刪去不適用者

*指除第I部分所述的執法行動以外的法律事宜。

根據《私營骨灰安置所條例》(第630章)
 規劃署建議列入“須符合的要求的通知書”內的關乎規劃的要求

就截至前骨灰安置所申請牌照及暫免法律責任書

骨灰安置所名稱： 萬佛寺

申請人姓名： 香港萬佛寺管理委員會有限公司

骨灰安置所地址： 新界沙田排頭村221號 (丈量約份第185約地段第323號(部分)、第324號(部分)、第358號及第359號(部分)及毗鄰政府土地

檔號：(27) in FEHD PC 72-40/62/2018/067 Pt.3 (牌照)

檔號：(66) in FEHD PC 72-40/64/2018/078 (暫免法律責任書)

項目	申請人須符合的要求
1	申請人可： a. 根據《城市規劃條例》第 16 條向城規會提出規劃許可申請，每宗申請將按其個別情況作考慮。請注意若城規會在有附帶條件下批給許可，申請人須在完全履行附帶的條件後，方可視為符合「關乎規劃的要求」； 及/或 b. 根據《城市規劃條例》第 12A 條向城規會提出修訂法定圖則申請，每宗申請將按其個別情況作考慮。請注意縱使城規會同意/部份同意有關申請，亦不一定代表可即時符合「關乎規劃的要求」： i. 若城規會同意把「靈灰安置所」用途納入擬議地帶的第一欄用途之內，相關法定圖則須在作出修改後（即直至草圖刊憲後），方可視為完全符合「關乎規劃的要求」；或 ii. 若城規會同意把「靈灰安置所」用途納入擬議地帶的第二欄用途之內，申請人仍須根據《城市規劃條例》第 16 條向城規會提交規劃許可申請。若城規會在有附帶條件下批給許可，申請人須在完全履行附帶的條件後，方可視為符合「關乎規劃的要求」； 及/或 c. 要求享有法定圖則下「現有用途」權利。請注意任何人士如要求享有「現有用途權利」，須提供足夠證據，以證明確有資格享有這項權利。

規劃署向私營骨灰安置所事務辦事處提出上述意見的日期： 3.4.2020