

2022年 5月 2 5日

此文件在 收到・城市規劃委員會  
只會在收到所有必要的資料及文件後才正式確認收到  
申請的日期。

Appendix I of RNTPC  
Paper No. A/SK-TLS/60A

This document is received on 25 MAY 2022.  
The Town Planning Board will formally acknowledge  
the date of receipt of the application only upon receipt  
of all the required information and documents.

Form No. S16-I  
表格第 S16-I 號

**APPLICATION FOR PERMISSION  
UNDER SECTION 16 OF  
THE TOWN PLANNING ORDINANCE  
(CAP.131)**

根據《城市規劃條例》(第131章)  
第16條遞交的許可申請

**Applicable to proposals not involving or not only involving:**  
適用於建議不涉及或不祇涉及:

- (i) **Construction of “New Territories Exempted House(s)”;**  
興建「新界豁免管制屋宇」;
- (ii) **Temporary use/development of land and/or building not exceeding 3 years in rural areas; and**  
位於鄉郊地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展;及
- (iii) **Renewal of permission for temporary use or development in rural areas**  
位於鄉郊地區的臨時用途或發展的許可續期

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:  
[https://www.info.gov.hk/tpb/en/plan\\_application/apply.html](https://www.info.gov.hk/tpb/en/plan_application/apply.html)

申請人如欲在本地報章刊登申請通知,以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟,請瀏覽以下網址有關在指定的報章刊登通知:  
[https://www.info.gov.hk/tpb/tc/plan\\_application/apply.html](https://www.info.gov.hk/tpb/tc/plan_application/apply.html)

**General Note and Annotation for the Form**  
**填寫表格的一般指引及註解**

# “Current land owner” means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before the application is made  
「現行土地擁有人」指在提出申請前六星期,其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill “NA” for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足,請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內加上「✓」號

2200853 1/4 by hand

Form No. S16-I 表格第 S16-I 號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	A/SK-TLS/60
	Date Received 收到日期	25 MAY 2022

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.  
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).  
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.info.gov.hk/tpb/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處 (熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓) 索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.  
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

### 1. Name of Applicant 申請人姓名/名稱

( ☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構 )

Fat Yuen Temple Limited

### 2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

( ☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☒ Company 公司 / ☐ Organisation 機構 )

Aikon Development Consultancy Limited

### 3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories
(b) Site area and/or gross floor area involved 涉及的地盤面積及/或總樓面面積	<input checked="" type="checkbox"/> Site area 地盤面積 ..... 994.6 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約 <input checked="" type="checkbox"/> Gross floor area 總樓面面積 ..... 735 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	..... 65.5 ..... sq.m 平方米 <input checked="" type="checkbox"/> About 約



(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	Draft Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/9
(e) Land use zone(s) involved 涉及的土地用途地帶	"Village Type Development" zone and "Green Belt" zone
(f) Current use(s) 現時用途	Religious Use  (If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

#### 4. "Current Land Owner" of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

- ☒ is the sole "current land owner"<sup>##</sup> (please proceed to Part 6 and attach documentary proof of ownership).  
是唯一的「現行土地擁有人」<sup>##</sup> (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the "current land owners"<sup>##</sup> (please attach documentary proof of ownership).  
是其中一名「現行土地擁有人」<sup>##</sup> (請夾附業權證明文件)。
- ☐ is not a "current land owner"<sup>##</sup>.  
並不是「現行土地擁有人」<sup>##</sup>。

- ☐ The application site is entirely on Government land (please proceed to Part 6).  
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

#### 5 Statement on Owner's Consent/Notification

##### 就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at ..... (DD/MM/YYYY), this application involves a total of ..... "current land owner(s)"<sup>##</sup>.  
根據土地註冊處截至 ..... 年 ..... 月 ..... 日的記錄，這宗申請共牽涉 ..... 名「現行土地擁有人」<sup>##</sup>。

(b) The applicant 申請人 –

- ☐ has obtained consent(s) of ..... "current land owner(s)"<sup>##</sup>.  
已取得 ..... 名「現行土地擁有人」<sup>##</sup>的同意。

Details of consent of "current land owner(s)" <sup>##</sup> obtained 取得「現行土地擁有人」 <sup>##</sup> 同意的詳情		
No. of "Current Land Owner(s)" 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified ..... "current land owner(s)"<sup>#</sup>  
已通知 ..... 名「現行土地擁有人」<sup>#</sup>。

Details of the "current land owner(s)"<sup>#</sup> notified 已獲通知「現行土地擁有人」<sup>#</sup>的詳細資料

No. of 'Current Land Owner(s)' 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼/處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):  
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the "current land owner(s)" on ..... (DD/MM/YYYY)<sup>#&</sup>  
於 ..... (日/月/年)向每一名「現行土地擁有人」<sup>#</sup>郵遞要求同意書<sup>&</sup>

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on ..... (DD/MM/YYYY)<sup>&</sup>  
於 ..... (日/月/年)在指定報章就申請刊登一次通知<sup>&</sup>
- ☐ posted notice in a prominent position on or near application site/premises on ..... (DD/MM/YYYY)<sup>&</sup>  
於 ..... (日/月/年)在申請地點/申請處所或附近的顯明位置貼出關於該申請的通知<sup>&</sup>
- ☐ sent notice to relevant owners' corporation(s)/owners' committee(s)/mutual aid committee(s)/management office(s) or rural committee on ..... (DD/MM/YYYY)<sup>&</sup>  
於 ..... (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會<sup>&</sup>

Others 其他

- ☐ others (please specify)  
其他 (請指明)

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註: 可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段 (倘適用) 及處所 (倘有) 分別提供資料

**6. Type(s) of Application 申請類別**

- ☐ Type (i) Change of use within existing building or part thereof  
第(i)類 更改現有建築物或其部分內的用途
- ☐ Type (ii) Diversion of stream / excavation of land / filling of land / filling of pond as required under Notes of Statutory Plan(s)  
第(ii)類 根據法定圖則《註釋》內所要求的河道改道／挖土／填土／填塘工程
- ☐ Type (iii) Public utility installation / Utility installation for private project  
第(iii)類 公用事業設施裝置/私人發展計劃的公用設施裝置
- ☐ Type (iv) Minor relaxation of stated development restriction(s) as provided under Notes of Statutory Plan(s)  
第(iv)類 略為放寬於法定圖則《註釋》內列明的發展限制
- ☒ Type (v) Use / development other than (i) to (iii) above  
第(v)類 上述的(i)至(iii)項以外的用途／發展

Note 1: May insert more than one 「✓」.

註 1：可在多於一個方格內加上「✓」號

Note 2: For Development involving columbarium use, please complete the table in the Appendix.

註 2：如發展涉及靈灰安置用途，請填妥於附件的表格。

**(i) For Type (i) application 供第(i)類申請**

(a) Total floor area involved 涉及的總樓面面積	sq.m 平方米		
(b) Proposed use(s)/development 擬議用途/發展	(If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)		
(c) Number of storeys involved 涉及層數		Number of units involved 涉及單位數目	
(d) Proposed floor area 擬議樓面面積	Domestic part 住用部分 .....		sq.m 平方米 <input type="checkbox"/> About 約
	Non-domestic part 非住用部分 .....		sq.m 平方米 <input type="checkbox"/> About 約
	Total 總計 .....		sq.m 平方米 <input type="checkbox"/> About 約
(e) Proposed uses of different floors (if applicable) 不同樓層的擬議用途(如適用) (Please use separate sheets if the space provided is insufficient) (如所提供的空間不足，請另頁說明)	Floor(s) 樓層	Current use(s) 現時用途	Proposed use(s) 擬議用途

**(ii) For Type (ii) application 供第(ii)類申請**

(a) Operation involved 涉及工程	<input type="checkbox"/> Diversion of stream 河道改道 <input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 ..... m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 ..... m 米 <input type="checkbox"/> About 約 <input type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of excavation 挖土深度 ..... m 米 <input type="checkbox"/> About 約 (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用圖則顯示有關土地/池塘界線, 以及河道改道、填塘、填土及/或挖土的細節及/或範圍)
	(b) Intended use/development 有意進行的用途/發展

**(iii) For Type (iii) application 供第(iii)類申請**

(a) Nature and scale 性質及規模	<input type="checkbox"/> Public utility installation 公用事業設施裝置 <input type="checkbox"/> Utility installation for private project 私人發展計劃的公用設施裝置 Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate 請註明有關裝置的性質及數量, 包括每座建築物/構築物(倘有)的長度、高度和闊度											
	<table border="1"> <thead> <tr> <th>Name/type of installation 裝置名稱/種類</th> <th>Number of provision 數量</th> <th>Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> (Please illustrate on plan the layout of the installation 請用圖則顯示裝置的布局)	Name/type of installation 裝置名稱/種類	Number of provision 數量	Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)								
Name/type of installation 裝置名稱/種類	Number of provision 數量	Dimension of each installation /building/structure (m) (LxWxH) 每個裝置/建築物/構築物的尺寸 (米) (長 x 闊 x 高)										

**(iv) For Type (iv) application 供第(iv)類申請**

(a) Please specify the proposed minor relaxation of stated development restriction(s) and **also fill in the proposed use/development and development particulars in part (v) below** –

請列明擬議略為放寬的發展限制並填妥於第(v)部分的擬議用途/發展及發展細節 –

- ☐ Plot ratio restriction 地積比率限制 From 由 ..... to 至 .....
- ☐ Gross floor area restriction 總樓面面積限制 From 由 .....sq. m 平方米 to 至 .....sq. m 平方米
- ☐ Site coverage restriction 上蓋面積限制 From 由 .....% to 至 .....%
- ☐ Building height restriction 建築物高度限制  
From 由 .....m 米 to 至 ..... m 米  
From 由 ..... mPD 米 (主水平基準上) to 至 .....mPD 米 (主水平基準上)  
From 由 ..... storeys 層 to 至 ..... storeys 層
- ☐ Non-building area restriction 非建築用地限制 From 由 .....m to 至 .....m
- ☐ Others (please specify) 其他 (請註明) .....

**(v) For Type (v) application 供第(v)類申請**

(a) Proposed use(s)/development  
擬議用途/發展

Proposed Religious Institution  
(Ancillary Quarters and Facilities to Existing Temple)

(Please illustrate the details of the proposal on a layout plan 請用平面圖說明建議詳情)

**(b) Development Schedule 發展細節表**

Proposed gross floor area (GFA) 擬議總樓面面積	..... 735 ..... sq.m 平方米	<input checked="" type="checkbox"/> About 約
Proposed plot ratio 擬議地積比率	..... 0.74 .....	<input checked="" type="checkbox"/> About 約
Proposed site coverage 擬議上蓋面積	..... 37 ..... %	<input checked="" type="checkbox"/> About 約
Proposed no. of blocks 擬議座數	..... 2 .....	
Proposed no. of storeys of each block 每座建築物的擬議層數	..... 1-3 ..... storeys 層	
	<input type="checkbox"/> include 包括 0 storeys of basements 層地庫	
	<input type="checkbox"/> exclude 不包括 0 storeys of basements 層地庫	
Proposed building height of each block 每座建築物的擬議高度	145.65 - 147.2 mPD 米 (主水平基準上)	<input checked="" type="checkbox"/> About 約
	..... 9.45-11 ..... m 米	<input checked="" type="checkbox"/> About 約



☐ Domestic part 住用部分

GFA 總樓面面積 ..... sq. m 平方米 ☐ About 約  
 number of Units 單位數目 .....  
 average unit size 單位平均面積 .....sq. m 平方米 ☐ About 約  
 estimated number of residents 估計住客數目 .....

☐ Non-domestic part 非住用部分

## GFA 總樓面面積

☐ eating place 食肆 ..... sq. m 平方米 ☐ About 約  
☐ hotel 酒店 ..... sq. m 平方米 ☐ About 約

(please specify the number of rooms

請註明房間數目) .....

☐ office 辦公室 ..... sq. m 平方米 ☐ About 約

☐ shop and services 商店及服務行業 ..... sq. m 平方米 ☐ About 約

☐ Government, institution or community facilities (please specify the use(s) and concerned land  
 政府、機構或社區設施 area(s)/GFA(s) 請註明用途及有關的地面面積／總  
 樓面面積)

.....  
 .....  
 .....

☒ other(s) 其他

(please specify the use(s) and concerned land  
 area(s)/GFA(s) 請註明用途及有關的地面面積／總  
 樓面面積)

1. Existing Temple - Roofed Area: About 186 sqm /  
 GFA: About 186 sqm

2. Proposed Religious Institution (Ancillary Quarters  
 and Facilities to Existing Temple) .....

- Roofed Area: About 186 sqm / GFA: About 549 sqm

(please specify land area(s) 請註明地面面積)

☐ Open space 休憩用地

☐ private open space 私人休憩用地 ..... sq. m 平方米 ☐ Not less than 不少於

☐ public open space 公眾休憩用地 ..... sq. m 平方米 ☐ Not less than 不少於

## (c) Use(s) of different floors (if applicable) 各樓層的用途 (如適用)

[Block number] [座數]	[Floor(s)] [層數]	[Proposed use(s)] [擬議用途]
1 (Proposed Development)	G/F 1/F 2/F R/F	Staff Dining Area, Kitchen, Library, Meditation Room/ Retreat Room, Lavatories, E&M Meeting Room, Meditation Room/ Retreat Room, Lavatories, E&M Monks Quarters Rooms, E&M Flat Roof, E&M, Water Tank
1 (Existing Temple)	1/F	Existing Temple

## (d) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途

...Parking space.....  
 .....  
 .....  
 .....  
 .....

## 7. Anticipated Completion Time of the Development Proposal 擬議發展計劃的預計完成時間

Anticipated completion time (in month and year) of the development proposal (by phase (if any)) (e.g. June 2023)  
擬議發展計劃預期完成的年份及月份 (分期 (倘有)) (例：2023 年 6 月)  
(Separate anticipated completion times (in month and year) should be provided for the proposed public open space and Government, institution or community facilities (if any))  
(申請人須就擬議的公眾休憩用地及政府、機構或社區設施 (倘有) 提供個別擬議完成的年份及月份)

Proposed Religious Institution(Ancillary Quarters and Facilities to Existing Temple) is anticipated to be completed in Year 2024.

## 8. Vehicular Access Arrangement of the Development Proposal 擬議發展計劃的行車通道安排

<p>Any vehicular access to the site/subject building? 是否有車路通往地盤／有關建築物？</p>	<p>Yes 是</p> <p>No 否</p>	<p><input checked="" type="checkbox"/> There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用))</p> <p>.....</p> <p><input type="checkbox"/> There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示，並註明車路的闊度)</p> <p><input type="checkbox"/></p>
<p>Any provision of parking space for the proposed use(s)? 是否有為擬議用途提供停車位？</p>	<p>Yes 是</p> <p>No 否</p>	<p><input checked="" type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示)</p> <p>Private Car Parking Spaces 私家車車位 <span style="float: right;">1</span></p> <p>Motorcycle Parking Spaces 電單車車位 <span style="float: right;">_____</span></p> <p>Light Goods Vehicle Parking Spaces 輕型貨車泊車位 <span style="float: right;">_____</span></p> <p>Medium Goods Vehicle Parking Spaces 中型貨車泊車位 <span style="float: right;">_____</span></p> <p>Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 <span style="float: right;">_____</span></p> <p>Others (Please Specify) 其他 (請列明) <span style="float: right;">_____</span></p> <p>_____ <span style="float: right;">_____</span></p> <p>_____ <span style="float: right;">_____</span></p>
<p>Any provision of loading/unloading space for the proposed use(s)? 是否有為擬議用途提供上落客貨車位？</p>	<p>Yes 是</p> <p>No 否</p>	<p><input type="checkbox"/> (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示)</p> <p>Taxi Spaces 的士車位 <span style="float: right;">_____</span></p> <p>Coach Spaces 旅遊巴車位 <span style="float: right;">_____</span></p> <p>Light Goods Vehicle Spaces 輕型貨車車位 <span style="float: right;">_____</span></p> <p>Medium Goods Vehicle Spaces 中型貨車車位 <span style="float: right;">_____</span></p> <p>Heavy Goods Vehicle Spaces 重型貨車車位 <span style="float: right;">_____</span></p> <p>Others (Please Specify) 其他 (請列明) <span style="float: right;">_____</span></p> <p>_____ <span style="float: right;">_____</span></p> <p>_____ <span style="float: right;">_____</span></p> <p><input checked="" type="checkbox"/></p>

**9. Impacts of Development Proposal 擬議發展計劃的影響**

If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures.

如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。

<p>Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?</p>	<p>Yes 是          No 否</p>	<p><input type="checkbox"/> Please provide details 請提供詳情</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p><input checked="" type="checkbox"/></p>																																				
<p>Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程? (Note: where Type (ii) application is the subject of application, please skip this section. 註：如申請涉及第(ii)類申請，請跳至下一條問題。)</p>	<p>Yes 是          No 否</p>	<p><input checked="" type="checkbox"/> (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線，以及河道改道、填塘、填土及/或挖土的細節及/或範圍)</p> <p><input type="checkbox"/> Diversion of stream 河道改道</p> <p><input type="checkbox"/> Filling of pond 填塘 Area of filling 填塘面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填塘深度 ..... m 米 <input type="checkbox"/> About 約</p> <p><input type="checkbox"/> Filling of land 填土 Area of filling 填土面積 ..... sq.m 平方米 <input type="checkbox"/> About 約 Depth of filling 填土厚度 ..... m 米 <input type="checkbox"/> About 約</p> <p><input checked="" type="checkbox"/> Excavation of land 挖土 Area of excavation 挖土面積.....90..... sq.m 平方米 <input checked="" type="checkbox"/> About 約 Depth of excavation 挖土深度.....7.....m 米 <input checked="" type="checkbox"/> About 約 The area of excavation will be confirmed in detailed design stage. The Applicant will commit to hire professional land surveyor to conduct a detailed land survey and provide the exact area of excavation involved in the proposed development if this application is approved.</p> <p><input type="checkbox"/></p>																																				
<p>Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?</p>	<p>On environment 對環境 On traffic 對交通 On water supply 對供水 On drainage 對排水 On slopes 對斜坡 Affected by slopes 受斜坡影響 Landscape Impact 構成景觀影響 Tree Felling 砍伐樹木 Visual Impact 構成視覺影響 Others (Please Specify) 其他 (請列明)</p> <p>.....</p> <p>.....</p>	<table border="0"> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Yes 會</td> <td><input type="checkbox"/></td> <td>No 不會</td> <td><input checked="" type="checkbox"/></td> </tr> </table>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>	Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>
Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>																																			
Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>																																			
Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>																																			
Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>																																			
Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>																																			
Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>																																			
Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>																																			
Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>																																			
Yes 會	<input type="checkbox"/>	No 不會	<input checked="" type="checkbox"/>																																			
<p>Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)</p> <p><u>Please refer to the attached Planning Statement.</u></p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>																																						

**10. Justifications 理由**

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.  
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

Please refer to the attached Planning Statement.

**11. Declaration 聲明**

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.  
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion. 本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature  
簽署

☐ Applicant 申請人 / ☒ Authorised Agent 獲授權代理人

Isa YUEN

N/A

Name in Block Letters  
姓名（請以正楷填寫）

Position (if applicable)  
職位（如適用）

Professional Qualification(s) ☐ Member 會員 / ☐ Fellow of 資深會員

專業資格

☐ HKIP 香港規劃師學會 /

☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 /

☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 /

☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他

on behalf of **Aikon Development Consultancy Limited**  
代表

☒ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

31.3.2022

(DD/MM/YYYY 日/月/年)

**Remark 備註**

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

**Warning 警告**

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

**Statement on Personal Data 個人資料的聲明**

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and  
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及  
(b) facilitating communication between the applicant and the Secretary of the Board/Government departments.  
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。





## **Section 16 Planning Application**

Proposed Religious Institution (Ancillary  
Quarters and Facilities to Existing Temple)  
at Lot 542 in D.D. 401 and the adjoining  
Government Land, Ma Yau Tong, Sai Kung,  
New Territories

### *Planning Statement*

Address:  
Unit 1310, Level 13, Tower 2 Metroplaza,  
No. 223 Hing Fong Road, Kwai Chung, Hong Kong  
Tel : (852) 3180 7811  
Fax : (852) 3180 7611  
Email: info@aikon.hk

Prepared by  
***Aikon Development Consultancy Ltd.***

March 2022

## EXECUTIVE SUMMARY

*(In case of discrepancy between English and Chinese versions, English shall prevail)*

This Planning Statement is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the Current Application”) for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories (hereinafter referred to “the Application Site”). The Application Site has a total area of approximately 994.6m<sup>2</sup> (including about 65.5m<sup>2</sup> of Government Land). This Planning Statement serves to provide background information and planning justifications in support of the Current Application in order to facilitate the consideration by the Board.

The Current Application involves an existing temple namely Fat Yuen Temple (hereinafter referred to “the existing temple”) and a proposed development of a 3-storey building serving as Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) (hereinafter referred to “proposed ancillary use”). The total gross floor area (GFA) of the Current Application is about 735m<sup>2</sup>, which comprises the existing temple block with a GFA of about 186m<sup>2</sup> (about 25%) and the proposed ancillary use with a GFA of about 549m<sup>2</sup> (about 75%).

The Applicant is a non-profit organization aiming to advocate Buddhism in Hong Kong and has operated the existing temple with simple and crude ancillary facilities for many years. While there are currently temporary structures in the vicinity of the existing temple for sheltering monks and carrying out various religious activities in support of the existing temple, the existing temporary structures are considered to be structurally unsafe and subject to various defects and concerns. The Applicant therefore wishes to seek planning permission from the Board for the proposed ancillary use for regularizing the current setting by relocating existing religious activities into the proposed ancillary use so as to house the aged monks in a safe and hygienic shelter and continue their daily religious activities. The proposed ancillary use would also improve the overall management and operation of the existing temple and facilitate the advocacy of Buddhism.

The Application Site falls largely within an area zoned “Village Type Development” (“V”) (about 83%) with the remaining minor portion of the area (about 17%) falling within “Green Belt” (“GB”) on the Draft Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/9 which was exhibited for public inspection on 25.2.2022 (hereinafter referred to as “the Current OZP”). According to the Notes of the Current OZP, ‘Religious Institution’ is a Column 2 use for both “V” and “GB” zones. Planning permission from the Board is therefore required.

Majority of the Application Site falling within “V” zone is currently used for religious use in relation to the existing temple. The entire portion falling within the “GB” zone is currently vacant. Upon approval of the Current Application, the proposed ancillary use will be erected entirely within the “V” zone portion of the Application Site. No development will be proposed

within the “GB” zone portion of the Application Site. As detailed throughout this Planning Statement, the Current Application is well justified on the grounds that: -

- (a) There is a genuine need for a proper and permanent ancillary shelter in housing the aged monks, the proposed ancillary use would provide a standardised, safe and hygienic environment that is less prone to storms, water leakage and fire hazards. The proposed ancillary use would continually support the operation of the existing temple;*
- (b) The proposed ancillary use aims to regularise current setting with temporary substandard structures by consolidating current scattered religious activities, and relocating them to a standardised, controlled indoor environment. It is also intended to demolish current substandard structures and comply with relevant regulations and requirements;*
- (c) The proposed ancillary use is purely serving as religious purpose and would give an opportunity to the Applicant to utilise the Application Site to provide a pleasant, safe and convenient living environment for continual promotion of Chinese Buddhism and serving of loyal Buddhists;*
- (d) The existing temple has a long history and majority of the Application Site falling within “V” zone has long been established for religious purposes before the gazettal of the Tseng Lan Shue Interim Development Permission Area Plan No. IDPA/SK-TLS/1 dated 12.10.1990 (hereinafter referred to as “IDPA Plan”) and development of the adjoining village;*
- (e) The proposed ancillary use that is serving as religious purposes is line with uses permitted under lease conditions;*
- (f) The site for erecting the proposed ancillary use is an appropriate location in functional and environmental aspects since it is in close proximity to the existing temple and does not encroach upon the “GB” zone;*
- (g) The Current Application allows better utilisation of land resources since the subject lot (i.e. Lot 542 in D.D. 401) is under single ownership by the Applicant, who has no intention to utilize the subject lot for New Territories Exempted Houses (hereinafter referred to as “NTEHs”) development;*
- (h) The proposed ancillary use is not incompatible with the surrounding uses, which is predominately occupied by low rise residential developments and village houses.*
- (i) The proposed ancillary use would not set an undesirable precedent since there are similar applications approved within other OZPs and the Current Application shares similar merits, and;*
- (j) The proposed ancillary use is small in scale and no adverse impacts from traffic, visual, landscape, environmental and infrastructure perspectives are anticipated.*

In view of the above and the list of detailed planning justifications in the Planning Statement, it is sincerely hoped that members of the Board will give favourable consideration to approve the Current Application.

## 行政摘要

(如內文與其英文版本有差異，則以英文版本為準)

此規劃報告書在支持一宗遞交予城市規劃委員會（以下簡稱「城規會」）的規劃申請（以下簡稱「是次申請」），作擬議宗教機構（現存寺院的附屬宿舍及設施）。該申請所涉及地點位於新界西貢馬油塘丈量約份第 401 約地段第 542 號及毗鄰政府土地（以下簡稱「申請地點」）。申請地點的面積約為約 994.6 平方米（包括約 65.5 平方米的政府土地）。此規劃報告書提供該申請的背景資料及規劃理據以支持擬議用途供城規會考慮。

是次申請包括現存法源寺（以下簡稱「現存寺院」）以及一幢三層高作擬議宗教機構（現存寺院的附屬宿舍及設施）的擬議發展項目（以下簡稱「擬議附屬用途」）。是次申請的總樓面面積共約 735 平方米，其中現存寺院的總樓面面積為約 186 平方米（佔約 25%），擬議附屬用途總樓面面積為約 549 平方米（佔約 75%）。

申請人乃一間非牟利機構，致力於香港宏揚佛法。申請人自久以來一直營運著現存寺院，並一直利用於現存寺院毗鄰的現存簡陋建築物作僧侶處所及宗教用途以支援現時寺院的運作。鑑於該臨時建築物長年受風化影響，除結構安全成疑，亦飽受各項困擾憂患。有見及此，申請人希望藉此機會將目前的作業規範化，將現時的宗教活動移至擬議附屬用途，以提供一個安全的而衛生的處所讓主持繼續營運現存寺院。擬議發展將完善現存寺院的運作，並加以推廣佛法傳承。

申請地點於 2022 年 2 月 25 日供公眾查閱的井欄樹分區計劃大綱草圖編號（編號：S/SK-TLS/9）內大部分被劃為「鄉村式發展」地帶（約 83%），其餘少部分為「綠化地帶」（約 17%）。考慮到擬議附屬用途所屬之「宗教機構」均屬於「鄉村式發展」地帶及「綠化地帶」的第二欄用途，因此須向城規會提出申請。

目前大部分立於「鄉村式發展」的申請地點用作支持現時寺院的宗教用途，其餘於「綠化地帶」的土地則閒置用地。擬議附屬用途將完全位於「鄉村式發展」上，是次申請並不涉及於「綠化地帶」進行任何發展。此規劃報告書內詳細闡述擬建用途的規劃理據，當中包括：-

- (一) 擬議附屬用途是為著回應目前現存寺院殷切需求，為年邁的僧侶提供一個恰當而永久的處所及一個免受風暴、漏水及火災憂患的環境。該標準化、安全、衛生的處所將繼續支持現存寺院的運作；
- (二) 擬議附屬用途是為著規範化目前的作業，並將目前於臨時建築物及周邊分散的宗教活動歸入一個受管理並受法規所定的室內環境，亦會清拆現時臨時建築物並滿足相關法例及其他法規之要求；
- (三) 擬議附屬用途完全用作宗教用途，並提供一個舒適、安全而便捷的環境以服務善信、宏揚佛法；
- (四) 現存寺院歷史悠久，而絕大部分坐落於「鄉村式發展」地帶的申請地點於中期發展審批地區憲報首次刊登前已建立用作宗教活動；
- (五) 擬議附屬用途為宗教用途，與土地契約訂明之用途一致；
- (六) 考慮到擬議附屬用途毗鄰現存寺院，並不涉及於「綠化地帶」進行任何發展，其選取地點於功能及環境考慮上視為適合作擬議附屬用途；
- (七) 申請人為申請地點所涉及的私人地段（即第 401 約地段第 542 號）唯一的現行土地擁有人，考慮到申請人無意發展該私人地段作小型屋宇用途，是次申請有助善用土地資源；

- (八) 申請地點的擬議附屬用途與鄰近的鄉郊環境並非不協調，不會造成不良影響；
- (九) 考慮到在其他大綱圖的「鄉村式發展」地帶中已有類似是次申請的規劃申請獲批准，而是次申請具備相同的優點，批准擬議附屬用途並不會立下不良先例，及
- (十) 擬議附屬用途規模細小，預計不會為帶來交通、視覺、景觀、環境及建設上的不良影響。

鑑於以上及此規劃報告書所提供的詳細規劃理據，懇請城規會各委員批准該申請。



## **Table of Contents**

<b>1</b>	<b>INTRODUCTION</b>	<b>3</b>
1.1	Purpose	3
1.2	Background	4
1.3	Objectives	6
1.4	Structure of the Planning Statement	6
<b>2</b>	<b>SITE PROFILE</b>	<b>8</b>
2.1	Location and Current condition of the Application Site	8
2.2	Surrounding Land-use Characteristics	9
2.3	Land Status	9
<b>3</b>	<b>PLANNING CONTEXT</b>	<b>11</b>
3.1	The Current OZP	11
3.2	Previous Planning Applications	12
3.3	Similar Planning Applications	12
<b>4</b>	<b>THE DEVELOPMENT PROPOSAL</b>	<b>14</b>
4.1	Site Configuration, Layout and Operation	14
4.2	Development Parameters	15
4.3	Design and Operation	15
4.4	Vehicular Access and Parking Arrangement	17
4.5	Landscape Treatment	17
4.6	Provision of Drainage Facilities	18
4.7	Provision of Sewage Treatment	18
<b>5</b>	<b>PLANNING JUSTIFICATIONS</b>	<b>19</b>
5.1	Genuine Need for a Proper and Permanent Ancillary Shelter for the Aged Monks	19
5.2	Regularize Current Substandard Setting	19
5.3	Provide a Better Environment in Advocating Buddhism	19
5.4	Respecting Long Site History and Existing Use	20
5.5	In Line with Uses Permitted Under Lease Conditions	20
5.6	Appropriate Location for the Proposed Ancillary Use And Better Utilization of Valuable Land Resources	20
5.7	Non-incompatible Use	21
5.8	Not Setting an Undesirable Precedent	21
5.9	No Adverse Traffic Impact	21
5.10	No Adverse Visual Impact	22
5.11	No Adverse Landscape Impact	22
5.12	No Adverse Environmental Impact	22
5.13	No Adverse Infrastructural, Drainage nor Sewerage Impact	23
<b>6</b>	<b>CONCLUSION</b>	<b>24</b>

**List of Tables**

Table 1	Similar Planning Applications for Uses being similar to the Proposed Use covered by the various OZPs in the recent 10 years
Table 2	Schedule of Accommodation
Table 3	Major Development Parameters of the Current Application

**List of Figures**

Figure 1	The Location Plan
Figure 2	The Location Plan (Cont'd)
Figure 3	Extract of Lot Index Plan No. ags_S00000088654_0001
Figure 4	Draft of Approved Tseng Lan Shue Outline Zoning Plan No. S/SK-TLS/9

**List of Illustrations**

Illustration 1-I	Extract of Aerial Photo prior to 1990
Illustration 1-II	Extract of Aerial Photo dated 6.7.1989
Illustration 1-III	Existing Condition of the Application Site
Illustration 1-IV	Existing Condition of the Application Site (Cont'd)
Illustration 1-V	Existing Condition of the Application Site (Cont'd)
Illustration 2-I	Surrounding Land Uses
Illustration 2-II	Surrounding Land Uses (Cont'd.)
Illustration 2-III	Public Transport Facilities

**List of Appendices**

Appendix I	Architectural Drawings and Plans
------------	----------------------------------

# 1 INTRODUCTION

## 1.1 Purpose

- 1.1.1 Pursuant to Section 16 of the Town Planning Ordinance (TPO) (Cap. 131), this Planning Statement is submitted to the Town Planning Board (hereinafter referred to as “the Board”) in support of a planning application (hereinafter referred to as “the Current Application”) for **Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple)** at Lot 542 in D.D. 401 and adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories (hereinafter referred to “the Application Site”). This Planning Statement serves to provide background information and planning justifications in support of the Current Application in order to facilitate the consideration by the Board. The location of the Application Site is shown on **Figure 1 and Figure 2**. The Application Site has a total area of approximately 994.6 m<sup>2</sup> (including about 65.5 m<sup>2</sup> of Government Land). **Figure 3** indicates the relevant private lot and the Government Land in which the Application Site involves.
- 1.1.2 The Current Application involves an existing temple namely Fat Yuen Temple (hereinafter referred to “the existing temple”) and a proposed development of a 3-storey building serving as Proposed Religious Institution (ancillary quarters and facilities to existing temple) (hereinafter referred to “proposed ancillary use”). The total gross floor area (GFA) of the Current Application is about 735m<sup>2</sup>, which comprises the existing temple block with a GFA of about 186m<sup>2</sup> (about 25%) and the proposed ancillary use with a GFA of about 549m<sup>2</sup> (about 75%).
- 1.1.3 The proposed ancillary use locates to the east of existing temple, comprises of monks quarters rooms, meditation rooms and retreat rooms, meeting rooms, library, kitchen, staff dining areas and other ancillaries. The proposed ancillary use will be serving the existing temple and be purely used for religious purpose.
- 1.1.4 The Applicant, Fat Yuen Temple Limited (hereafter collectively referred to as “the Applicant”), is a non-profit organization established on 4.9.1981. Since its establishment, the Applicant has operated the existing temple inherited from their predecessor and maintain daily operation of the existing temple with simple and crude ancillary facilities for many years. While there are currently temporary structures in the vicinity of the existing temple for sheltering monks and carrying out various religious activities in support of the existing temple, the existing temporary structures are dilapidated and are considered to be structurally unsafe and prone to water leakage, flooding, and fire hazards. In view of the aged monks are no longer able to carry out frequent maintenance and repair works by themselves, the Applicant therefore is seeking a planning permission in regularising current setting by relocating existing religious activities into the proposed ancillary use so as to house the aged monks in a safe and hygienic shelter and continue their daily serving activities.

- 1.1.5 Having a religious institution with quarters and ancillary facility next to a temple is a norm in Buddhist practice and a proper ancillary building is considered necessary in carrying out daily operation of the temple, including providing venue for spiritual learning, chanting, meeting, storage of scripture, books, cleaning tools and other utilities, venue for cooking and dining etc. Considered the current temporary nature and operational limitations of the substandard structures, in hope of serving the existing temple by their heirs in long run, the Applicant wishes to regularise current substandard setting by proposing a permanent building, a 3-storey ancillary building for ancillary quarters and facilities adjoining the existing temple. The major objective is to regularise current setting by consolidating current scattered religious activities within a standardised, controlled, and indoor environment, this relocation is aimed for provision of proper and permanent shelter for the monks and allowing better operation and management in the future. The proposed ancillary use that would continue serving the religious purpose, was supported by the Hong Kong Buddhist Association. As a recognised religious organisation, it is anticipated that the proposed ancillary use would facilitate the advocacy of Buddhism in Hong Kong.
- 1.1.6 The Application Site mainly falls within an area zoned “Village Type Development” (“V”) (about 83 %) with a small portion within an area zoned “Green Belt” (“GB”) (about 17%) on the Draft Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/9 which was exhibited for public inspection under section 5 of the Ordinance on 25.2.2022 (hereinafter referred to as “the Current OZP”) (please refer to **Figure 4**). According to the Notes of the Current OZP, the proposed ancillary use should be regarded as ‘Religious Institution’ use which is a Column 2 use for both “V” and “GB” zones. Planning permission from the Board under section 16 of Town Planning Ordinance is therefore required. Although a minor portion of the Application Site falls within “GB” zone, no developments or structures are proposed within the “GB” zone portion of the Application Site. In this connection, the Applicant wishes to apply for a planning permission from the Board.
- 1.1.7 Prepared on behalf of the Applicant, Aikon Development Consultancy Limited has been commissioned to prepare and submit the Current Application.

## 1.2 Background

### *Brief Account of the Applicant*

- 1.2.1 The Applicant, Fat Yuen Temple Limited was found as a non-profit organisation in Hong Kong since 1981. The mission of the Applicant is to arrange and organize Buddhism activities to promote, advocate, and practice the dharma of Buddhism; to establish, construct, and maintain the temple, pagoda, and censer for Buddhist monks to practice monastics and Buddhist worship; to sponsor, support, establish, and maintain different types of social welfare and education and healthcare organizations, including elderly retreat houses, schools, memorial halls, ancestor halls etc. and to organize charity events and promote public welfare. Over the years, the Applicant has dedicated themselves in advocating Buddhism by providing venue for chanting,

spiritual learning and services for Buddhists and arranging religious assembly with their continuous effort. It is noted that the Applicant is being recognised by Hong Kong Buddhist Association for its long religious history and efforts on promoting social welfare.

- 1.2.2 The Applicant, Fat Yuen Temple Limited is on list as 'Administered Temples' of Chinese Temples Committee (華人廟宇委員會), that is a statutory body established in 1928 under the Chinese Temples Ordinance (Chapter 153). The Applicant is also a religious and charitable organisation under section 88 of the Inland Revenue Ordinance (IRO).

*Background of the Application Site*

- 1.2.3 According to the Applicant, their predecessor found the location in which majority of the Application Site is located since 1950s and started reclaiming land at the Application Site in a primitive manner. As shown in **Illustration 1-I**, establishments for the existing temple have long been existed, with form of temple structures erected before 1976. Part of these structures are served as monks quarters at the time being. Modification letter from Lands Department ("LandsD") was issued in permitting chai tong development on 27.2.1975, which permitted the erection of a religious development, alias Fat Yuen Temple, with additional premium. In 1978, the Application Site saw a square-shaped structure, which Fat Yuen Temple was built on land surrounded by vast agricultural land. At present, the nearest village type developments at the north are found 100m from the existing temple.
- 1.2.4 Being the sole current landowner of the private lot in which the Application Site involves (i.e. Lot No. 542 in D.D. 401), the Applicant is entitled the right to develop the land as residential and/or religious purposes under lease condition.

*Existing Condition and Current operation*

- 1.2.5 On the whole, the current temple operation consists of the existing temple and existing temporary structures at the north and at the south. At present, the existing temple falls within the Application Site, with part of the temporary structures at the south also falls within the Application Site boundary (**See Illustration 1-III**).
- 1.2.6 The existing temple provides venue for chanting and meditating with statues placed in the temple hall, while the temporary structures at the south comprise of kitchen, staff dining area, meeting room, two lavatories and a shower room at G/F and monks quarters rooms at 1/F. These floors are connected by an outdoor staircase. The temporary structures are connected to the existing temple via a covered walkway at G/F and the area covered by a sheet metal roofing as a common meeting area and utility storage (**See Illustration 1-IV**).
- 1.2.7 According to the Applicant, there are three practices of dharma of Buddhism daily. The dharma of Buddhism is practiced in a way of chanting and mediating in early morning at 4:00 a.m. before opening of the temple at 9:00 a.m. After early practice



at the temple, the monks return to the current ancillary structures for cooking, dining, meeting, studying and carry out other daily chores. During opening hours, they also serve loyal Buddhists and use the current outdoor area underneath metal sheet roofing as a gathering venue. It is noted that there is insufficient room for arranging these religious gatherings, which is crucial to build a Buddhist community. After temple closure at 4:30 p.m. and the monks return to their quarters. It is noted that their daily lives heavily rely on an ancillary facility in providing them shelter and facility to operate the existing temple. While there are currently 4 to 5 monks staying in the Application Site, spare quarters rooms are always reserved for Buddhist Master visiting from Mainland, for their stay in leading chanting and spiritual learning during religious assembly. In special occasions such as dharma and religious assembly, the monks prepare dishes for limited Buddhists by using their existing kitchen. Visitors are normally limited to existing Buddhists only, who usually travel via public transport. Public visitors without referral are not served. However, with keen interests from the Buddhists, it is noted that room for chanting within existing temple is usually fully booked, and there is a concern in having insufficient room for newcomers with referral, which frustrates the advocacy of Buddhism.

- 1.2.8 In light of above, the whole operation of the existing temple requires support of an ancillary facility. While the current substandard structures are considered to be unsafe and undesirable using as ancillary quarters and facility in long run and there is insufficient room to accommodate current religious activities, therefore, the Applicant wishes to seek a more decent and permanent shelter for their monks and continue their religious activities.

### 1.3 Objectives

- 1.3.1 The Current Application strives to achieve the following objectives:-

- (a) To provide a permanent, safe and proper shelter for the aged monks and their heirs and continue support daily serving of Fat Yuen Temple;*
- (b) To regularise the current setting with temporary substandard structures by consolidating current scattered religious activities, and relocating them to a standardised, controlled indoor environment. It is also intended demolish current substandard structures and comply with relevant regulations and requirements;*
- (c) To give an opportunity to the Applicant to utilise the Application Site to a pleasant, safe and convenient living environment for continual promotion of Chinese Buddhism and serving of loyal Buddhists, and;*
- (d) To give an opportunity to put forth the proposed ancillary use under proper planning control by the Board and/or other relevant Government department(s).*

### 1.4 Structure of the Planning Statement

- 1.4.1 This Planning Statement is divided into 6 chapters. **Chapter 1** is the above introduction outlining the purpose and background of the Current Application. **Chapter 2** gives background details of the Application Site in terms of the current

land-use characteristics and neighbouring developments. Planning context of the Application Site is reviewed in **Chapter 3** whilst **Chapter 4** provides details of the Current Application as well as the design of proposed development. A full list of planning justifications is given in **Chapter 5**. **Chapter 6** summarizes the concluding remarks for the proposed ancillary use.

## 2 SITE PROFILE

### 2.1 Location and Current condition of the Application Site

- 2.1.1 As shown in **Figure 1** and **Figure 2**, the Application Site is located at southern Tseng Lan Shue in Sai Kung and is situated at the fringe of Ma Yau Tong village and “GB” zone. The Application Site is remote from urban areas and predominately in a semi-rural character. The Application Site abuts an unnamed local road which joins Ma Yau Tong Road to Tsui Lam Road and Po Lam Road.
- 2.1.2 The Application Site has a total site area of approximately 994.6m<sup>2</sup> including about 65.5m<sup>2</sup> of Government Land (about 7%). Over 74% (about 730.6m<sup>2</sup>) of the Application Site is hard paved, with a relative flat terrain where the existing temple and part of temporary structures erected. There is an existing slope which occupies approximately 84m<sup>2</sup> (about 8%) within the Application Site with an existing tank erected on it. There is a natural slope of about 180m<sup>2</sup> (about 18%) with steep profile at the fringe of the area falling within “GB” zone (See **Figure 1** and **Illustration 1-III**).
- 2.1.3 The Application site is within a 5-minutes walking distance to the main road, Po Lam Road. There is a bus stop served by 17 bus routes and existing green minibus routes providing services along Po Lam Road.
- 2.1.4 Majority of the Application Site is occupied by the Applicant operating officially as religious use since 1982. However, majority of the Application Site was found and developed by the Applicants’ predecessor long before that. As shown in the aerial photos, structures for the temple were observed since 1976 and the temple structure established in 1978 has not been changed since (See **Illustration 1-I**). The overall settings of the Application Site have not been substantially changed as to that before the gazettal of Tseng Lan Shue Interim Development Permission Area Plan No. IDPA/SK-TLS/1 dated 12.10.1990 (hereinafter referred to as “IDPA Plan”) (See **Illustration 1-II**).
- 2.1.5 The existing temple locates at the centre of the Application Site and provides a venue for chanting and meditating with statues placed in the Buddhist Hall. The existing temple consists of 1 storey with an approximate GFA of 2,000 ft<sup>2</sup>. The existing temple is about 25-feet high, erected on a foundation with 3.38m high. There is an existing outdoor staircase for accessing the existing temple.
- 2.1.6 Four blocks of temporary structures are situated to the north and south of the existing temple. A minor portion of the temporary structures is currently situated within the Application Site. These temporary structures were allowed by Government Land License and have been used as ancillary purposes by the Applicant since the development of the existing temple in 1975. These temporary structures comprise of kitchen, staff dining area, meeting room, two lavatories and a shower room at G/F and monks quarters rooms at 1/F, are connected by an outdoor staircase. As shown

in **Illustration 1-IV**, these structures that are made of iron sheet and wood, have been heavily worn out and subject to various defects. The structures are connected to the existing temple via a covered walkway at G/F and the area covered by a sheet metal roofing as a common meeting area and utility storage.

## **2.2 Surrounding Land-use Characteristics**

- 2.2.1 As shown in **Figure 1**, the Application site falls at the fringe of the “GB” zone and within Ma Yau Tong area and the surrounding environment of the Application Site is typical of a semi-rural locality characterised by low-rise villages houses.
- 2.2.2 In a local context, to the immediate north of the Application Site is a temporary structure, which is owned by the Applicant and serving as religious purpose. To the immediate east of the Application Site is a steep slope with a graveyard built on. To the immediate south of the Application Site are 3 blocks of temporary structures currently used as ancillary facilities and monks quarters for the existing temple. To the immediate west are steep slopes with vast vegetation. On the whole, the Application Site is surrounded by residential dwellings and villages houses of Ma Yau Tong at its north and east. With about 6m level difference and existing vegetation at the immediate east of the Application Site, it creates a screening effect and provides visual buffer between the proposed ancillary use and the surrounding residential dwellings.
- 2.2.3 In a wider context, as shown in **Figure 2**, the Application Site is located within Ma Yau Tong area which is on a mountain pass between Po Lam of Tseung Kwan O New Town and Lam Tin of Kowloon. To the further northeast of the Application Site are certain water treatment plants in Tseung Kwan O area. These Government, Institution or Community (hereinafter referred to as “GIC”) uses are connected to Tsui Lam Estate at their further east, a public housing site in Po Lam. To the further west of the Application Site is planned and urbanised. Large scale residential developments are situated, including Po Tat Estate and Anderson Road public housing site abuts along Po Lam Road and On Sau Road. To the further southwest of the application site is the Tseung Kwan O Tunnel Toll Station, where there is convergence of traffic between Kwun Tong area and Tseung Kwan O area.
- 2.2.4 On the whole, the Application Site falls within the fringe of a village cluster characterised by low-rise villages houses to the north and east of the Application Site and vast vegetation to the west and south of the Application Site. To the north is an area zoned “GB” which extends to northward to Tseng Lan Shue. To the south of the Application Site is Ng Kwau Shan which extends to the south to Yau Tong and Junk Bay.

## **2.3 Land Status**

- 2.3.1 As indicated by the Lot Index Plan (see **Figure 3**), the Application Site comprises one private lot, Lot No. 542 in D.D. 401 with an area of 929.1m<sup>2</sup> and the adjoining Government land. The total area of the application site is about 994.6 m<sup>2</sup> of which

about 65.5 m<sup>2</sup> of the Government land is included.

- 2.3.2 As verified by the relevant Land Registration Records, the private lot concerned is under single ownership of the Applicant. The private lot concerned, i.e., Lot No. 542 in D.D. 401, was demised as a building and agricultural lot held under New Grant Lease originally granted on 1.7.1898 with a term of 99 years. The lease was extended to 2047 by virtue of the provisions of New Territories Lease (Extension) Ordinance, Cap.150. The lease was originally granted to Applicant's predecessor on 30.6.1971 and inherited to the Applicant in 1982. Subject to lease modification which 'chai tong development' was permitted in 1975, residential use and/or religious use are permitted under the lease condition.
- 2.3.3 Upon approval of the Current Application under the Town Planning Ordinance, the Applicant will submit an application to the District Land Office for a land exchange and lease modification. In parallel, all the building works and site formation works will be submitted to the Building Department for approval.
- 2.3.4 As shown in **Figure 3**, there is a Government Land License record (S7698) covering two areas at the north and south of the Application Site where part of the current temporary structures falls within. Upon approval of the Current Application for the proposed ancillary use, the Applicant is willing to undertake demolition works of existing temporary structures and comply with relevant regulations.

### 3 PLANNING CONTEXT

#### 3.1 The Current OZP

- 3.1.1 The Application Site currently straddles across two zones, with a majority of site area falls within **“Village Type Development”** zone (“V”) (about 83%) and a minor portion falls within **“Green Belt”** zone (“GB”) (about 17%) on the Current OZP (please refer to **Figure 4**). According to the Current OZP, the planning intention of “V” zone is to designate both existing recognised villages and areas of land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is *“primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services”*. While the planning intention of “GB” zone is *“primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets”*. It should be clearly noted that the proposed ancillary use will be erected completely on “V” zone while there is no development proposed within “GB” zone.
- 3.1.2 The proposed ancillary use is in line with the definition of ‘Religious Institution’ as defined under the Definition of Terms used in Statutory Plans (hereinafter referred to as “DoT”). According to DoT, ‘Religious Institution’ means any place or premises where in accordance with the practice of religious principles services are held or prayers said by congregations loyal to a belief, which includes mosque, chapel, Tsz Tong, church, seminary, nunnery, monastery, temple, ancestral hall, shrine, pavilion, convent, and religious statue. It also includes ancillary office, car parks and/or quarters that are essential to the operation of the particular organization. The proposed ancillary use is fully in line with this definition.
- 3.1.3 According to the Notes of the Current OZP, ‘Religious Institution’ is a Column 2 use for both “V” and “GB” zones which planning permission from the Board is required. In this connection, the Applicant wishes to apply for a planning permission from the Board.
- 3.1.4 According to the remarks for “V” zone of the Current OZP, *“No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan, whichever is the greater.”* It is noted that the building height restriction for “V” zone is not applicable to the proposed ancillary use under the Current Application since it shall be categorised as ‘Religious Institution’.

### 3.2 Previous Planning Applications

3.2.1 The Application Site is not subject to any previous planning application.

### 3.3 Similar Planning Applications

3.3.1 There are no similar section 16 planning applications with the same proposed use as the proposed ancillary use of the Current Application and with the Application Site straddle across both “V” zones and “GB” zone of the Current OZP. Considered that large proportion of the Application Site falls within ‘V’ zone (about 83%), similar applications proposing religious institution within “V” zones are referenced from other OZPs. There are 9 similar applications in proposing religious institution within ‘V’ zones over past 10 years in the other OZPs. 9 similar planning applications are tabled below.

*Table 1: Similar Planning Applications for Uses being similar to the Proposed Use covered by the various OZPs in the recent 10 years*

Application No.	Proposed Use(s)	Decisions
A/YL-ST/560	Proposed Religious Institution (Church)	Approved with condition(s) on 20.03.2020
A/YL/252	Proposed Composite School and Religious Institution (Church) Development, with Minor Relaxation of Building Height Restriction	Approved with condition(s) on 03.05.2019
A/NE-SSH/120	Proposed Comprehensive Residential and Commercial Development with Government, Institution or Community Facilities with Minor Relaxation of Gross Floor Area and Building Height Restrictions	Approved with condition(s) on 18.01.2019
A/I-PC/13	Proposed Religious Institution (Temple)	Rejected/Not agreed on 21.09.2018
A/HSK/15	Proposed Religious Institution (Redevelopment of Seminary)	Approved with condition(s) on 17.08.2018
A/TM-LTTY/332	Proposed Shop and Services, Eating Place, Religious Institution (Shrine) and Minor Relaxation of Building Height Restriction	Rejected/Not agreed on 10.11.2017
A/ST/896	Religious Institution (Nunnery, Management Office and Ancillary Facilities)	Approved with condition(s) on 18.03.2016
A/I-LI/24	Proposed Religious Institution (Relocation of Church)	Approved with condition(s) on 27.02.2015
A/YL-NTM/276	Renewal of Planning Approval for Temporary Religious Institution (Seminary) for a Period of 3 Years	Approved with condition(s) on a temporary basis on 20.07.2012 (Revoked on 7.2.2014)

3.3.2 Applications for proposed religious institution within “V” zones are approved by the Board mainly based on the following reasons:

- Long site history – long been used as religious purposes;
- Lease entitlement;
- Dilapidated condition and subject to the need of redevelopment;
- For comprehensive residential and commercial development;
- Non-incompatibility with the surrounding;
- Not large in scale;
- Insignificant visual, landscape and traffic impacts;
- Owned solely by the Applicant who has no intention to develop the site into NTEH and was not the subject of any small house application; and
- Existing sufficient land for outstanding small house applications.

3.3.3 The Current Application shares similarities with these approved applications by having a long site history of religious use, lease entitlement, non-incompatibility with the surrounding, small-scale, insignificant visual, landscape and traffic impacts and sole landownership by the Applicant which will be discussed in following chapters. Considered the site has been operated by the Applicant long before the gazettal of IDPA Plan and the development of adjoining village, it is not subject to substantial change ever since, while there is a genuine and imminent need in having a proper ancillary premises within the Application Site, it is sincerely hoped that the Board could give favourable consideration to approve the Current Application.



## 4 THE DEVELOPMENT PROPOSAL

### 4.1 Site Configuration, Layout and Operation

- 4.1.1 The Application Site has a site area of approximately 994.6m<sup>2</sup>. The Application Site comprises of a private lot (i.e., No. 542 in D.D. 401) which has an area about 929.1m<sup>2</sup> (about 93%) and the adjoining Government Land of about 65.5m<sup>2</sup> (about 7%). The Master Layout Plan (“hereinafter referred to as “MLP”) and drawings illustrating the overall development scheme, floor plans and section drawings of the proposed ancillary use are shown in **Appendix I**.
- 4.1.2 The Current Application involves an existing temple and a proposed development for proposed ancillary use, i.e., a 3-storey building serving as ancillary quarters and facilities to the existing temple. The total GFA of the Current Application is about 735m<sup>2</sup>, which comprises the existing temple block with a GFA of about 186m<sup>2</sup> (about 25%) and the proposed ancillary use with a GFA of about 549m<sup>2</sup> (about 75%). The existing temple would be retained and there will be no modifications involved for the existing temple under the Current Application. While the existing temple has a GFA of approximately 186m<sup>2</sup>, the maximum area permitted to be built over is 3,000ft<sup>2</sup> under the lease grant. Upon approval of the Current Application, the Applicant will submit an application to the District Land Office for a land exchange and lease modification before implementation. In parallel, all the building works and site formation works will be submitted to the Building Department for approval.
- 4.1.3 The proposed ancillary use is configured as a low-rise and low-density development, which involves a 3-storeys ancillary facility building erected to the east of the existing temple. The height of the proposed ancillary use is about 9.45m. The proposed ancillary use comprises of en-suite monks quarters, meditation rooms and retreat rooms, library, meeting rooms, kitchen, and staff dining area which are all connect via lift and internal staircase.
- 4.1.4 With regards to the design and layout, the proposed ancillary use would not involve any basement floors. There will be a total of 6 en-suite monks quarter rooms at 2/F, with other ancillary and supporting facilities at G/F and 1/F. The roof level serves as emergency purposes only. Schedule of accommodation is detailed in **Table 2**.

*Table 2: Schedule of Accommodation*

Floor	Uses
Roof	Flat Roof, E&M, Water Tank
2/F	Monks Quarters [6 Rooms], E&M
1/F	Meeting Room, Meditation Room/ Retreat Room, Lavatories, E&M
G/F	Staff Dining Area, Kitchen, Library, Meditation Room/ Retreat Room, Lavatories, E&M

- 4.1.5 There will be site formation works with excavation of existing slope involved for the

formation of site level of the proposed ancillary use in order to better utilise the current detached slope area within the “V” zone of the Application Site (See **Illustration 1-V**). No site formation works would be carried out within the “GB” zone. Details of site formation works will be carried out in detailed design stage.

## 4.2 Development Parameters

4.2.1 The MLP and architectural drawings are shown in **Appendix I** whilst the key development parameters for the current application are tabulated in **Table 3**.

*Table 3: Major Development Parameters of the Current Application*

<b>Total Site Area</b>	About 994.6m <sup>2</sup> (including about 65.5m <sup>2</sup> of Government Land (about 7%))
<b>Total PR</b>	0.74
<b>Total GFA</b> - Existing Temple - Proposed Ancillary Use	About 735m <sup>2</sup> About 186m <sup>2</sup> [a][b] (About 25%) About 549m <sup>2</sup> (About 75%)
<b>Building Height</b> - Existing Temple - Proposed Ancillary Use	About 11m <sup>[c]</sup> About 9.45m
<b>Number of Storeys</b>	Not exceeding 3 storeys
<b>Site Coverage</b>	About 37%
<b>Number of Building Blocks</b>	2 (including 1 block for existing temple and 1 block for proposed ancillary use)
<b>Number of Vehicle Parking Spaces (Private Car, Van-type Light Goods Vehicles and Taxis)</b>	1

[a] The GFA of the existing temple is approximately 2,000 ft<sup>2</sup> (about 186m<sup>2</sup>). Under the lease granted, the maximum area permitted to be built over is 3,000ft<sup>2</sup>

[b] The existing temple with the abovementioned development parameters exists before the gazettal of IDPA dated 12.10.1990.

[c] The building height of the existing temple consists of 7.62m of existing structure and 3.38m of foundation.

## 4.3 Design and Operation

4.3.1 The site for developing the proposed ancillary use is considered to be the only suitable location. Apart from its close proximity to the existing temple, which allows better operation as an ancillary facility, the subject area is considered posing the least impact on the adjoining “GB” zone. In addition, in order to avoid vehicles waiting or queuing up at the frontage of the Application Site, sufficient area for manoeuvring of vehicles and one parking space are proposed at the centre of the Application Site. The open area fronting the proposed ancillary use shall also serves as emergency vehicular

access.

- 4.3.2 While there is no building height restriction for the proposed use, the overall proposed building mass aims to harmonise with the surroundings by having the same number of storeys as the adjoining residential clusters. Together with the existing level difference, the proposed ancillary use would not block vistas and create adverse visual impacts on the nearby residents. In addition, the whole development has 2m building setback from the refined slope, which is considered as a design merit in order to enhance the sunlight penetration and wind permeability.
- 4.3.3 The proposed ancillary use has adopted inclusive designs, such as provision of lifts and disabled lavatories, in order to provide an inclusive and elderly friendly living condition for the aged monks. The proposed modern and low-rise building would create a user-friendly atmosphere and be spacious enough for users to carry out various religious activities.
- 4.3.4 As referred to schedule of accommodation in **Table 2**, the proposed ancillary use purely serves religious purposes, and the function arrangement of each floor is explained below.

#### *Ground Floor*

- 4.3.5 The lobby is proposed at the main entrance of the proposed ancillary use which directly facing the existing entrance gate. Kitchen and staff dining area are proposed as ancillary services for the monk's usage. The kitchen and staff dining area are primarily serving the monks and are not intended to open to public, but in certain occasion, the kitchen would be used for preparing meals for loyal Buddhists during religious assembly. Both kitchen and staff dining area are proposed away from dwellings to the northeast and this arrangement also enables a shorter fire escape route to enhance fire safety.
- 4.3.6 A meditation room/retreat room is proposed at the rear of proposed ancillary use. The meditation room / retreat room is served as venue for spiritual learning, studying and group chanting by accommodating additional chanting and other religious activities due to insufficient room of existing temple. A library is proposed for storage of scripture and books and venue for studying. There is a total of 3 lavatories including one for the disabled at this floor.

#### *First Floor*

- 4.3.7 A meeting room is proposed on this floor. It is designated for discussing temple matters such as daily operation and preparation for their annual or monthly religious assembly. There are two meditation room/ retreat rooms served as venue for spiritual learning, studying and group chanting on this floor. These rooms shall accommodate additional chanting and other religious activities due to insufficient room of existing temple. It is also designated to confine current outdoor religious activities such as

Buddhist meeting and gathering in weather-proof, indoor venue. There is a total of 3 lavatories including one for the disabled at this floor.

#### *Second Floor*

- 4.3.8 There is a total of 6 en-suite monk's quarter rooms on the second floor. These rooms are equipped with exclusive shower and lavatory. Spare quarter rooms are proposed for monks visiting from mainland during religious assembly.

#### *Roof Floor*

- 4.3.9 The roof floor consists of a lift shaft and the exit of staircases, which serves for emergency purposes. Other E&M services together with a water tank are proposed on the roof.

### **4.4 Vehicular Access and Parking Arrangement**

- 4.4.1 To provide a direct vehicular access, a minor portion of the Government Land is included in the Application Site to connect the Application Site to the roundabout of the unnamed road. As such, the proposed application boundary is extended to include an access connecting the Application Site to the existing roundabout. Sufficient space for drop-off and manoeuvring of vehicles is allowed within the Application Site.
- 4.4.2 While it is expected that loyal Buddhist would continue rely on public transport in accessing the temple, one carparking space at the uncovered area of the Application Site in private car standard (2.5m x 5m) is proposed for private cars, van-type light goods vehicles and taxi as reserved purposes. The uncovered area fronting the existing temple would provide sufficient space for drop-off and maneuvering within the Application Site.

A bus stop served by 17 bus routes and green minibus services are available within 400m from the Application Site along Po Lam Road. There is variety of public transportaion options provided within 5 minutes walking distance (**see Illustration 2-III**).

### **4.5 Landscape Treatment**

- 4.5.1 In a wider context, the Application Site is remote and surrounded by vast vegetation at its west and south, the existing greenery shall provide sufficient visual amenity. While the development is small in scale, the overall implication on the landscape character is not significant. It is noteworthy that no trees are to be fallen in this Application and developments are not encroached into the "GB" zone.

#### **4.6 Provision of Drainage Facilities**

- 4.6.1 The proposed ancillary use would connect to the existing drainage network. There are currently U-channels running along the periphery of the hard paved area of the Application Site. Given the site configuration, surface runoff will be diverted to the south and be effectively collected/discharged via the existing U-channel and catchpits to the nearby stream course at the south of the Application Site. No adverse drainage impact arising from the proposed ancillary use is anticipated. The Applicant is willing to fulfil the requirements set out by the relevant Government departments through complying with approval conditions upon approval of the Current Application.

#### **4.7 Provision of Sewage Treatment**

- 4.7.1 There is an existing septic tank and soakaway system at the south of Application Site. The proposed ancillary use would connect to the existing installed system to treat the wastewater. No adverse sewage impact arising from the proposed ancillary use is anticipated on the surroundings. The Applicant is willing to fulfil the requirements set out by the relevant Government departments through complying with approval conditions upon approval of the Current Application.

## **5 PLANNING JUSTIFICATIONS**

### **5.1 Genuine Need for a Proper and Permanent Ancillary Shelter for the Aged Monks**

- 5.1.1 The current temporary ancillary structures are already dilapidated and considered to be structurally unsafe, subject to various defects and prone to water leakage, flooding, and fire hazards. There is a genuine and imminent need in having a proper ancillary shelter not requiring constant maintenance and repairs works by the monks themselves. With a view to housing the aged monks in a structurally safe and hygienic shelter, the Applicant is seeking a permission for a permanent ancillary quarters and facilities to provide them better protection and living conditions. The proposed ancillary use that is equipped with lift and disabled facilities would further aid the aged monk's usage. Fire safety protection would be greatly enhanced upon the relocation. Given the proposed ancillary use is non-profit in nature, the Applicant wishes to provide a more decent and permanent shelter for current monks and their heirs so as to continue serving the existing temple and the Buddhist community.

### **5.2 Regularize Current Substandard Setting**

- 5.2.1 The current operation of the existing temple is scattered, where the detached temporary structures are used as quarters and ancillary and other activities such as gatherings and storage are carried out underneath metal sheet roofing due to insufficient room. While it is inconvenient to have their ancillary operation detached from the existing temple, having activities in outdoor area that is prone to weather is undesirable.
- 5.2.2 It is also undesirable to have dilapidated temporary structures operated for a long period of time in regulation point of view, where continuous efforts on inspection and management are required by relevant departments. With an intention to allow better management of the proposed ancillary use and provide a permanent shelter in a legal manner and proper planning control, the Applicant take this opportunity in regularising current setting and relocate current operation into the proposed ancillary use which is to be approved by relevant departments. The proposed ancillary use that confines all religious activity indoor allows better management without adverse impact posed on the surroundings. Upon relocation, the Applicant is willing to uptake the responsibility of demolition of current temporary structures and comply with other departmental regulation.

### **5.3 Provide a Better Environment in Advocating Buddhism**

- 5.3.1 The proposed ancillary use that is purely serving as religious purpose, would give an opportunity to the Applicant to utilise the Application Site to a pleasant, safe and convenient living environment for continual promotion of Chinese Buddhism and serving of loyal Buddhists. Support from the Hong Kong Buddhist Association for the Current Application has been sought, which concur the proposed ancillary use would continue serving the Buddhist community and facilitate the advocacy of Buddhism.

Apart from providing a pleasant living environment for the monks, a hygienic and decent environment shall provide better user experience of the visitors during their religious visit. In addition, meditation rooms and retreat rooms proposed within the proposed ancillary use shall accommodate additional chanting and religious activities due to spatial limitations of existing temple, giving more opportunities for the Buddhist's participation. The proposed ancillary use that provides an indoor venue for group chanting, spiritual learning and religious gathering for the Buddhists, could be a meaningful and useful facility in building the Buddhist community.

#### **5.4 Respecting Long Site History and Existing Use**

- 5.4.1 According to the Applicant, the Application Site was found by their predecessor in 1950s. Prior to 1960s, reclamation works have been carried out in a primitive manner and establishments for the temple were erected in 1970s. By the time when the existing temple was erected, the monks made use of current temporary structures as their quarters and ancillary facilities to serve the temple daily. This practice has been carried on for many years. Before IDPA Plan came into place, the Applicant has continued their predecessor's mission in operating the existing temple and become and sole landowner of Lot No. 542 in 1982. It is noted that the majority of Application Site falling within "V" zone has been serving as religious use over 50 years. However, by the time when the area of the Application Site was incorporated into OZP, its religious use at the time being was not being reflected. Given its long site history to be respected, while the proposed ancillary use would continue serving the religious use, the proposed ancillary use is considered generally acceptable having regard to the site history and the nature of the proposed use.

#### **5.5 In Line with Uses Permitted Under Lease Conditions**

According to the lease, private residential use is permitted under new grant lease conditions. Subject to lease modification in 1975, chai tong development, alias the development of existing temple, was permitted in exchange of additional premium paid. The private lot involved, i.e. Lot No. 542 in D.D. 401 entitled the right for residential and/or religious use under lease condition. The proposed ancillary use that comprises of ancillary quarters and facilities is in line with the uses under lease conditions. Upon approval of the Current Application, the Applicant will submit to the District Land Office an application for a land exchange and lease modification before implementation. In parallel, all the building works and site formation works will be submitted to the Building Department for approval.

#### **5.6 Appropriate Location for the Proposed Ancillary Use And Better Utilization of Valuable Land Resources**

- 5.6.1 According to the Buddhist practice, it is a norm for having religious institution with quarters next to a temple, in order to allow morning services and facilitate better management and operation of the temple. With a view that the current operation of existing temple heavily relies on the support of an ancillary facility, the proposed

ancillary use that is in close proximity to existing temple allows a shorter walking distance for the monks during their daily services and hence, facilitating efficient operation and better management. While there is a large portion of the Application Site is zoned “V”, the Application Site involves a private lot owned by the Applicant which is entitled to residential and/or religious development. With no intention to utilise the site for NTEH developments, single ownership has rendered the Application Site suitable for the proposed religious use, development of small houses and NTEHs by other indigenous villagers is unlikely. Given to the above reasons, the proposed ancillary use allows better utilisation of valuable land resources. The site for erecting the proposed ancillary use is considered to be the most suitable location.

## **5.7 Non-incompatible Use**

- 5.7.1 While having a religious ancillary institution adjacent to existing temple is considered appropriate, the nature of the proposed ancillary use which serves as quarters, kitchen, dining, etc., is considered not incompatible to surrounding residential use. The proposed ancillary use that opens from 9:00 a.m. to 5:00 p.m. that involves limited visitors would not bring adverse impact to the surroundings. Upon relocation of current activities into the proposed ancillary use, the Applicant would demolish current temporary structures within Application Site, which provides a greater certainty for the implementation of the proposed ancillary use that is particularly suitable for the Application Site by following regulations and requirements. Furthermore, the proposed ancillary use that confines all religious activities in an indoor environment in the Current Application would not bring adverse impact on the surroundings.
- 5.7.2 In addition, the 3-storey proposed ancillary use has the same number of floors as that of house developments as permitted in the “V” zone, which should be an appropriate development height. While the proposed ancillary use erects completely on “V” zone instead of “GB”, the Current Application ensures no development encroached on the “GB” zone.

## **5.8 Not Setting an Undesirable Precedent**

- 5.8.1 The Board in recent years has approved a number of s.16 planning application for religious use in “V” zones, which many of the approved applications carry the same and similar nature and merits as that of the proposed ancillary use in this application, such as having a long site history of religious use, lease entitlement, dilapidated conditions which subject to the need of redevelopment, non-incompatibility with the surrounding, small-scale, insignificant visual, landscape and traffic impacts and sole ownership. Considering the individual merits of this application, it is believed that approving the current application would not set an undesirable precedent.

## **5.9 No Adverse Traffic Impact**

- 5.9.1 The proposed ancillary use will not pose adverse traffic impact since the proposed



ancillary use serves as a means of relocating current religious activities. While there are currently no traffic issues arisen, it can be concluded that the proposed ancillary use is considered acceptable from the traffic point of view.

- 5.9.2 Sufficient area within the Application Site is allowed for the manoeuvring of vehicles and one parking space is proposed as reserve purposes. In this connection, there would be no vehicles waiting or queuing up at the frontage of the Application Site.
- 5.9.3 There are various existing public transport options available in proximity to the Application Site. A variety of routes for bus and minibus are available within 5-minutes walking distance that connects the vicinity of Application Site to urban areas. Visitors are anticipated to continually rely on public transport in accessing the Application Site. A such, smooth passenger and vehicle flow can be maintained along Po Lam Road. Given that the proposed ancillary use is for relocation but not expansion in principle, the proposed ancillary use would not lead to overloading or deficit of the existing transport system in the district.

#### **5.10 No Adverse Visual Impact**

- 5.10.1 Although the proposed ancillary use has the same number of storeys as the surrounding village houses, it would be screened off by the existing slope. Given the existing site configuration, the proposed ancillary use is erected on a lower existing level (+136.2m) which results in at least 6m level difference from nearby dwellings and would not block vistas of the adjoining dwellings. Design measures are adopted to mitigate the impact of the proposed development. Windows of the proposed ancillary use are opened facing the refined slope at the south, where interfaces between monks and residents are limited. As these surrounding dwellings are having their frontage facing to the northeast, the visual and interface impact induced by the proposed ancillary use is anticipated to be insignificant (see **Illustration 2-I**).

#### **5.11 No Adverse Landscape Impact**

- 5.11.1 It is noteworthy that no trees are proposed to be fallen under the Current Application and developments are not encroached upon the “GB” zone. Considering small scale of the proposed development, it is unlikely that the proposed ancillary use would affect the overall landscape character of the area (see **Illustration 2-II**).

#### **5.12 No Adverse Environmental Impact**

- 5.12.1 The design and layout arrangement also steer to minimise interface issues by proposing the kitchen at least 20m from the surrounding dwellings. It is anticipated that there will be no adverse environmental concern, such as emission and effluent from the proposed kitchen to the surrounding neighbourhood. Given the development is self-contained with all religious activity confined in an indoor environment, it is unlikely that adverse noise impact will be generated. As the proposed ancillary use is non-polluting in nature, it shall not in any sense pose adverse

noise or odour impact. Furthermore, the proposed ancillary use serving 4-5 monks for their daily operation would not induce other significant adverse environmental impact.

### **5.13 No Adverse Infrastructural, Drainage nor Sewerage Impact**

- 5.13.1 As there are existing drainage channels within the Application Site for collecting surface run-off to connect with the existing stream to the west of the Application Site, the proposed ancillary use is anticipated not to give rise to any drainage impact to the adjoining areas. Should the Current Application be approved, the Applicant more than willing to submit a detailed drainage proposal together with a thorough investigation of the existing drainage system and implement such to the satisfaction of the Board and the concerned Government departments.
- 5.13.2 The proposed ancillary use shall connect with existing septic tank and soakaway system to treat the wastewater. Given the nature of the Current Application is for relocating current religious activity, the proposed ancillary use is anticipated not to give rise to any sewerage impact. Should the Current Application be approved, the Applicant more than willing to submit a detailed sewerage proposal such to the satisfaction of the Board and the concerned Government departments.

## 6 CONCLUSION

- 6.1.1 This Planning Statement is submitted to the Board in support of the Current Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple). The Application Site has a total area of approximately 994.6m<sup>2</sup> (including about 65.5m<sup>2</sup> of Government Land). This Planning Statement serves to provide background information and planning justifications in support of the Current Application in order to facilitate the consideration by the Board.
- 6.1.2 The Current Application involves an existing temple and a proposed development of a 3-storey building serving as Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple). The total gross floor area (GFA) of the Current Application is about 735m<sup>2</sup>, which comprises the existing temple block with a GFA of about 186m<sup>2</sup> (about 25%) and the proposed ancillary use with a GFA of about 549m<sup>2</sup> (about 75%).
- 6.1.3 The Applicant is a non-profit organization aiming to advocate Buddhism in Hong Kong and has operated the existing temple with simple and crude ancillary facilities for many years. While there are currently temporary structures in the vicinity of the existing temple for sheltering monks and carrying out various religious activities in support of the existing temple, the existing temporary structures are considered to be structurally unsafe and subject to various defects and concerns. The Applicant therefore wishes to seek planning permission from the Board for the proposed ancillary use for regularizing the current setting by relocating existing religious activities into the proposed ancillary use so as to house the aged monks in a safe and hygienic shelter and continue their daily religious activities. The proposed ancillary use would also improve the overall management and operation of the existing temple and facilitate the advocacy of Buddhism.
- 6.1.4 The Application Site falls largely within an area zoned "Village Type Development" ("V") (about 83%) with the remaining minor portion of the area (about 17%) falling within "Green Belt" ("GB") on the Draft Tseng Lan Shue Outline Zoning Plan (OZP) No. S/SK-TLS/9 which was exhibited for public inspection on 25.2.2022 (hereinafter referred to as "the Current OZP"). According to the Notes of the Current OZP, 'Religious Institution' is a Column 2 use for both "V" and "GB" zones. Planning permission from the Board is therefore required.
- 6.1.5 Majority of the Application Site falling within "V" zone is currently used for religious use in relation to the existing temple. The entire portion falling within the "GB" zone is currently vacant. Upon approval of the Current Application, the proposed ancillary use will be erected entirely within the "V" zone portion of the Application Site. No development will be proposed within the "GB" zone portion of the Application Site. As detailed throughout this Planning Statement, the Current Application is well justified on the grounds that: -

- (a) There is a genuine need for a proper and permanent ancillary shelter in housing the aged monks, the proposed ancillary use would provide a standardised, safe and hygienic environment that is less prone to storms, water leakage and fire hazards. The proposed ancillary use would continually support the operation of the existing temple;*
- (b) The proposed ancillary use aims to regularise current setting with temporary substandard structures by consolidating current scattered religious activities, and relocating them to a standardised, controlled indoor environment. It is also intended to demolish current substandard structures and comply with relevant regulations and requirements;*
- (c) The proposed ancillary use is purely serving as religious purpose and would give an opportunity to the Applicant to utilise the Application Site to provide a pleasant, safe and convenient living environment for continual promotion of Chinese Buddhism and serving of loyal Buddhists;*
- (d) The existing temple has a long history and majority of the Application Site falling within "V" zone has long been established for religious purposes before the gazettal IDPA Plan and development of the adjoining village;*
- (e) The proposed ancillary use that is serving as religious purposes is line with uses permitted under lease conditions;*
- (f) The site for erecting the proposed ancillary use is an appropriate location in functional and environmental aspects since it is in close proximity to the existing temple and does not encroach upon the "GB" zone;*
- (g) The Current Application allows better utilisation of land resources since the subject lot (i.e. Lot 542 in D.D. 401) is under single ownership by the Applicant, who has no intention to utilize the subject lot NTEHs development;*
- (h) The proposed ancillary use is not incompatible with the surrounding uses, which is predominately occupied by low rise residential developments and village houses.*
- (i) The proposed ancillary use would not set an undesirable precedent since there are similar applications approved within other OZPs and the Current Application shares similar merits, and;*
- (j) The proposed ancillary use is small in scale and no adverse impacts from traffic, visual, landscape, environmental and infrastructure perspectives are anticipated.*

6.1.6 In view of the above and the list of detailed planning justifications in the Planning Statement, it is sincerely hoped that members of the Board will give favourable consideration to approve the Current Application.

## List of Figures

---

Figure 1	The Location Plan
Figure 2	The Location Plan (Cont'd)
Figure 3	Extract of Lot Index Plan No. ags_S00000088654_0001
Figure 4	Extract of Draft Tseng Lan Shue Outline Zoning Plan No. S/SK-TLS/9



**LEGEND:**

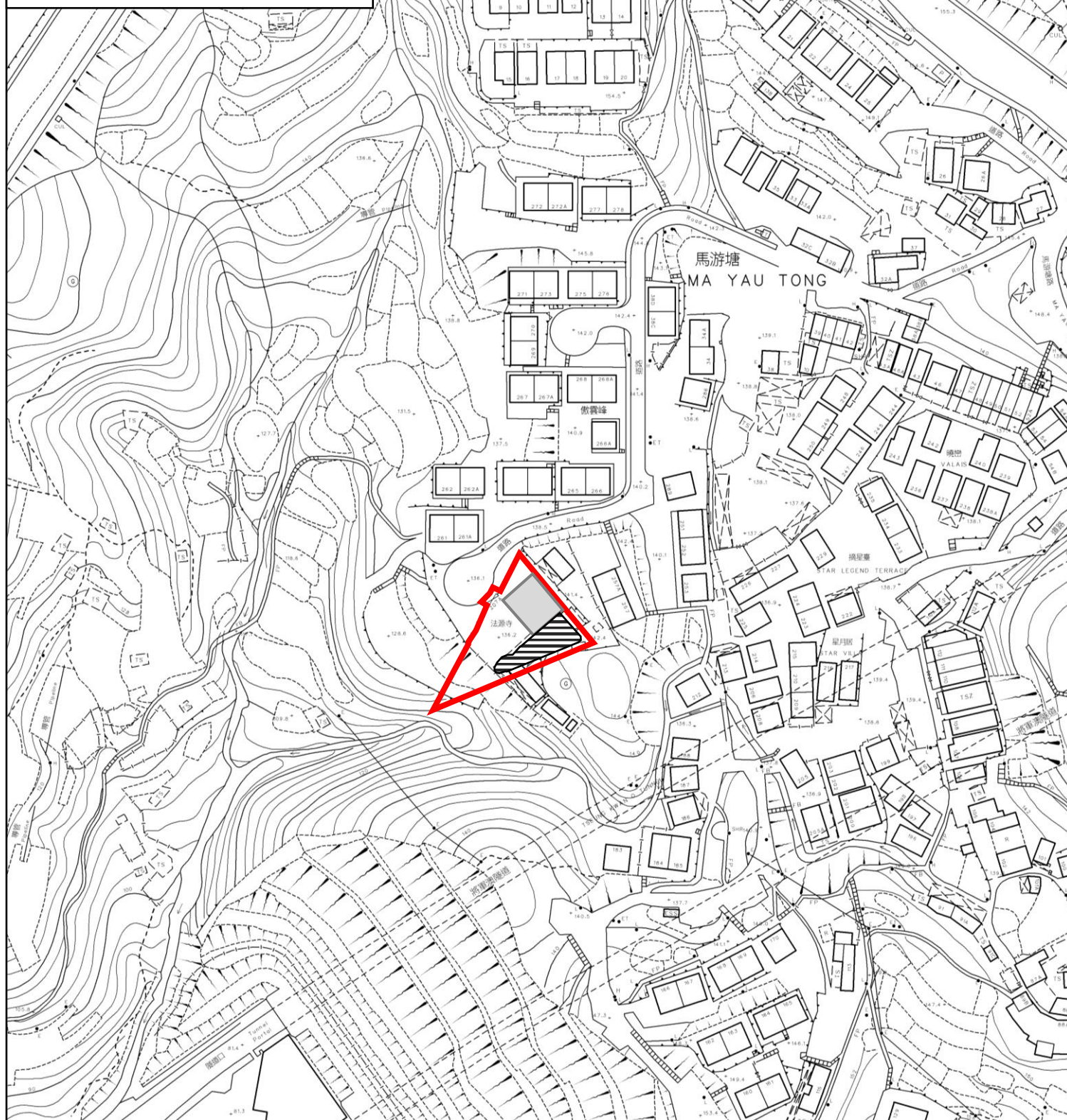
Application Site



Existing Temple



Proposed Ancillary Use

*(For Identification Only)***Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

The Location Plan

**Figure:**

1

**Scale:**

Not to Scale

**Date:**

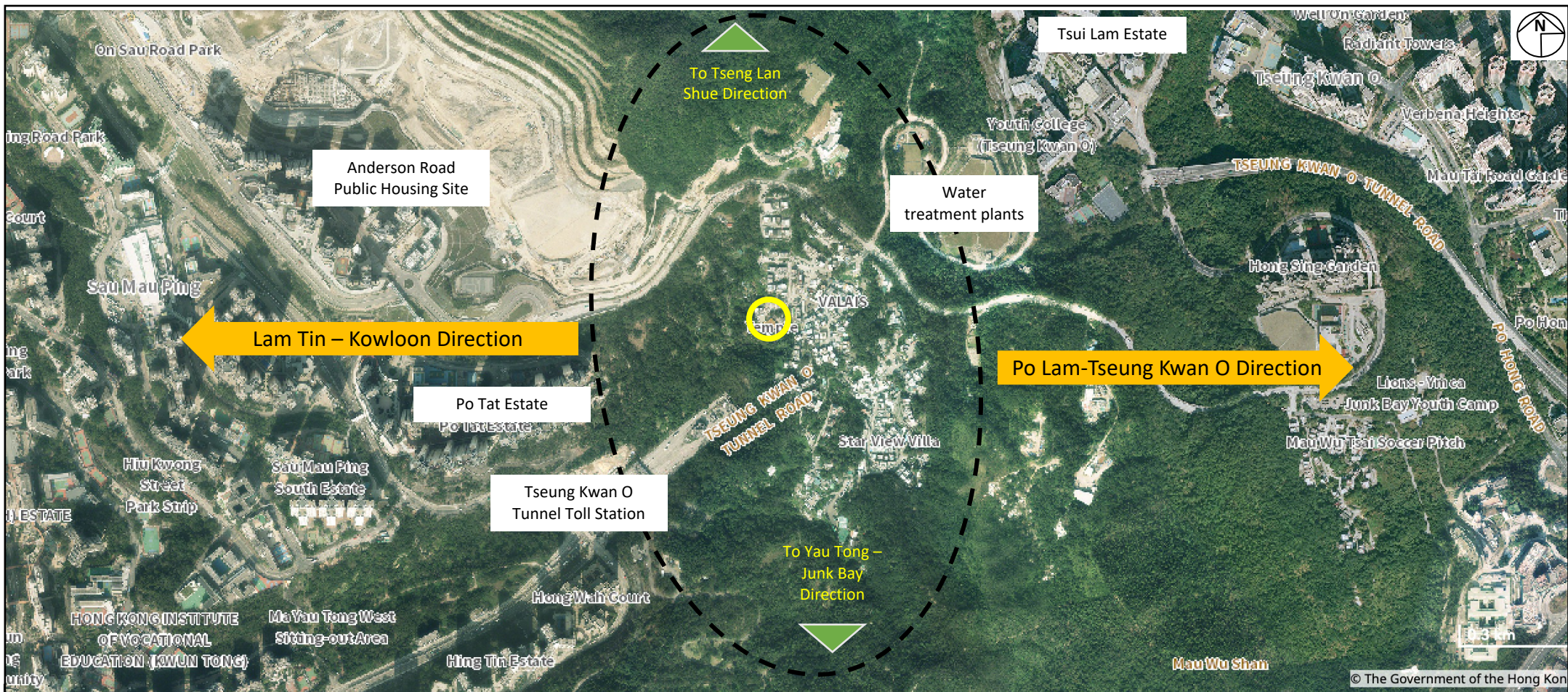
Mar 2022

Ref.: ADCL/PLG-10240-R001/F001



AIKON DEVELOPMENT CONSULTANCY LTD.





**LEGEND:** (For Identification Only)



Application Site



Ma Yau Tong Area



Extension of "GB" zone

**Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

The Location Plan (Cont'd)

**Figure:**

2

**Scale:**

Not to scale

**Date:**

Mar 2022

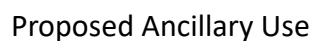
Ref.: ADCL/PLG-10240-R001/F002



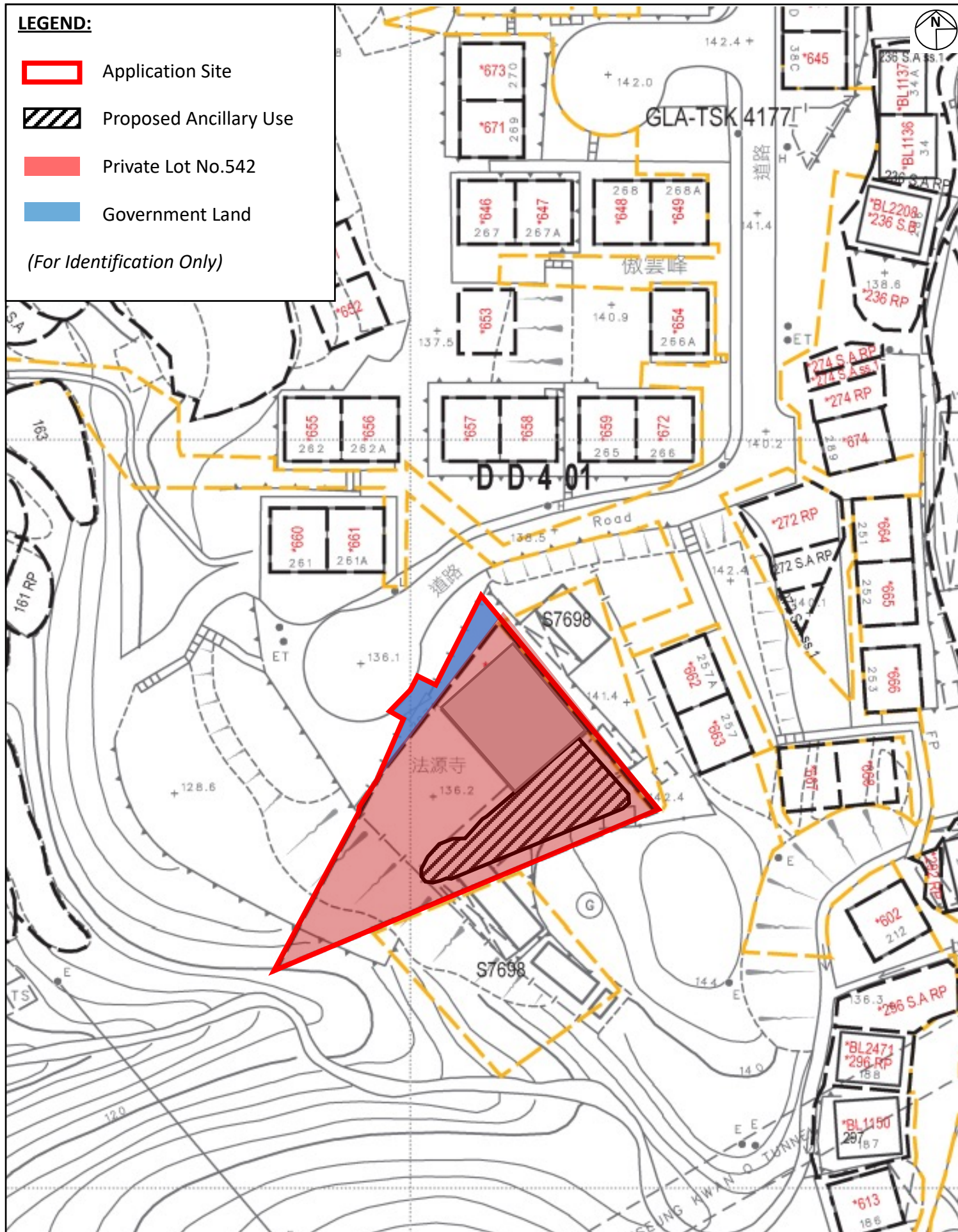
AIKON DEVELOPMENT CONSULTANCY LTD.



## Application Site



*(For Identification Only)*



Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

Extract of Lot Index Plan  
(No. ags\_  
S000000088654\_0001)

Ref.: ADCL/PLG-10240-R001/F003

3

**Scale:**  
Not to Scale

**Date:**  
Mar 2022



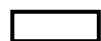
AIKON DEVELOPMENT CONSULTANCY LTD.



**LEGEND:**



Application Site

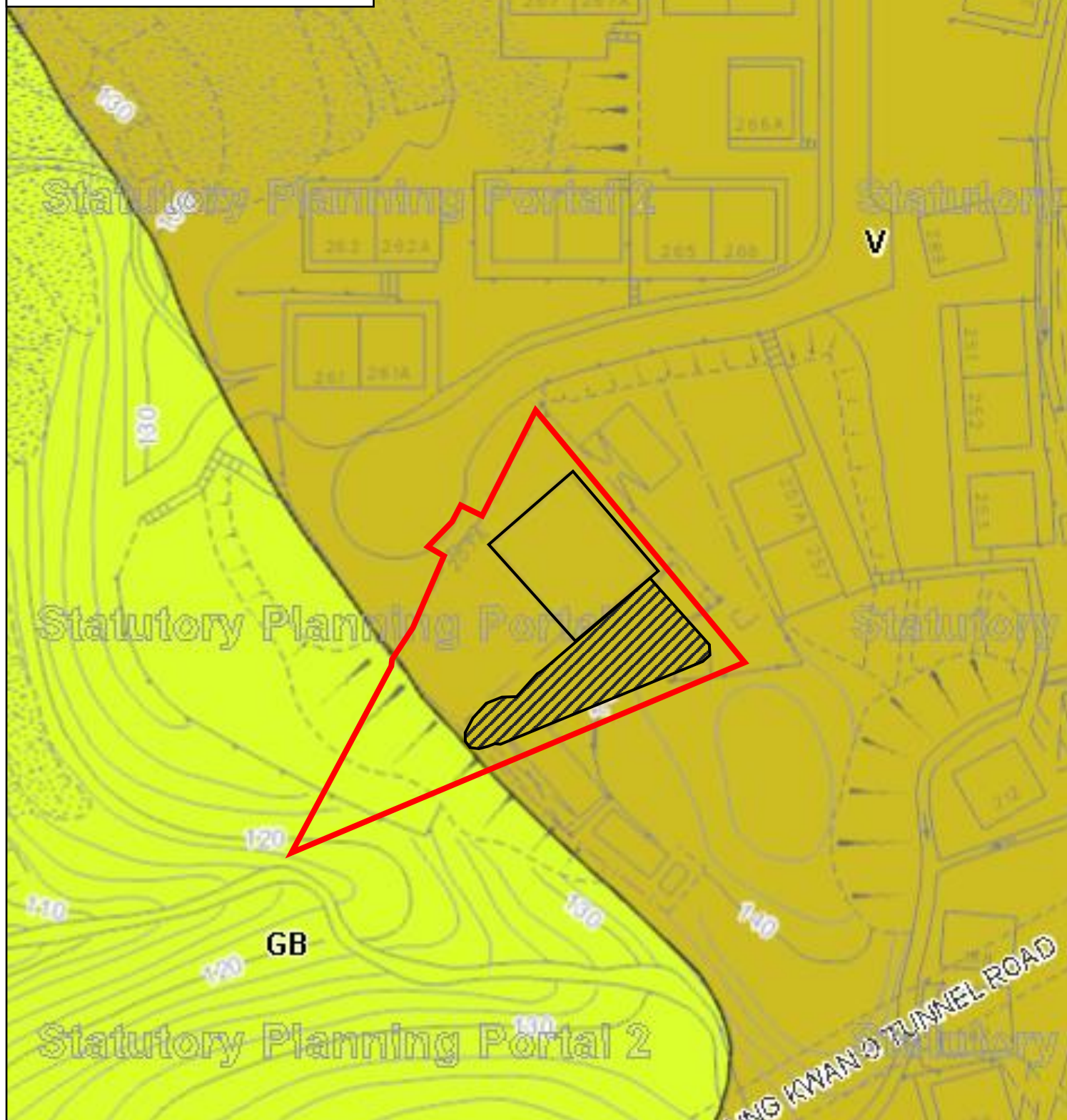


Existing Temple



Proposed Ancillary Use

(For Identification Only)



**Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

Extract of Draft Tseng Lan Shue Outline Zoning Plan No. S/SK-TLS/9

Ref.: ADCL/PLG-10240-R001/F004

**Figure:**

4

**Scale:**

Not to Scale

**Date:**

Mar 2022



AIKON DEVELOPMENT CONSULTANCY LTD.

## List of Illustrations

---

Illustration 1-I	Extract of Aerial Photo prior to 1990
Illustration 1-II	Extract of Aerial Photo dated 6.7.1989
Illustration 1-III	Existing Condition of the Application Site
Illustration 1-IV	Existing Condition of the Application Site (Cont'd.)
Illustration 1-V	Existing Condition of the Application Site (Cont'd.)
Illustration 2-I	Surrounding Land Uses
Illustration 2-II	Surrounding Land Uses (Cont'd.)
Illustration 2-III	Public Transport Facilities



**LEGEND:** Application Site*(For Identification Only)***1976****1977****1978****Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

Extract of Aerial Photo prior to 1990

Ref.: ADCL/PLG-10236-R001/I001-I

**Illustration:**

1-I

**Scale:**

Not to Scale

**Date:**

Mar 2022



AIKON DEVELOPMENT CONSULTANCY LTD.



**LEGEND:**



Application Site

*(For Identification Only)*



**Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

Extract of Aerial Photo dated 6.7.1989

Ref.: ADCL/PLG-10236-R001/I001-II

**Illustration:**

1-II

**Scale:**

Not to Scale

**Date:**

Mar 2022



AIKON DEVELOPMENT CONSULTANCY LTD.



**LEGEND:**

Application Site



Proposed Ancillary Use

*(For Identification Only)***■ Top view of the Application Site****■ Aerial view of the Application Site****Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

Existing Condition of the Application Site

Ref.: ADCL/PLG-10240-R001/I001-III

**Illustration:**

1-III

**Scale:**

Not to Scale

**Date:**

Mar 2022



AIKON DEVELOPMENT CONSULTANCY LTD.





■ View towards the existing quarter from northeast



■ View from existing gate



■ Dilapidated facade of the existing quarter



■ Dilapidated facade of the existing quarter



■ Gathering space outside of the existing quarter, covered by a sheet metal roofing



■ Gathering space outside of the existing quarter, covered by a sheet metal roofing

**Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

Existing Condition of the Application Site

Ref.: ADCL/PLG-10240-R001/I001-IV

**Illustration:**  
1-IV

**Scale:**  
Not to Scale

**Date:**  
Mar 2022



AIKON DEVELOPMENT CONSULTANCY LTD.





■ Top view of the existing slope to the south of the temple



■ View of the existing slope



■ View of the existing slope



■ View of the existing slope and subject site

**Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

Existing Condition of the Application Site (Cont'd.)

Ref.: ADCL/PLG-10240-R001/I001-V

**Illustration:**

1-V

**Scale:**

Not to Scale

**Date:**

Mar 2022



AIKON DEVELOPMENT CONSULTANCY LTD.



**LEGEND:**

Application Site

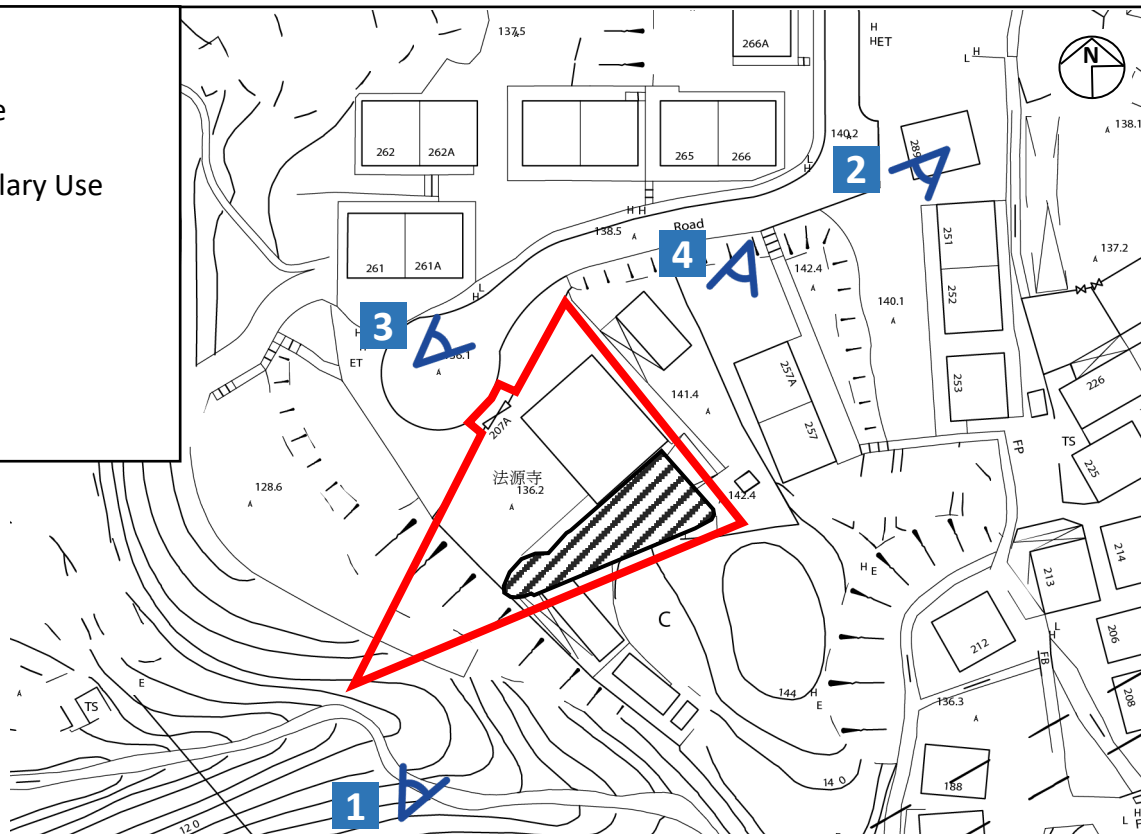


Proposed Ancillary Use

**1 - 4**

Surrounding Views

(For Identification Only)

**1****2****3****4****Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

Surrounding Land Uses

Ref.: ADCL/PLG-10240-R001/1002-I

**Illustration:**

2-I

**Scale:**

Not to Scale

**Date:**

Mar 2022



AIKON DEVELOPMENT CONSULTANCY LTD.



## LEGEND:



Application Site

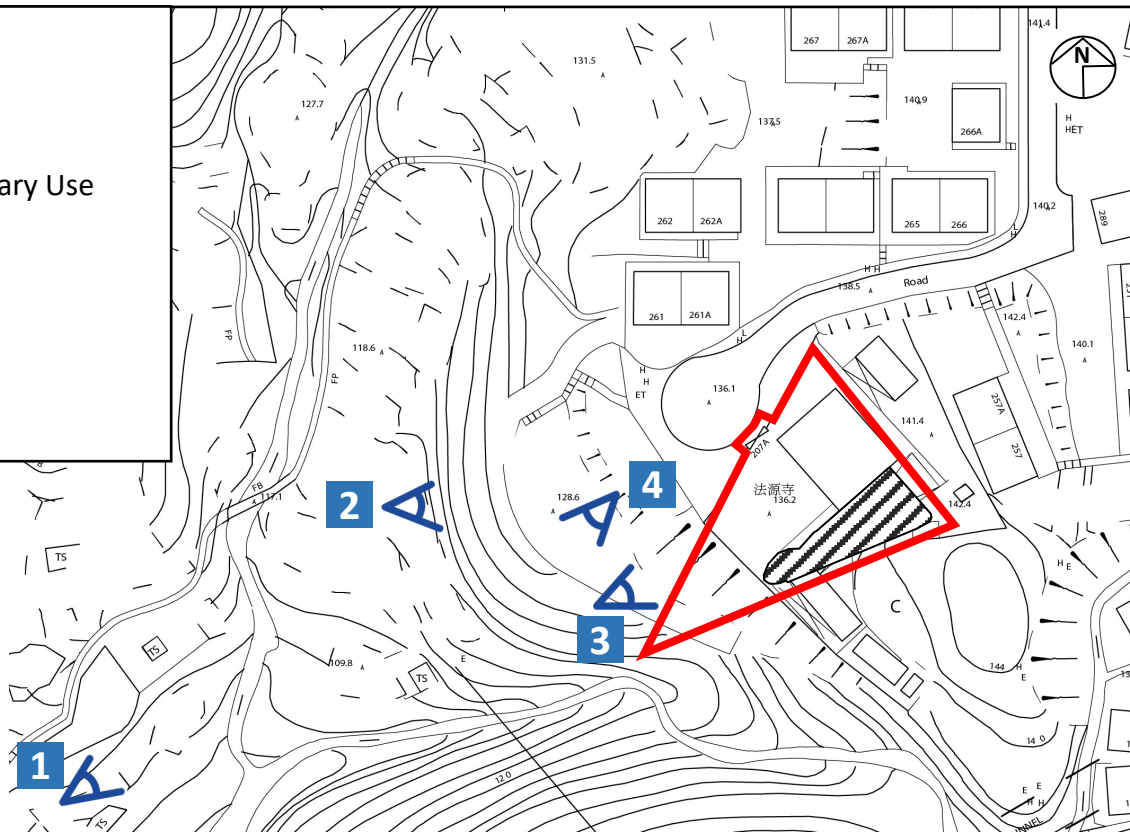


Proposed Ancillary Use



Surrounding Views

(For Identification Only)



1



2



3



4



## Project:

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

## Title:

Surrounding Land Uses (Cont'd.)

Ref.: ADCL/PLG-10240-R001/I002-II

## Illustration:

2-II

## Scale:

Not to Scale

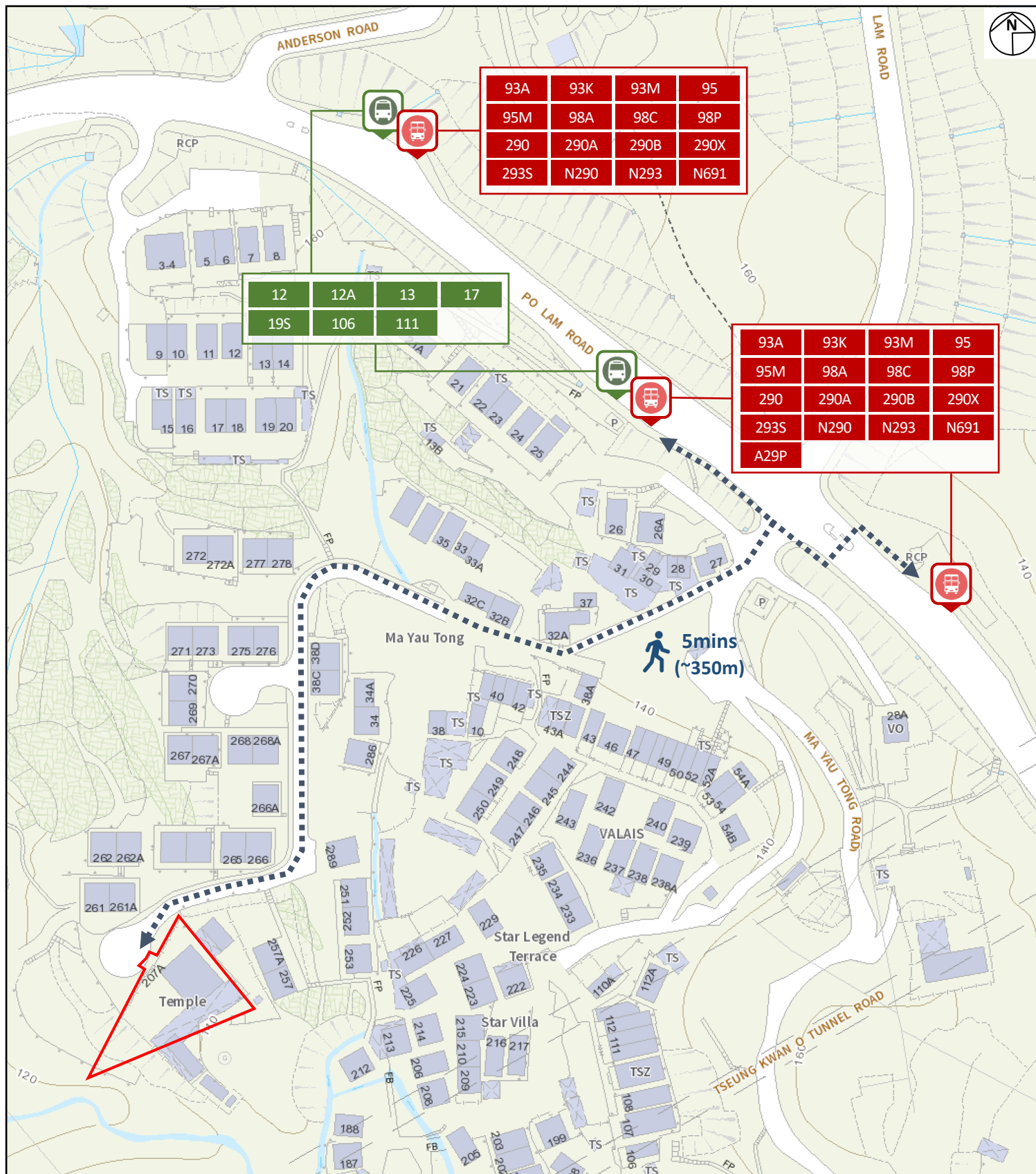
## Date:

Mar 2022



AIKON DEVELOPMENT CONSULTANCY LTD.





# LEGEND:



The Application Site



Minibus Stop



Bus Stop

(For Identification Only)

## Project:

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

## Title:

Public Transport Facilities

## Illustration:

2-III

## Scale:

Not to Scale

## Date:

Mar 2022

Ref.: ADCL/PLG-10240-R001/I002-III



AIKON DEVELOPMENT CONSULTANCY LTD.

## List of Appendices

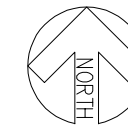
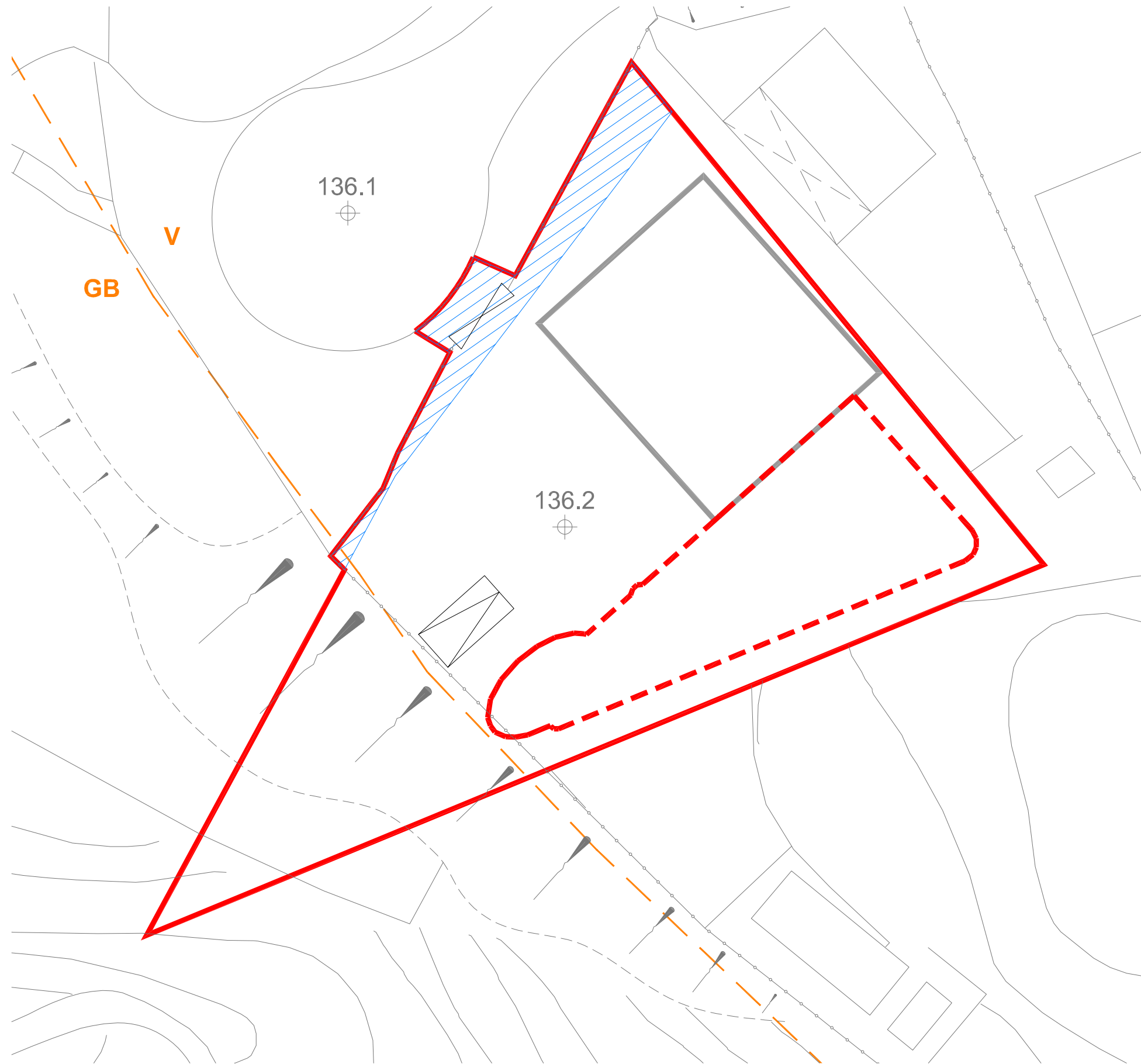
---

Appendix I	Architectural Drawings and Plans
------------	----------------------------------

## Appendix | I

---

### Architectural Drawings and Plans



LEGENDS



EXISTING TEMPLE



APPLICATION SITE BOUNDARY



GOVERNMENT LAND



PROPOSED ANCILLARY USE



OZP BOUNDARY LINE



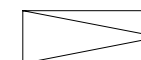
VILLAGE TYPE DEVELOPMENT



GREEN BELT

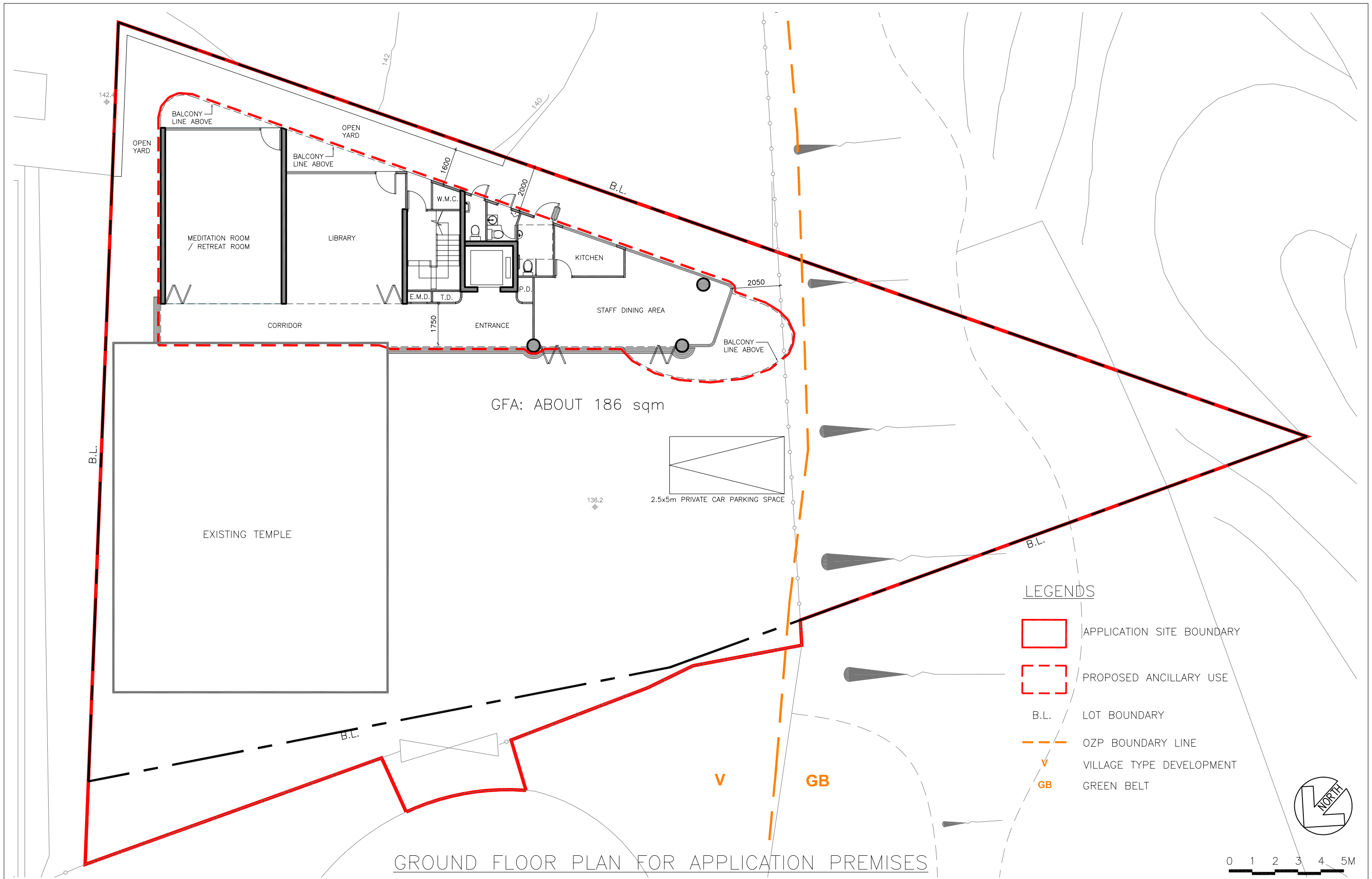


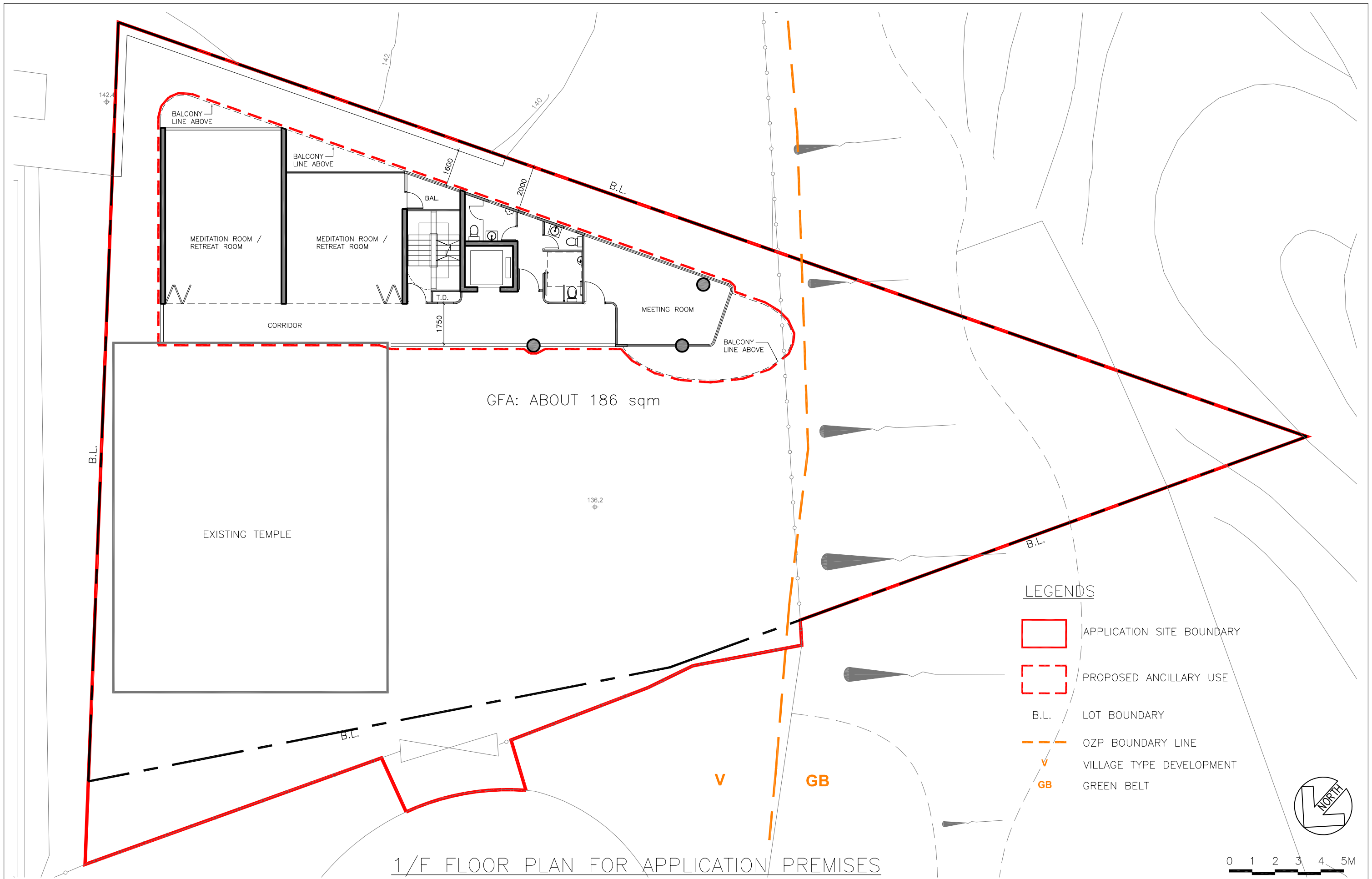
ORIGINAL GATE



2.5x5m PRIVATE CAR PARKING SPACE

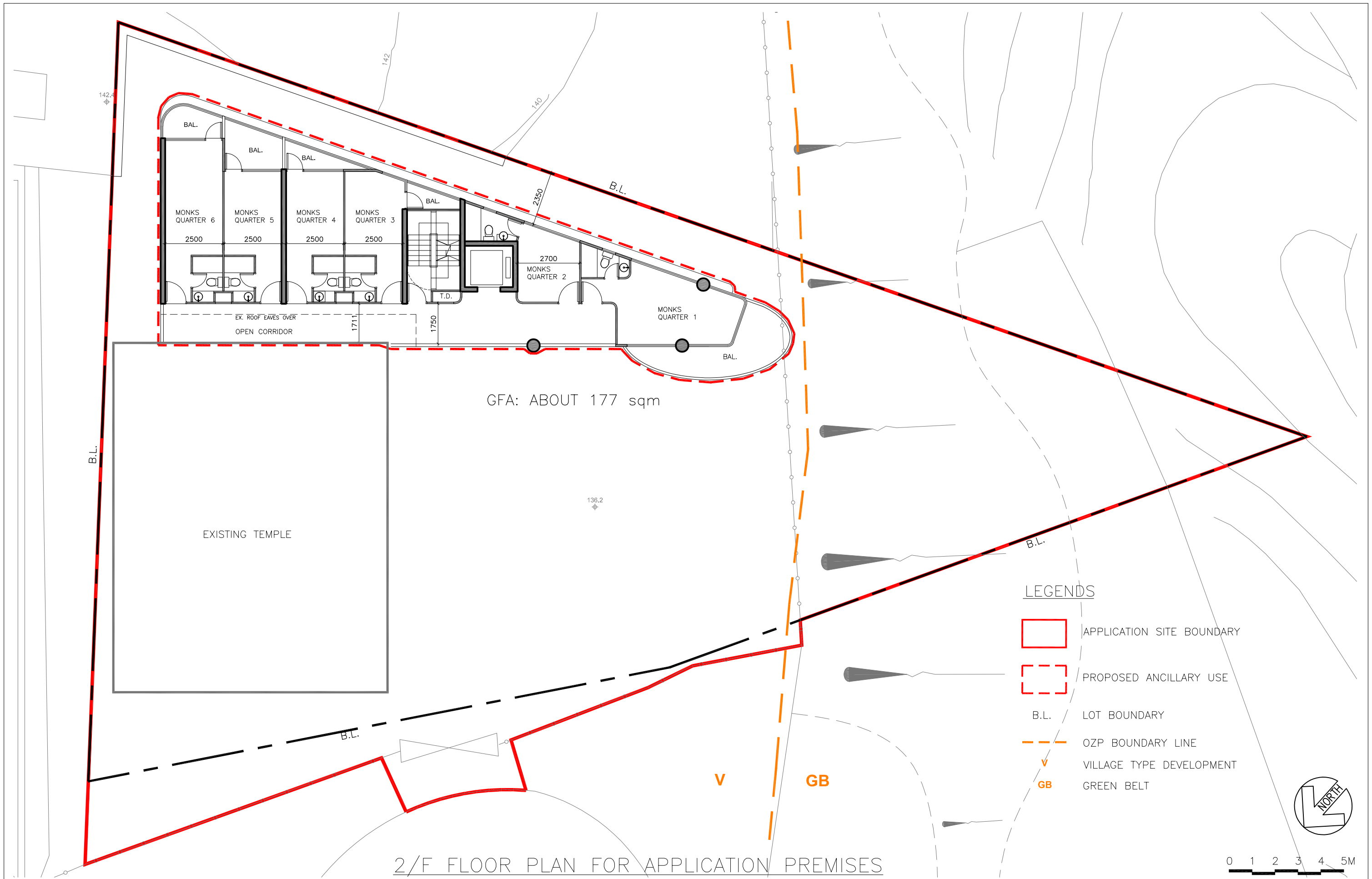
MASTER LAYOUT PLAN 1:250



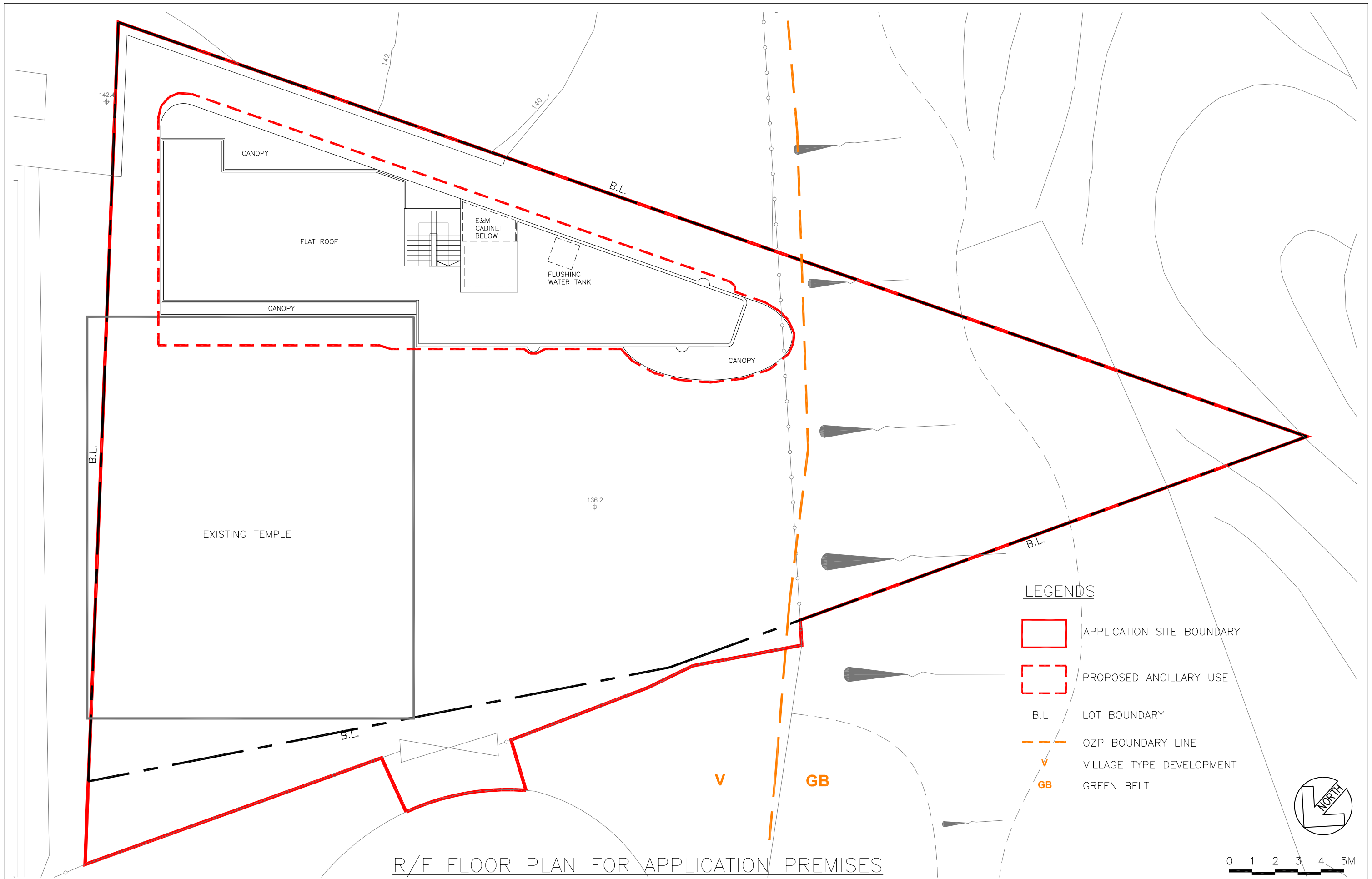


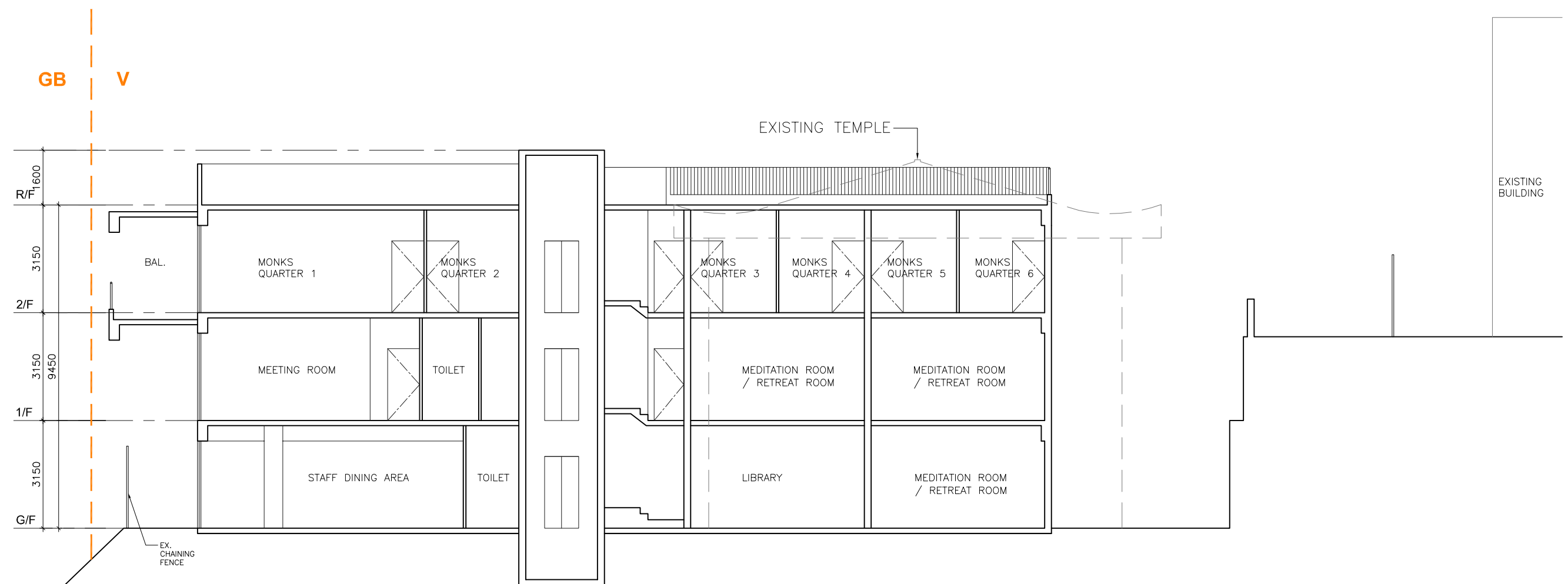
1/F FLOOR PLAN FOR APPLICATION PREMISES







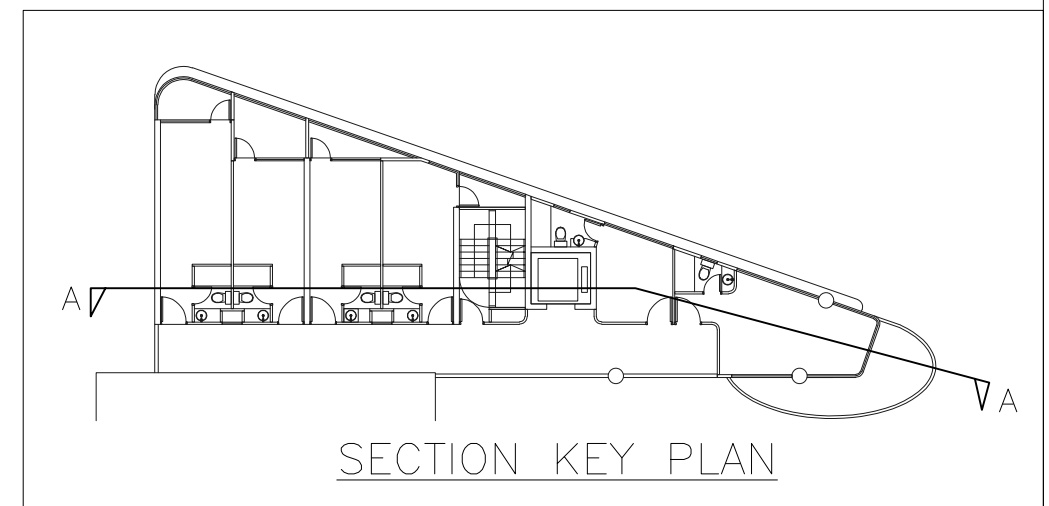




# LEGENDS

- OZP BOUNDARY LINE
- V VILLAGE TYPE DEVELOPMENT
- GB GREEN BELT

## SECTION A-A N.T.S.



## SECTION KEY PLAN

Date : 30<sup>th</sup> June, 2022

Your Ref. : TPB/A/SK-TLS/60

Our Ref. : ADCL/PLG-10240/L003

The Secretary  
Town Planning Board  
15/F., North Point Government Offices  
333 Java Road, North Point, Hong Kong

**By Email and Fax (No. 2877 0245)**

Dear Sir/Madam,

**Re: Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories**



We refer to the comments from, Landscape Unit of Urban Design & Landscape Section of Planning Department (UD&L/PlanD), Civil Engineering and Development Department (CEDD), and Lands Department (LandsD) conveyed by Planning Department (PlanD) on 09.06.2022, 16.06.2022 and 24.06.2022 and would like to attach hereto our Response-to-Comments as per **Appendix 1** with a view to addressing comments from UD&L/PlanD, CEDD and LandsD.

In addition to the above, with a view to facilitating your consideration, we would like to provide clarifications as follow: -

- There is a total of 7 monks quarter rooms within existing temporary structures, the current application that aimed at regularising existing religious activity, proposed no additional rooms, but a reduction in provision;
- The existing temporary structures are currently accommodating 4-5 long-stay monks with occasional stay of monks from China during religious assembly. Upon relocation, the proposed ancillary use shall remain accommodating 4-5 long-stay monks;
- The current application involves no private columbarium use. There will not be any columbarium use within the proposed ancillary use;
- Temporary structures proposed for demolition are shown in Figure 1 (**Appendix 2** refers). Temporary structures would be demolished upon relocation of religious activities into the proposed ancillary use;
- The existing meter room and water tank will be reprovisioned within the Application Site (**Appendix 2** refers);
- The related land issues will be dealt with during land exchange and lease modification in later stage;
- The current application and proposed site formation involve no tree fell, the approximate area for excavation and site formation is shown in Figure 2 (**Appendix 2** refers); and,
- The applicant will liaise the relevant lot owners in obtaining right of way for emergency vehicular access.

Thank you for your kind attention and should you have any queries, please do not hesitate to contact our Mr. Thomas Luk or Miss Isa YUEN at 3180 7811.

Yours faithfully,  
For and on behalf of  
**Aikon Development Consultancy Limited**



Encl.

c.c. Client (w/o. Encl.)

Response-to-Comments

Date	Department	Comments	Responses
16.6.2022	CEDD	<p><u>Comments of Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (CEDD) (Contact person: Ms. Hammer K M LAM, Tel: 2762 5381):</u></p> <p>"According to our records, existing registered man-made feature nos. 11NE-D/FR147, 11NE-D/CR648 are found within or adjacent to the proposed site which may affect or be affected by the proposed development. The future geotechnical study should cover all man-made slopes and retaining walls within or in the vicinity of the subject site, if such slopes or retaining walls could affect or be affected by the development under the project, or if their failure could affect lives and property within or outside the site under the project. As a result of the study or design, and if found necessary, all upgrading works to existing man-made slopes and retaining walls or construction of new man-made slopes and retaining walls should meet the current safety standards."</p>	<p>Noted. Once the current application is approved, the Applicant is will conduct geotechnical study, if and when required by CEDD or relevant Government departments during the subsequent General Building Plan submission and/or by way of compliance of approval conditions to their satisfaction.</p>
Date	Department	Comments	Responses
16.6.2022	PlanD	<p><u>Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (Landscape Unit):</u></p> <p><u>"Observations and Comments - Landscape</u> According to the aerial photo of 2020, the Site is situated in an area of miscellaneous urban fringe landscape character predominated by village houses and woodlands. The proposed development of a new three-storey ancillary block adjacent to the existing temple is not entirely incompatible with the existing landscape character in the proximity.</p> <p>With reference to the planning statement, the proposed</p>	<p>Noted.</p> <p>Noted.</p>

09.06.2022	<p>new ancillary block would not encroach into the "GB" zone and no existing trees would be affected by the proposed development. As no significant adverse impact on existing landscape resources and landscape character is anticipated due to the proposed development, I have <b>no comment</b> on the application from the landscape planning perspective.</p> <p><u>Detailed Comments / Advisory Comments</u> The applicant is reminded that approval of the application under Town Planning Ordinance does not imply approval of tree works such as pruning, transplanting and felling. The applicant should seek comments and approval from the relevant authority on the proposed tree works and compensatory planting proposal, where appropriate."</p> <p>The consultant should clarify whether the proposed development involves slope cutting, retaining wall(s) or other foundation supporting structure(s) within/outside the southeast of the Site. Please also indicate site formation level of the proposed development on Section A-A (Drawing S-01) of Appendix I."</p>	<p>As requested, Section A-A (Drawing S-01) per <b>Appendix A</b> attached indicates the site formation. The new ancillary block will involve slope cutting, retaining wall(s) or other foundation supporting structure(s) near the southeast of the application site. Once the current application is approved, the Applicant will engage professional land surveyor to conduct a detailed land survey and conduct geotechnical study with detailed design and extent of excavation, if and when required by CEDD and/or relevant Government departments during the subsequent General Building Plan submission and/or by way of compliance of approval conditions to their satisfaction.</p>
------------	---	--

Date	Department	Comments	Responses
24.6.2022	LandsD	<p>a) The applicant proposed to retain the existing one storey (11m or about 36 ft in height) temple and erect a 3 storey (9.45m or about 31 ft) building for monk quarters and ancillary religious use having a total GFA of 735m<sup>2</sup> and site coverage of 37%. The proposed religious development contravenes the existing lease conditions including the maximum building height of 2 storeys and 235 feet above the mean formation level, and built over area not exceeding 3000ft<sup>2</sup>. Also, the remaining area of the lot shall be used for agricultural purposes only.</p> <p>b) The application site includes Lot No. 542 in D.D. 401 ("the Lot") and a portion of Government land between the Lot and the road at front which is intended to be used for vehicular access. There is no guarantee that this portion of Government land will be granted if any application to this office is received. Also, it is noted that this portion of Government land is being occupied. No permission has been given for the unauthorised occupation. Government reserves the right to take action as may be considered appropriate.</p> <p>c) If planning approval is given to the proposed religious development over the site, the registered owner will need to apply to the Lands Departments for a lease modification/ land exchange for the above development proposal. However, there is no guarantee that such application will be approved. The application will be considered by Lands Department acting in the capacity as the landlord at its sole discretion. In considering any such application received, the portion of Government land between the Lot and the road may not be granted and there is no</p>	<p>Noted. Once the current application is approved, the Applicant is well aware of and is prepared to submit an application to the District Land Office for a land exchange/lease modification for the new ancillary block as well as regularising and rectifying any unauthorised use/ structure within the application site.</p> <p>Ditto.</p> <p>Ditto.</p>



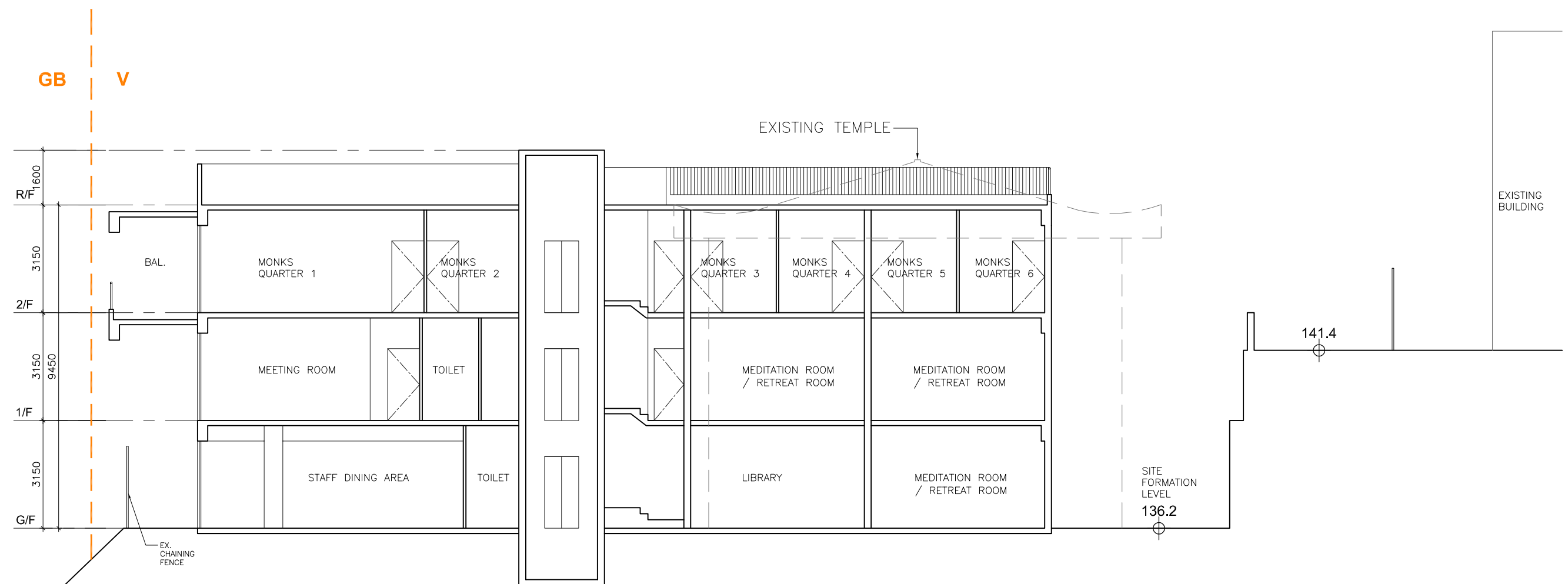
		<p>guarantee that any right of way will be given. In the event that the application is approved, it would be subject to such terms and conditions as the Government shall deem fit to do so, including among others, charging of premium and administrative fee as may be imposed by Lands Department. Irrespective of whether planning approval is given or not, Government reserves the right to take any lease enforcement or land control action as may be considered appropriate should any breach of lease conditions or conditions of any land documents or unauthorised occupation of Government land is detected.</p> <p>d) There are existing structures straddling the Lot and the area under Crown Land Permit S7698 granted for temporary structures and cultivation only with 3 structures permitted separately for accommodation, store and latrine. The permittee is not the registered owner of the Lot nor the applicant. The applicant is required to clarify. According to the applicant's information, the structures straddling the Permit and the Lot are in breach of the Permit. There are some other structures erected on and outside the permit area which are also in breach of the Permit, no permission has been given to occupy the adjoining Government land. Government reserves the right to take any enforcement or land control action as may be considered appropriate should any breach of the conditions of any land documents or unauthorised occupation of Government land is detected.</p> <p>e) It is noted from the applicant's information that</p>	<p>Ditto.</p> <p>Ditto.</p>
--	--	---	-----------------------------

		<p>the height of the existing temple is 11m (i.e. about 36 feet) which exceeds 25 feet permitted under the existing leases. Also, as shown on the Roof Floor Plan of Appendix I, the roof of the existing temple has encroached onto the adjoining Government land outside the northeastern boundary of the Lot. No permission has been given to occupy the adjoining Government land and Government reserves the right to take any lease enforcement and land control actions as may be considered appropriate.</p> <p>f) The proposed development may affect the adjoining Slope Feature Nos. 11NE-D/CR648(2) and 11NE-D/FR147(1). In considering any lease modification or land exchange application, if received, to implement the proposal, the applicant of such application may be required to maintain these slope features.</p>	Ditto.
--	--	--	--------

Appendix | A

---

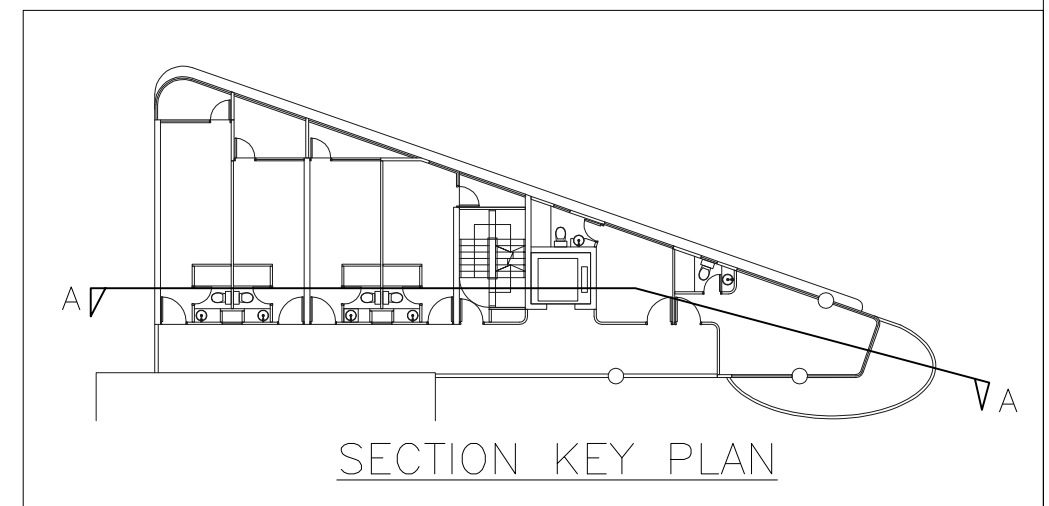
Section A-A (Drawing S-01)



# LEGENDS

- OZP BOUNDARY LINE
- V VILLAGE TYPE DEVELOPMENT
- GB GREEN BELT







## SECTION A-A N.T.S.



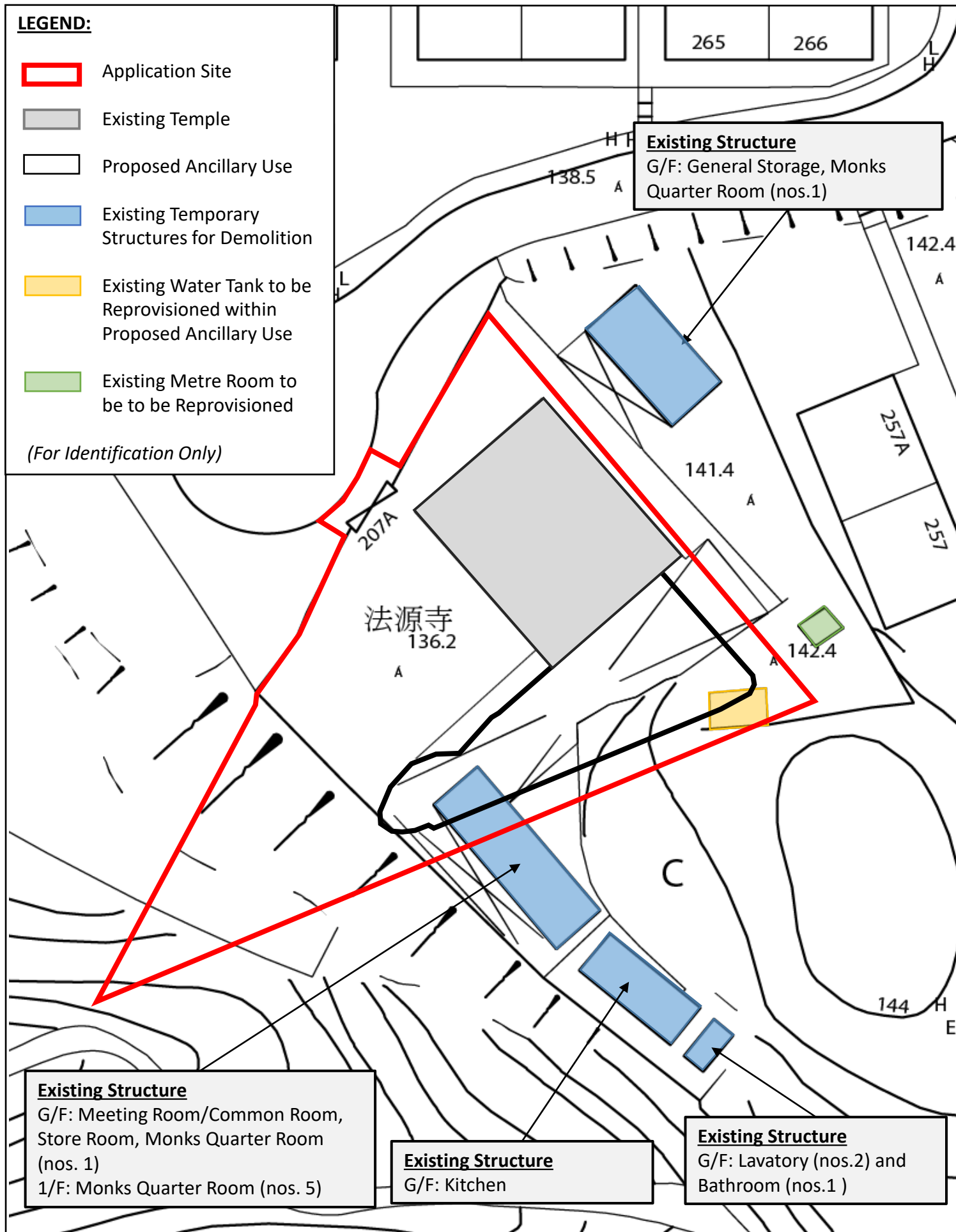
## SECTION KEY PLAN



**LEGEND:**

-  Application Site
-  Existing Temple
-  Proposed Ancillary Use
-  Existing Temporary Structures for Demolition
-  Existing Water Tank to be Reprovisioned within Proposed Ancillary Use
-  Existing Metre Room to be Reprovisioned

(For Identification Only)

**Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

Existing Structures for Demolition, Reprovision within Proposed Ancillary Use and Retained in-situ

Ref.: ADCL/PLG-10240-L003/F001

**Figure:**

1

**Scale:**

Not to Scale

**Date:**

Jun 2022



AIKON DEVELOPMENT CONSULTANCY LTD.

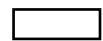
**LEGEND:** (For Identification Only)



Application Site



Existing Temple

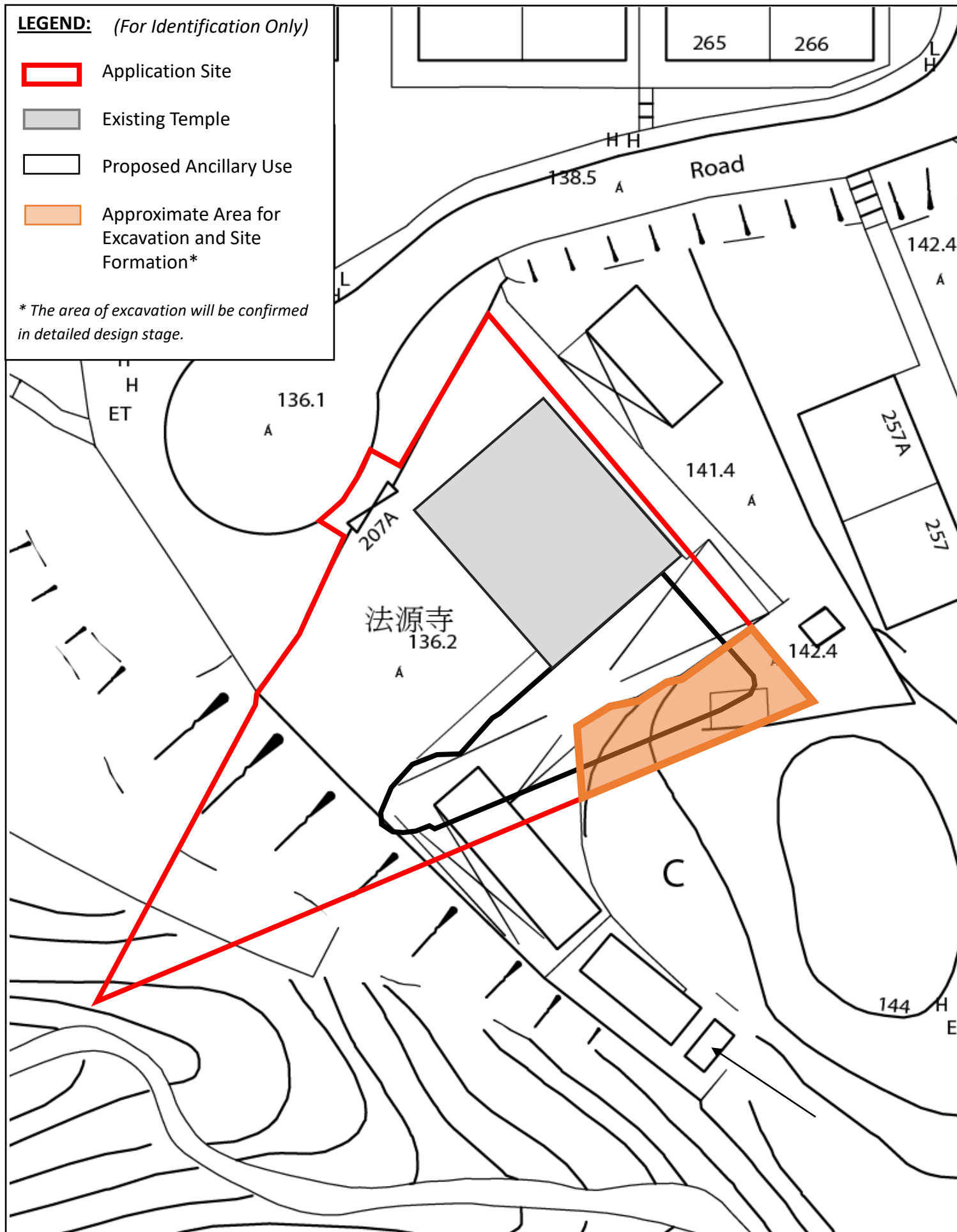


Proposed Ancillary Use



Approximate Area for  
Excavation and Site  
Formation\*

\* The area of excavation will be confirmed  
in detailed design stage.



**Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

Approximate Area for  
Excavation and Site  
Formation

Ref.: ADCL/PLG-10240-L003/F002

**Figure:**

2

**Scale:**

Not to Scale

**Date:**

Jun 2022



AIKON DEVELOPMENT CONSULTANCY LTD.



Date : 15<sup>th</sup> August, 2022

Your Ref. : TPB/A/SK-TLS/60

Our Ref. : ADCL/PLG-10240/L009

The Secretary  
Town Planning Board  
15/F., North Point Government Offices  
333 Java Road, North Point, Hong Kong

(Attn: Ms. Cherry CHAN)

By Email and Fax (No. 2877 0245)

Dear Ms. Chan,

**Re: Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories**

We refer to the comments from Lands Department (LandsD) and Building Department (BD) conveyed by Planning Department (PlanD) on 24.6.2022 and 4.7.2022 respectively and Environmental Protection Department (EPD) on 30.6.2022, 11.7.2022 and 9.8.2022 respectively, enclose herewith our Response-to-Comments as per **Appendix 1** and Replacement Pages of Planning Statement as per **Appendix 2** with a view to addressing comments from LandsD, BD and EPD. In order to further substantiate the current application and hence to facilitate the consideration by Town Planning Board (TPB), we would like to clarify on the following points:-

- The current application involves only the development of proposed ancillary building, serving as ancillary quarter for the monks at the existing religious temple. It is intended to replace, relocate and regularise the long-existed temporary structures. The existing temple is proposed to be retained without any modification.
- The Proposed Ancillary Quarters and Facilities Building (hereinafter referred to as “the Proposed Ancillary Building”) only strives to replace the existing temporary structures with no generation of additional visitors and monks, no additional sewerage capacity is therefore anticipated.
- A total of 6 Long-existed Temporary Structures would be demolished and replaced by the Proposed Ancillary Building for reprovision of accommodation, toilet, kitchen and meeting rooms, etc. (hereinafter refer to “the Ancillary Facilities”). The locations of the said structures are shown per Figure 1 in **Appendix 3** refers;
- There are no existing columbarium uses within the existing temple nor any of the Long-existed Temporary Structures. The current application will also involve no columbarium use;
- The current application would regularise current temporary structures and the existing temple, if and when required by relevant Government department. It is confirmed by the Applicant that, if and when required, any use(s) or structure(s) within or surrounding the existing temple within the application site will be duly rectified and regularised if they are found to be unauthorised by relevant Government department during the then lease modification/land exchange application and/or General Building Plan submission. As for the Long-existed Temporary Structures, they will all be demolished and replaced by the Proposed Ancillary Building;

Address 地址：



香港葵涌興芳路 223 號新都會廣場 2 期 13 樓 1310 室  
Unit 1310, Level 13, Tower 2 Metroplaza,  
223 Hing Fong Road, Kwai Chung, New Territories, Hong Kong

- The local van track leading to the application site has long been formed and utilised not exclusively by the existing temple and despite of this, the Applicant is committed to seek owner consent(s) from any private Lot(s) involved during the later lease modification application and/or general building plan submission stage. One approved planning application (No. A/TP/652) for Religious Institution and Columbarium with Ancillary Quarters with portion of proposed substandard access road involving private ownership and pending owners' consent more or less implied that TPB would consider such issue not a major planning issue and should be able to deal with at the later lease modification application and/or general building plan submission stage. More importantly, the Applicant will seek fundings from donators to participate more actively into local community/infrastructural works arising from the Proposed Ancillary Building including the existing local van track and make contribution to the management/maintenance costs arising thereof;
- With keen support from the Buddhists and related charity of the existing temple, resources will only be available and allocated in supporting of the local community/infrastructural after planning permission can be sought from TPB; and
- Apart from the planning justifications provided throughout the submitted Planning Statement, TPB shall consider the rationale behind the current application from town planning perspectives and any planning merits/exceptional grounds. In this connection, the current application shall deserve sympathetic consideration by TPB as it only strives to erect the Proposed Ancillary Building with Ancillary Facilities for aged monks in replacement of the Long-existed Temporary Structures within and outside the application site which have been in dilapidated condition for decades with no increase in population nor changes of internal uses at all whilst on the other hand, to enable relevant Government departments to subsequently and effectively regularise any unauthorised use(s)/structures within or surrounding the existing temple.

In view of the above, we sincerely hope that TPB will give sympathetic consideration to allow the current application.

Thank you for your kind attention and should you have any queries, please do not hesitate to contact our Mr. Thomas Luk or Miss Isa YUEN at 3180 7811.

Yours sincerely,  
For and on behalf of  
**Aikon Development Consultancy Limited**



Encl.

c.c. DPO/ TKO (Attn: Ms. Caroline TANG) – By Email  
DEP (Attn: Mr. Henry LEUNG) – By Email  
Client (w/o. Encl.)

Our Ref.: ADCL\_PLG\_10240\_L009

Page 2 of 2

Response-to-Comments

Date	Department	Comments	Responses
30.6.2022	EPD	<p><u>Water Quality Impact</u></p> <p>1. Please supplement information on the no. of monks that living in the Application Site, visiting monks (e.g. the Buddhist Master and monks visiting from Mainland, as mentioned in S.1.2.7 and S.4.3.8 of the Planning Statement), visiting Buddhists, and staff or other visitors (if any) during the operation phase, and provide estimation of the quantity of sewage and wastewater to be generated from the Application Site during the operation phase under various scenarios (e.g. normal days, during religious assembly, in special occasions, etc.) with consideration of all the sources (e.g. toilet(s), shower facilities, kitchen, etc.).</p>	<p>1. The current application involves only the development of proposed ancillary building, serving as ancillary quarter for the monks at the existing temple. It is intended to replace, relocate and regularise the long-existed temporary structures. Against such background, the numbers of monks, visiting monks, visiting Buddhists, and other visitors during the operation phase are expected to remain the same as that of the long-existed temporary structures. There is a total of 4-5 long-stay monks (in normal days) and 1-2 monks (in special occasion only) visiting from Mainland during the operation phase. The long-stay monks will be solely responsible for the operation of the temple without the assistance of other staff, in this connection, with a scale similar to a New Territories Exempted House, the sewage discharge is anticipated to be minimal.</p> <p>According to the Applicant, it is estimated that the maximum number of visiting Buddhists and other visitors of the existing temple is about 20 persons in normal days. During special occasion, the maximum number of visiting Buddhists and other visitors of the existing temple is less than 100 persons. The number of visiting Buddhists and other visitors of the existing temple is strictly controlled by the temple, public visitors without referral are not served. In addition, the visiting Buddhists would only stay at the Application Site during practices of dharma of Buddhism at daytime (i.e, about 1-2 hours) in normal days, the Application Site would serve no visitors after its closure at 4:30pm. There will be no overnight stays of the visitors at the Application Site in normal days or special occasions. Against this background, the quantity of the sewage and wastewater to be generated from the Application Site during the operation phase under various scenarios are considered as not significant.</p>

11.7.2022		<p><b><u>Comment on 11.7.2022</u></b></p> <p><b><u>RtC Item 1 &amp; S5.13</u></b></p> <p>a) Please supplement information in S5.13 to clarify that besides longstay monks, whether there are other staff at the Application Site during the operation phase, and if it is positive, provide the no. of staff.</p> <p>b) Please also supplement information in S5.13 on the estimated maximum no. of visiting Buddhists and other visitors (e.g. during special occasions) during the operation phase.</p> <p>c) The wastewater collected from the kitchen in the Application Site, including that from the basins, sinks and floor drains, shall be discharged via a grease trap capable of providing at least 20 minutes retention during peak flow. Please supplement relevant in S5.13 where appropriate.</p>	<p>It is also clarified that the proposed kitchen is intended to serve as a domestic kitchen for the monks living at the proposed ancillary use. The kitchen would only be used internally. The Applicant has no intention to operate the kitchen, serving the public and for restaurant and food business purposes. Sewage and wastewater to be generated from the kitchen is considered as minimal.</p> <p>Given the foregoing intention of the current application, no additional sewage and/or wastewater is expected to be generated by allowing the proposed ancillary building under the current application.</p> <p>Please see the responses above. Section 5.13 has been supplemented accordingly (See <b>Appendix 2</b>).</p> <p>Please see the responses above. Section 5.13 has been supplemented accordingly (See <b>Appendix 2</b>).</p> <p>Please see the responses above. It is reiterated that the proposed kitchen is intended to serve as a domestic kitchen for the monks living at the proposed ancillary use. The kitchen would only be used internally. The Applicant has no intention to operate the kitchen, serving the public and for restaurant and food business purposes. Sewage and wastewater to be generated from the kitchen is considered as minimal.</p>
-----------	--	--	--

9.8.2022		<p>d) Please incorporate part of the response in the RtC (e.g. “the numbers of monks, visiting monks, visiting Buddhists, staff and other visitors during the operation phase are expected to remain the same as that of the long-existed temporary structures, i.e. a total of 4-5 longstay monks (in normal days) and 1-2 monks (in special occasion only) visiting from Mainland during the operation Phase”.) in S5.13 of the Planning Statement for clarity. Besides, please clarify whether the 4-5 longstay monks would stay at the Application Site in both normal days and in special occasions and revise as necessary.</p> <p><b><u>Comment on 9.8.2022</u></b></p> <p><u>S5.13.1, Last Sentence</u> Suggest to provide the full name of “NTEH”. Besides, please revise “sewerage” as “sewage”.</p> <p><u>S5.13.2</u> To further support the conclusion in the last sentence of S5.13.2, it is suggested to add a sentence before the last sentence (i.e. “Against this background...” ) to briefly address usually how long would the visiting Buddhists or other visitors stay at the application site for a visit, and whether they would stay overnight.</p>	<p>Please see the responses above. Section 5.13 has been supplemented accordingly (See <b>Appendix 2</b>).</p> <p>Noted and revised accordingly.</p> <p>Please see the responses above. Section 5.13 has been supplemented accordingly (See <b>Appendix 2</b>).</p>
30.6.2022		<p>2. Please state whether there will be wastewater generated from joss paper furnaces or other joss paper burning apparatuses at the Application Site, and if it is positive, please specify how would the wastewater be treated and the quantity of wastewater to be generated.</p>	<p>2. The current application involves only the development of proposed ancillary building, serving as ancillary quarter for the monks at the existing religious temple. It is intended to replace, relocate and regularise the long-existed temporary structures. The existing temple is proposed to be retained without any modification. The proposed ancillary use that serves as an ancillary quarter does not involve any incense/ joss paper burning, and no adverse sewerage impact is</p>

11.7.2022		<p><b><u>Comment on 11.7.2022</u></b></p> <p><b><u>RtC Item 2</u></b></p> <p>Noted that the Application Site includes both the existing temple and the proposed ancillary use. Please state where appropriate whether there will be wastewater generated from joss paper furnaces or other joss paper burning apparatuses at the Application Site, and if it is positive, please specify how would the wastewater be treated and the quantity of wastewater to be generated.</p>	<p>anticipated.</p> <p>Notwithstanding the above, it is clarified by the Applicant that activities for joss paper furnaces or other joss paper burning apparatuses for the existing temple within the Application Site have been strictly controlled since 2019 by suggesting alternative forms of worshipping without pollution effect, such as offering flower. As informed by the Applicant, no complaints have been received since, as such, it is considered that the impact is insignificant. The Applicant is also well prepared to upgrade the existing joss paper furnace system by adopting the Best Available Technology and carrying out good operational practice and administrative measures as suggested in the Guidelines on Air Pollution Control for Joss Paper Burning at Chinese Temples, Crematoria and Similar Places by EPD. In addition, the Applicant is also committed to ensure that wastewater generated from joss paper furnaces or other joss paper burning apparatuses at the Application Site, would be properly handled, and would not be discharged to stormwater drains or nearby water environment.</p> <p>Please see the reponses above.</p>
-----------	--	--	---

9.8.2022		<p><b><u>Comment on 9.8.2022</u></b></p> <p><u>S5.13 / RtC 2</u></p> <p>Suggest to incorporate part of the responses in RtC 2 (i.e. “The Applicant is also well prepared to upgrade the existing joss paper furnace system by adopting the Best Available Technology and carrying out good operational practice and administrative measures as suggested in the Guidelines on Air Pollution Control for Joss Paper Burning at Chinese Temples, Crematoria and Similar Places by EPD. In addition, the Applicant is also committed to ensure that wastewater generated from joss paper furnaces or other joss paper burning apparatuses at the Application Site, would be properly handled, and would not discharged via rainwater pipes to stormwater drains.”) in S5.13 where appropriate. Besides, it is suggested to revise “would not discharged via rainwater pipes to stormwater drains” as “would not be discharged to stormwater drains or nearby water environment.”.</p>	<p>Section 5.13 has been supplemented and revised accordingly (See <b>Appendix 2</b>).</p>
30.6.2022	EPD	<p>3. Please justify why the Application Site could not be connected the public sewerage system.</p>	<p>3. As the proposed development is small scale in nature and the current application involves only the development of proposed ancillary building, as such, the quantity of the sewage and wastewater to be generated from the Application site are considered as not significant. While there is no public sewerage system in close proximity to the Application Site, the clear distance from the Application Site to the nearest public sewerage system along Po Lam Road is about 200m and involves various private land lots of existing village house. Taking into account the potential difficulty related to the design and implementation of the connection to public sewer, e.g. land availability, conflicts with utilities, it is not cost effective to construct a sewer connecting to Po Lam</p>



11.7.2022		<p><b><u>Comment on 11.7.2022</u></b></p> <p><u>RtC Item 3 &amp; S4.7</u></p> <p>a) According to S4.7.1, there is an existing septic tank and soakaway (STS) system at the south of the Application Site. Please provide a figure showing the location of the existing STS system. Since there are watercourses in close proximity to the Application Site, please review the clearance distance from the STS to the watercourses to ensure compliance to the clearance distance as stated in ProPECC PN 5/93. Please supplement relevant information in S4.7.</p> <p>b) Please supplement information in S4.7 to state the current condition and performance of the STS system and address whether the STS system would be checked, maintained and repaired if necessary before and during the operation of the proposed development.</p>	<p>Road.</p> <p>A new septic tank and soakaway system (hereinafter referred to as “STS system”) with adequate capacity would be constructed and used for the application site (See <b>Appendix 2</b>). Based on the unit factors for domestic factors, the estimated sewage generation for the proposed development will be 1.62m<sup>3</sup>/day. The proposed septic tank and soakway system will have sufficient capacity to cater the additional sewage generation from the proposed development. The new STS system would follow the requirements stated in Professional Persons Environmental Consultative Committee Practice Note 5/93 (“hereinafter referred to as “ProPECC PN 5/93”), such as clearance distance and percolation test, and duly certified by an Authorised Person. As there is an existing STS system at the southern side of the Application Site, the new STS existing is considered to be an upgrade or proper improvement to replace the existing STS system in treating wastewater. In this connection, no adverse sewage impact arising from the proposed ancillary use is anticipated on the surroundings.</p> <p>Section 4.7.1 and 4.7.2 have been supplemented (See <b>Appendix 2</b>).</p> <p>Ditto.</p>
-----------	--	--	---

9.8.2022		<p><b><u>Comment on 9.8.2022</u></b></p> <p><u>S4.7</u></p> <p>a) The Applicant shall supplement information in S4.7 to briefly address why the Application Site could not be connected to the public sewerage system (e.g. availability of public sewerage system near the application site, the distance to the nearest public sewerage system etc.).</p> <p>b) Appendix D of ProPECC PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department" specifies that the clear distance from septic tank and soakaway (STS) system to stream courses should be 15 m (or 30 m if the water from the stream is used or likely to be used for drinking or domestic purpose). According to S4.7.1 and Figure 1, the distance between the existing STS system and the nearest stream to the south of the temple is only 8 m, which could not comply with the clearance distance requirement stated in ProPECC PN 5/93. As such, a new STS system with adequate capacity shall be constructed and used instead of the existing STS system for the application site, and the new STS system shall follow the requirements stated in ProPECC PN 5/93, such as clearance distance and percolation test, and duly certified by an Authorised Person. Please revise S4.7 as appropriate.</p> <p>c) Please provide the full name of ProPECC PN 5/93 the first time it appears in the text.</p>	<p>Please see the response above. Section 4.7.1 and 4.7.2 have been supplemented accordingly (See <b>Appendix 2</b>).</p> <p>Please see the response above. The new STS system would follow the requirements stated in Professional Persons Environmental Consultative Committee Practice Note 5/93 ("hereinafter referred to as "ProPECC PN 5/93"), such as clearance distance and percolation test, and duly certified by an Authorised Person. Section 4.7.1 and 4.7.2 have been supplemented accordingly (See <b>Appendix 2</b>).</p> <p>Noted and revised accordingly.</p>
----------	--	---	---

30.6.2022		<p>4. Since there are watercourses in close proximity to the Application Site, water quality impacts arising from the proposed development during construction and operation phases shall be assessed and evaluated, with provision of relevant mitigation measures where necessary.</p>	<p>4. The Applicant has given due consideration to control potentially adverse impacts from the development and mitigation measures are recommended to avoid and minimise the potential for discharges of pollutants to the nearby watercourses in the vicinity of the development. In view of small scale of the proposed development, it is anticipated the potential water quality impacts from the proposed development is minimal.</p> <p>Section 5.12 has been supplemented accordingly (See <b>Appendix 2</b>).</p> <p><b>Potential Sources of Impacts</b>  <u>Construction Phase</u>  The major construction activities include site formation, excavation, foundation, superstructure and building construction, landscaping, slope stabilisation and E&amp;M work. Only small construction plants will be required. Therefore, potential sources of water quality impacts associated with the construction of the Development Site comprise:</p> <ul style="list-style-type: none"> <li>- Construction runoff and drainage;</li> <li>- Runoff from general construction activities; and</li> <li>- Domestic sewage effluent produced by the on-site construction workers.</li> </ul> <p>Local water pollution could be an issue if the construction site runoff is allowed to spill outside the construction site area and drain into the nearby streams, the storm drain or natural drainage without treatment. However, with the proper implementation of a specific suite of mitigation measures, good site practices and housekeeping, unacceptable water quality impacts due to construction runoff and drainage are not expected.</p> <p>Meanwhile, the wastewater (i.e. from concrete washing and</p>
-----------	--	--	--

			<p>vehicle washing, uncontrolled discharge of debris and rubbish and spillages of liquids and chemicals stored on site) may contain high levels of suspended solids and high pH value. Direct discharge of such wastewater would have potential impacts to the watercourses located below the Development Site. The debris and rubbish could enter the drainage systems on site and cause blockages. The spillage of liquids may also result in water quality impacts if they enter storm water drains or open drainage channels.</p> <p><u>Operational Phase</u></p> <p>Potential sources of water quality impacts during operation of the Project include:</p> <ul style="list-style-type: none"> <li>- Surface runoff and drainage including the Development Site; and</li> <li>- Domestic sewage effluent produced by the operators and visitors.</li> </ul> <p>In view of small scale and minor work activities, it is also anticipated that the potential water quality impacts due to the operation of the Proposed Development would be minimal.</p> <p><b>Mitigation Measures</b></p> <p><u>Construction Phase</u></p> <ul style="list-style-type: none"> <li>- Recommended mitigation measures to alleviate potential water quality impacts be implemented during construction phase include:</li> <li>- Temporary peripheral drainage system shall be properly designed and constructed, in accordance with requirements stipulated in ProPECC PN 1/94 along the Project Site boundary;</li> <li>- Construction site drainage system shall be properly designed and constructed, in accordance with requirements stipulated in ProPECC PN 1/94, and the above-mentioned peripheral site drainage system will be equipped with sand/silt removal facilities including</li> </ul>
--	--	--	--

11.7.2022		<p><b><u>Comment on 11.7.2022</u></b></p> <p><u>RtC Item 4 &amp; S5.12</u></p> <p>a) Please be reminded that good site practices as recommended in the Professional Persons Environmental Consultative Committee Practice Note 1/94 "Construction Site Drainage" (ProPECC PN1/94) and the "Recommended Pollution Control Clauses for Construction Contracts" issued by EPD shall be adopted to minimize the water quality impacts during the construction phase of the proposed development. Please supplement relevant information in S5.12.</p> <p>b) Besides, since the Application Site is in close proximity to inland watercourses, the practices outlined in ETWB TC (Works) No. 5/2005 "Protection of natural streams/ rivers from adverse impacts arising from construction works" should also be adopted where applicable to minimize the water quality impacts on the watercourses. Please</p>	<p>containment of site runoff and provision of temporary drains, sedimentation basins, sand/silt removal facilities and similar facilities to properly treat the surface runoff collected prior to discharge;</p> <ul style="list-style-type: none"> <li>- The Contractor shall apply for a discharge license under the Water Pollution Control Ordinance ("WPCO") and the effluent discharge from the construction activities shall comply with the terms and conditions of the license;</li> <li>- Management of general construction activities including maintaining good housekeeping on site and storing oils, fuels and chemical securely to prevent spillages and leakage will be carried out; and</li> <li>- Management of sewage effluent from the workforce via provision and maintenance of adequate temporary sanitary facilities.</li> </ul> <p>Noted. Section 5.12 has been supplemented accordingly (See <b>Appendix 2</b>).</p> <p>Noted. Section 5.12 has been supplemented accordingly (See <b>Appendix 2</b>).</p>
-----------	--	---	--

11

30.6.2022	EPD	<p><u>Air Quality Impact</u></p> <p>1. There is no air quality impact assessment for the captioned application. The applicant should evaluate the air quality impact arising from both construction and operation of the project in order to demonstrate the environmental acceptability of the development. The assessment should demonstrate the compliance with the buffer distance requirements for both road and chimney as stipulated in Chapter 9 of HKPSG.</p>	<p>1. It should be reiterated that the intention of the current application is solely to replace, relocate and regularize the current religious accommodation and facilities from the long-existed temporary structures (already subject to Government License permitted for quarter, kitchen and toilet) to the proposed ancillary building and the nature of which should not in any sense posing any air quality impact to the surrounding environs. The kitchen serves for internal use only and it has no intention to serve the public as the commercial use.</p> <p>The surrounding environment of the Application Site has a semi-rural locality that is characterised by low-rise villages houses (See Figure 2 in <b>Appendix 3</b>). While the proposed ancillary use is regarded as an Air Sensitive Receiver, there is no chimney in the vicinity of the Application Site and the chimney buffer distance requirement as stipulated in Chapter 9 of HKPSG is fulfilled.</p> <p>The Application Site that abuts a local track, is positioned far from local distributor (i.e., Po Lam Road) with a clear distance of about 200m. The location of the proposed ancillary use has ensured a &gt;5m buffer distance from the existing local track and local distributor and fulfilled requirement as stipulated in Chapter 9 of HKPSG.</p> <p>Section 5.14 has been supplemented (See <b>Appendix 2</b>).</p>
11.7.2022		<p><u>Comment on 11.7.2022</u></p> <p><u>Air Quality Impact</u></p> <p>We are fully aware of the intention of the subject application for replacing the existing substandard structures at the subject site with safe premises for carrying out religious activities. Yet, we take note</p>	<p>Noted. As the proposed development is small scale in nature and the current application involves only the development of proposed ancillary building for relocation purpose, as such, the air quality impact arising from both construction and</p>



9.8.2022		<p>from the R-to-C that our previous comment from air quality perspective at Item (1), which the applicant should evaluate the air quality impact arising from both construction and operation of the project in order to demonstrate the environmental acceptability of the development, have not been properly addressed.</p> <p><b><u>Comment on 9.8.2022</u></b></p> <p><u>Air Quality Impact</u></p> <p>As the proposed religious institution is an Air Sensitive Receiver, please supplement whether there is any chimney in the vicinity of the application site and confirm if the chimney buffer distance requirement is fulfilled.</p>	<p>operation of the project is considered as minimal. With a scale similar to a New Territories Exempted House, the proposed ancillary use is considered as environmentally acceptable.</p> <p>Notwithstanding the above, please note that the future construction of the proposed ancillary use will adopt the precast &amp; prefabricated elements for the new building to minimise any unfavourable environmental impacts. Relevant government departments will be consulted upon the commencement of the proposed development. Good site practices and relevant guidelines, where applicable, would be strictly followed during construction phase. In addition, the Applicant is well prepared to implement mitigation measures to alleviate air quality impact during construction and operation phase at the later design stage.</p> <p>Section 5.14 has been supplemented. (See <b>Appendix 2</b>).</p> <p>Please see the responses above. Section 5.14 has been supplemented. (See <b>Appendix 2</b>).</p>
30.6.2022	EPD	<p>2. The applicant should supplement whether incense and/or joss paper burning will be involved in the proposed development. If yes, please evaluate the potential odour/emission from these activities and propose mitigation measures to avoid causing nuisances to nearby residents. Reference should be made to the Guidelines on Air Pollution Control for Joss Paper Burning at Chinese Temples, Crematoria and Similar Places.</p>	<p>2. No incense/or joss paper burning will be involved in the proposed development (i.e. proposed ancillary use), and it is anticipated that there will be no adverse air impact generated from the proposed development. Please note that the current application involves only the development of a proposed ancillary building, serving as ancillary quarter for the monks at the existing temple. It is intended to replace, relocate and regularise the temporary structures. The current application does not involve any redevelopment of existing temple, which</p>

11.7.2022		<p><b><u>Comment on 11.7.2022</u></b></p> <p><b><u>Major Comment</u></b></p> <p>As stated in item (2) of the previous comment, the applicant should clarify whether incense and/or joss paper burning will be involved in the proposed development. If yes, please evaluate the potential odour/emission from these activities and propose mitigation measures to avoid causing nuisances to nearby residents. Reference should be made to the Guidelines on Air Pollution Control for Joss Paper Burning at Chinese Temples, Crematoria and Similar Places.</p>	<p><b>does not form</b> part of the current application. No odour/emission is anticipated to be generated by the proposed ancillary use.</p> <p>Notwithstanding the above, it is clarified by the Applicant that activities for joss paper furnaces or other joss paper burning apparatuses for the existing temple within the Application Site have been strictly controlled since 2019 by suggesting alternative forms of worshipping without pollution effect, such as offering flower. As informed by the Applicant, no complaints have been received since, as such, it is considered that the impact is insignificant. The Applicant is also well prepared to upgrade the existing joss paper furnace system by adopting the Best Available Technology and carrying out good operational practice and administrative measures as suggested in the Guidelines on Air Pollution Control for Joss Paper Burning at Chinese Temples, Crematoria and Similar Places by EPD.</p> <p>Section 5.14 has been supplemented. (See <b>Appendix 2</b>).</p> <p>Please see the response above. Section 5.14 has been supplemented. (See <b>Appendix 2</b>).</p>
-----------	--	--	---

30.6.2022	EPD	<p>3. In addition, as kitchen is proposed, the applicant should observe and follow the recommendations in the Guidelines on Control of Oily Fume and Cooking Odour from Restaurants and Food Business to avoid causing odour impact as far as practicable. In particular, the applicant should position the exhaust vent of the kitchen away from nearby village houses as far as possible to avoid causing any odour impact.</p>	<p>3. Noted. The exhaust vent of the kitchen would be positioned away from nearby village houses as far as possible to avoid causing any odour impact. Please also note that the kitchen is intended to serve as a domestic kitchen for the monks living at the proposed development. The kitchen would only be used internally. The Applicant has no intention to operate the kitchen, serving the public and for restaurant and food business purposes. No adverse air quality impact would be anticipated. Section 5.14 has been supplemented (See <b>Appendix 2</b>).</p>
11.7.2022		<p><b><u>Comment on 11.7.2022</u></b></p> <p><b><u>Other Comments</u></b></p> <p>The applicant should demonstrate in a qualitative air quality impact assessment chapter to be supplemented to the planning statement about the fulfilment of buffer distance requirements as stipulated in Chapter 9 of HKPSG, together with discussions kitchen exhaust as exhibited in our air quality-related R-to-C Item (3).</p>	<p>Noted. Please refer to RtoC (1) and the response above and and refer to section 5.14 (See <b>Appendix 2</b>).</p>

Date	Department	Comments	Responses
24.6.2022	LandsD	<p>a) The applicant proposed to retain the existing one storey (11m or about 36 ft in height) temple and erect a 3 storey (9.45m or about 31 ft) building for monk quarters and ancillary religious use having a total GFA of 735m<sup>2</sup> and site coverage of 37%. The proposed religious development contravenes the existing lease conditions including the maximum building height of 2 storeys and 235 feet above the mean formation level, and built over area not exceeding 3000ft<sup>2</sup>. Also, the remaining area of the lot shall be used for agricultural purposes only.</p> <p>b) The application site includes Lot No. 542 in D.D. 401 ("the Lot") and a portion of Government land between the Lot and the road at front which is intended to be used for vehicular access. There is no guarantee that this portion of Government land will be granted if any application to this office is received. Also, it is noted that this portion of Government land is being occupied. No permission has been given for the unauthorised occupation. Government reserves the right to take action as may be considered appropriate.</p> <p>c) If planning approval is given to the proposed religious development over the site, the registered owner will need to apply to the Lands Departments for a lease modification/ land exchange for the above development proposal. However, there is no guarantee that such application will be approved. The application will be considered by Lands Department acting in the capacity as the landlord at its sole discretion. In considering any such application received, the portion of Government land between the Lot and the road may not be granted and there is no</p>	<p>Noted. The Applicant is intended to submit an application for land exchange/ lease modification to District Land Office and comply with the lease conditions of the subject landlot upon the approval of the subject application</p> <p>Noted. Your office will be consulted and sought before the submission of application of lease modification/ land exchange upon the approval of subject planning application.</p> <p>Noted. The Applicant is intended to submit lease modification/ land exchange for the proposed development upon the approval of subject planning application. Your office will be consulted. The Applicant is prepared and intended to comply the lease conditions stipulated under the latest lease and rectify any unauthorised occupation of government land.</p>

		<p>guarantee that any right of way will be given. In the event that the application is approved, it would be subject to such terms and conditions as the Government shall deem fit to do so, including among others, charging of premium and administrative fee as may be imposed by Lands Department. Irrespective of whether planning approval is given or not, Government reserves the right to take any lease enforcement or land control action as may be considered appropriate should any breach of lease conditions or conditions of any land documents or unauthorised occupation of Government land is erected.</p> <p>d) There are existing structures straddling the Lot and the area under Crown Land Permit S7698 granted for temporary structures and cultivation only with 3 structures permitted separately for accommodation, store and latrine. The permittee is not the registered owner of the Lot nor the applicant. The applicant is required to clarify. According to the applicant's information, the structures straddling the Permit and the Lot are in breach of the Permit. There are some other structures erected on and outside the permit area which are also in breach of the Permit, no permission has been given to occupy the adjoining Government land. Government reserves the right to take any enforcement or land control action as may be considered appropriate should any breach of the conditions of any land documents or unauthorised occupation of Government land is detected.</p> <p>e) It is noted from the applicant's information that</p>	<p>Noted. The Crown Land Permit S7698 is granted to the ancestor of the Applicant, and the subject area had been continually used for the same purpose since permit is granted. The applicant is prepared to demolish and rectify any existing structures straddling the Lot and the area under Crown Land Permit S7698, if and when required by your office and any other relevant Government Departments.</p> <p>Noted. Upon the approval of the current planning application,</p>
--	--	--	--

		<p>the height of the existing temple is 11m (i.e. about 36 feet) which exceeds 25 feet permitted under the existing leases. Also, as shown on the Roof Floor Plan of Appendix I, the roof of the existing temple has encroached onto the adjoining Government land outside the northeastern boundary of the Lot. No permission has been given to occupy the adjoining Government land and Government reserves the right to take any lease enforcement and land control actions as may be considered appropriate.</p> <p>f) The proposed development may affect the adjoining Slope Feature Nos. 11NE-D/CR648(2) and 11NE-D/FR147(1). In considering any lease modification or land exchange application, if received, to implement the proposal, the applicant of such application may be required to maintain these slope features.</p>	<p>the Applicant is prepared to rectify any unauthorised structures and regularised unauthorised structures, when it is required. The Applicant will also apply for an application on lease modification/ land exchange and comply with the lease conditions under the latest lease, if approved.</p> <p>Noted. However, the the maintenance of slope features shall be subject to further agreement and discussion between the Applicant and your office at the lease modification/ land exchange stage.</p>
--	--	--	---

Date	Department	Comments	Responses
4.7.2022	BD	<p>I have no in-principle objection under the Building Ordinance (BO) to the application subject to the following comments:-</p> <p>a) Unless the site abuts on a specified street under Building (Planning) Regulation, (B(P)R) 18A(3) of not less than 4.5m wide, its development intensity should be determined by the Building Authority under B(P)R 19(3). In this connection, please request the applicant to clarify the land status/ integrity of the adjoining government land and existing access road.</p> <p>b) The means of obtaining access to the proposed building from a street including the land status of the adjoining government land and the existing access road should be clarified to demonstrate compliance of B(P)R 5;</p> <p>c) Emergency Vehicular Access (EVA) should be provided in accordance with B(P)R 41D;</p> <p>d) All unauthorised building works (UBW) has to be removed</p>	<p>Noted.</p> <p>Noted. The application site would make use of existing local van track for Emergency Vehicular Access (EVA). The local van track leading to the application site has long been formed and utilised not exclusively by the existing temple. Upon approval of the Current Application under the Town Planning Ordinance, the Applicant will submit an application to the District Land Office for a land exchange and lease modification and the Applicant is committed to seek owner consent(s) from any private Lot(s) involved during the later lease modification application and/or general building plan submission stage.</p> <p>Ditto.</p> <p>Noted.</p> <p>Noted. The current application would regularise current temporary structures and the existing temple, if and when required by relevant Government department. It is confirmed by the Applicant that, if and when required, any use(s) or structure(s) within or surrounding the existing temple within the application site will be duly rectified and regularised if they are found to be unauthorised by relevant Government department during the then lease modification/land exchange application and/or General Building Plan submission. As for the Long-existed Temporary Structures, they will all be demolished and replaced by the Proposed Ancillary Building.</p>



		<p>e) The granting of the planning approval should not be construed as an acceptance of the UBW on site under BO. Enforcement action may be taken to effect the removal of all UBW in the future.</p>	Noted.
		<p>f) Detailed comments will be given during general building plans submission stage.</p>	Noted.

---

Replacement Pages of Planning Statement

## **Table of Contents**

<b>1</b>	<b>INTRODUCTION</b>	<b>3</b>
1.1	Purpose	3
1.2	Background	4
1.3	Objectives	6
1.4	Structure of the Planning Statement	6
<b>2</b>	<b>SITE PROFILE</b>	<b>8</b>
2.1	Location and Current condition of the Application Site	8
2.2	Surrounding Land-use Characteristics	9
2.3	Land Status	9
<b>3</b>	<b>PLANNING CONTEXT</b>	<b>11</b>
3.1	The Current OZP	11
3.2	Previous Planning Applications	12
3.3	Similar Planning Applications	12
<b>4</b>	<b>THE DEVELOPMENT PROPOSAL</b>	<b>14</b>
4.1	Site Configuration, Layout and Operation	14
4.2	Development Parameters	15
4.3	Design and Operation	15
4.4	Vehicular Access and Parking Arrangement	17
4.5	Landscape Treatment	17
4.6	Provision of Drainage Facilities	18
4.7	Provision of Sewage Treatment	18
<b>5</b>	<b>PLANNING JUSTIFICATIONS</b>	<b>19</b>
5.1	Genuine Need for a Proper and Permanent Ancillary Shelter for the Aged Monks	19
5.2	Regularize Current Substandard Setting	19
5.3	Provide a Better Environment in Advocating Buddhism	19
5.4	Respecting Long Site History and Existing Use	20
5.5	In Line with Uses Permitted Under Lease Conditions	20
5.6	Appropriate Location for the Proposed Ancillary Use And Better Utilization of Valuable Land Resources	20
5.7	Non-incompatible Use	21
5.8	Not Setting an Undesirable Precedent	21
5.9	No Adverse Traffic Impact	21
5.10	No Adverse Visual Impact	22
5.11	No Adverse Landscape Impact	22
5.12	No Adverse Environmental Impact	22
5.13	No Adverse Infrastructural, Drainage nor Sewerage Impact	24
<b>5.14</b>	<b>No Adverse Air Quality Impact</b>	<b>25</b>
<b>6</b>	<b>CONCLUSION</b>	<b>27</b>

**List of Tables**

Table 1	Similar Planning Applications for Uses being similar to the Proposed Use covered by the various OZPs in the recent 10 years
Table 2	Schedule of Accommodation
Table 3	Major Development Parameters of the Current Application

**List of Figures**

Figure 1	The Location Plan
Figure 2	The Location Plan (Cont'd)
Figure 3	Extract of Lot Index Plan No. ags_S00000088654_0001
Figure 4	Draft of Approved Tseng Lan Shue Outline Zoning Plan No. S/SK-TLS/9

**List of Illustrations**

Illustration 1-I	Extract of Aerial Photo prior to 1990
Illustration 1-II	Extract of Aerial Photo dated 6.7.1989
Illustration 1-III	Existing Condition of the Application Site
Illustration 1-IV	Existing Condition of the Application Site (Cont'd)
Illustration 1-V	Existing Condition of the Application Site (Cont'd)
Illustration 2-I	Surrounding Land Uses
Illustration 2-II	Surrounding Land Uses (Cont'd.)
Illustration 2-III	Public Transport Facilities

**List of Appendices**

Appendix I	Architectural Drawings and Plans
Appendix II	Location of Proposed Septic Tank and Soakaway System

#### 4.6 Provision of Drainage Facilities

- 4.6.1 The proposed ancillary use would connect to the existing drainage network. There are currently U-channels running along the periphery of the hard paved area of the Application Site. Given the site configuration, surface runoff will be diverted to the south and be effectively collected/discharged via the existing U-channel and catchpits to the nearby stream course at the south of the Application Site. No adverse drainage impact arising from the proposed ancillary use is anticipated. The Applicant is willing to fulfil the requirements set out by the relevant Government departments through complying with approval conditions upon approval of the Current Application.

#### 4.7 Provision of Sewage Treatment

- 4.7.1 As the proposed development is small scale in nature and the current application involves only the development of proposed ancillary building, as such, the quantity of the sewage and wastewater to be generated from the Application site are considered as not significant. While there is no public sewerage system in close proximity to the Application Site, the clear distance from the Application Site to the nearest public sewerage system along Po Lam Road is about 200m and involves various private land lots of existing village house. Taking into account the potential difficulty related to the design and implementation of the connection to public sewer, e.g. land availability, conflicts with utilities, it is not cost effective to construct a sewer connecting to Po Lam Road.
- 4.7.2 In this regard, a new septic tank and soakaway system (hereinafter referred to as “STS system”) with adequate capacity would be constructed and used for the application site (**See Appendix II**). The new STS system would follow the requirements stated in Professional Persons Environmental Consultative Committee Practice Note 5/93 (“hereinafter referred to as “ProPECC PN 5/93”), such as clearance distance and percolation test, and duly certified by an Authorised Person. As there is an existing STS system at the southern side of the Application Site, the new STS existing is considered to be an upgrade or proper improvement to replace the existing STS system in treating wastewater. In this connection, no adverse sewage impact arising from the proposed ancillary use is anticipated on the surroundings.
- 4.7.3 The Applicant is willing to fulfil the requirements set out by the relevant Government departments through complying with approval conditions upon approval of the Current Application.



ancillary use serves as a means of relocating current religious activities. While there are currently no traffic issues arisen, it can be concluded that the proposed ancillary use is considered acceptable from the traffic point of view.

- 5.9.2 Sufficient area within the Application Site is allowed for the manoeuvring of vehicles and one parking space is proposed as reserve purposes. In this connection, there would be no vehicles waiting or queuing up at the frontage of the Application Site.
- 5.9.3 There are various existing public transport options available in proximity to the Application Site. A variety of routes for bus and minibus are available within 5-minutes walking distance that connects the vicinity of Application Site to urban areas. Visitors are anticipated to continually rely on public transport in accessing the Application Site. A such, smooth passenger and vehicle flow can be maintained along Po Lam Road. Given that the proposed ancillary use is for relocation but not expansion in principle, the proposed ancillary use would not lead to overloading or deficit of the existing transport system in the district.

#### **5.10 No Adverse Visual Impact**

- 5.10.1 Although the proposed ancillary use has the same number of storeys as the surrounding village houses, it would be screened off by the existing slope. Given the existing site configuration, the proposed ancillary use is erected on a lower existing level (+136.2m) which results in at least 6m level difference from nearby dwellings and would not block vistas of the adjoining dwellings. Design measures are adopted to mitigate the impact of the proposed development. Windows of the proposed ancillary use are opened facing the refined slope at the south, where interfaces between monks and residents are limited. As these surrounding dwellings are having their frontage facing to the northeast, the visual and interface impact induced by the proposed ancillary use is anticipated to be insignificant (see **Illustration 2-I**).

#### **5.11 No Adverse Landscape Impact**

- 5.11.1 It is noteworthy that no trees are proposed to be fallen under the Current Application and developments are not encroached upon the "GB" zone. Considering small scale of the proposed development, it is unlikely that the proposed ancillary use would affect the overall landscape character of the area (see **Illustration 2-II**).

#### **5.12 No Adverse Environmental Impact**

- 5.12.1 The design and layout arrangement also steer to minimise interface issues by proposing the kitchen at least 20m from the surrounding dwellings. It is anticipated that there will be no adverse environmental concern, such as emission and effluent from the proposed kitchen to the surrounding neighbourhood. Given the development is self-contained with all religious activity confined in an indoor environment, it is unlikely that adverse noise impact will be generated. As the proposed ancillary use is non-polluting in nature, it shall not in any sense pose adverse

noise or odour impact. Furthermore, the proposed ancillary use serving 4-5 monks for their daily operation would not induce other significant adverse environmental impact.

5.12.2 The Applicant has given due consideration to control potentially adverse impacts from the development and mitigation measures are recommended to avoid and minimise the potential for discharges of pollutants to the nearby watercourses in the vicinity of the development. In view of small scale of the proposed development, it is anticipated the potential water quality impacts from the proposed development is minimal. Notwithstanding the above, the practices outlined in the Environment, Transport and Works Bureau Technical Circular (Works) No. 5/2005 "Protection of natural streams/ rivers from adverse impacts arising from construction works" would be adopted where applicable to minimize the water quality impacts on the watercourses.

5.12.3 Good site practices as recommended in the Professional Persons Environmental Consultative Committee Practice Note 1/94 "Construction Site Drainage" (hereinafter referred to as "ProPECC PN1/94") and the "Recommended Pollution Control Clauses for Construction Contracts" issued by EPD would be adopted where applicable to minimize the water quality impacts during the construction phase of the proposed development.

5.12.4 The Applicant is well prepared to implement the following mitigation measures to alleviate potential water quality impact during construction phase where applicable:

- Temporary peripheral drainage system shall be properly designed and constructed, in accordance with requirements stipulated in ProPECC PN 1/94 along the Project Site boundary;
- Construction site drainage system shall be properly designed and constructed, in accordance with requirements stipulated in ProPECC PN 1/94, and the above-mentioned peripheral site drainage system will be equipped with sand/silt removal facilities including containment of site runoff and provision of temporary drains, sedimentation basins, sand/silt removal facilities and similar facilities to properly treat the surface runoff collected prior to discharge;
- The Contractor shall apply for a discharge license under the Water Pollution Control Ordinance ("WPCO") and any effluent discharge from the construction activities shall comply with the terms and conditions of the license;
- Management of general construction activities including maintaining good housekeeping on site and storing oils, fuels and chemical securely to prevent spillages and leakage will be carried out; and
- Management of sewage effluent from the workforce via provision and maintenance of adequate temporary sanitary facilities.

## **5.13 No Adverse Infrastructural, Drainage nor Sewerage Impact**

5.13.1 There is a total of 4-5 long-stay monks (in normal days) and 1-2 monks (in special occasion only) visiting from Mainland during the operation phase. The 4-5 long-stay monks would stay at the Application Site in both normal days and in special occasions. The long-stay monks will be solely responsible for the operation of the temple without the assistance of other staff, in this connection, with a scale similar to a New Territories Exempted House, the sewage discharge is anticipated to be minimal.

5.13.2 According to the Applicant, it is estimated that the maximum number of visiting Buddhists and other visitors of the existing temple is about 20 persons in normal days. During special occasion, the maximum number of visiting Buddhists and other visitors of the existing temple is less than 100 persons. The number of visiting Buddhists and other visitors of the existing temple is strictly controlled by the temple, public visitors without referral are not served. In addition, the visiting Buddhists would only stay at the Application Site during practices of dharma of Buddhism at daytime (i.e, about 1-2 hours) in normal days, the Application Site would serve no visitors after its closure at 4:30pm. There will be no overnight stays of the visitors at the Application Site in normal days or special occasions. Against this background, the quantity of the sewage and wastewater to be generated from the Application Site during the operation phase under various scenarios are considered as not significant.

5.13.3 While the Current Application only seeks permission for the proposed ancillary use by relocating the existing ancillary use into the proposed 3-storeys development, the numbers of monks, visiting monks, visiting Buddhists, staff and other visitors during the operation phase are expected to remain the same as existing. Given the intention of the Current Application, no additional sewage and/or wastewater is expected to be generated by allowing the proposed ancillary building under the Current Application.

5.13.4 The proposed ancillary use would connect to the newly proposed septic tank and soakaway system with a view to upgrading and properly improving the treatment of wastewater. Given the nature of the Current Application is for relocating current religious activity, the proposed ancillary use is anticipated not to give rise to any sewerage impact. The proposed kitchen is intended to serve as a domestic kitchen for the monks living at the proposed ancillary use. The kitchen would only be used internally. The Applicant has no intention to operate the kitchen, serving the public and for restaurant and food business purposes, in this connection, sewage and wastewater to be generated from the kitchen is considered as minimal.

5.13.5 The design of site drainage and disposal of site effluents generated within the Application Site during the operation phase of the proposed development would follow the relevant guidelines and practices as given in the ProPECC PN 5/93.

5.13.6 The Applicant is also well prepared to upgrade the existing joss paper furnace system by adopting the Best Available Technology and carrying out good operational practice

and administrative measures as suggested in the Guidelines on Air Pollution Control for Joss Paper Burning at Chinese Temples, Crematoria and Similar Places by EPD. In addition, the Applicant is also committed to ensure that wastewater generated from joss paper furnaces or other joss paper burning apparatuses at the Application Site, would be properly handled, and would not be discharged to stormwater drains or nearby water environment.

- 5.13.7 As there are existing drainage channels within the Application Site for collecting surface run-off to connect with the existing stream to the west of the Application Site, the proposed ancillary use is anticipated not to give rise to any drainage impact to the adjoining areas. Should the Current Application be approved, the Applicant more than willing to submit a detailed drainage proposal together with a thorough investigation of the existing drainage system and implement such to the satisfaction of the Board and the concerned Government departments.

#### **5.14 No Adverse Air Quality Impact**

- 5.14.1 The surrounding environment of the Application Site has a semi-rural locality that is characterised by low-rise villages houses (See **Illustration 2-I**). While the proposed ancillary use is regarded as an Air Sensitive Receiver, there is no chimney in the vicinity of the Application Site and the chimney buffer distance requirement as stipulated in Chapter 9 of HKPSG is fulfilled.

- 5.14.2 The Application Site that abuts a local track, is positioned far from local distributor (i.e., Po Lam Road) with a clear distance of about 200m. The location of the proposed ancillary use has ensured a >5m buffer distance from the existing local track and local distributor and fulfilled requirement as stipulated in Chapter 9 of HKPSG.

- 5.14.3 The proposed kitchen is intended to serve as a domestic kitchen for the monks living at the proposed development and would only be used internally. The Applicant has no intention to operate the kitchen, serving the public and for restaurant and food business purposes. No adverse air quality impact would be anticipated. To ensure no adverse impact on the surrounding, the exhaust vent of the kitchen would be positioned away from nearby village houses as far as possible to avoid causing any odour impact.

- 5.14.4 The proposed ancillary use in current application involves no incense/or joss paper burning, as such, no adverse air quality impact is anticipated. Notwithstanding the above, the Applicant is well prepared to upgrade the existing joss paper furnace system by adopting the Best Available Technology and carrying out good operational practice and administrative measures as suggested in the Guidelines on Air Pollution Control for Joss Paper Burning at Chinese Temples, Crematoria and Similar Places by EPD.

- 5.14.5 As the proposed ancillary use is small scale in nature and the current application involves only the development of proposed ancillary building for relocation purpose,

as such, the air quality impact arising from both construction and operation of the project is considered as minimal. Notwithstanding the above, the future construction of the proposed ancillary use will adopt the precast & prefabricated elements for the new building to minimise any unfavourable environmental impacts. Relevant government departments will be consulted upon the commencement of the proposed development. Good site practices and relevant guidelines, where applicable, would be strictly followed during construction phase. In addition, the Applicant is well prepared to implement mitigation measures to alleviate air quality impact during construction and operation phase at the later design stage. With a scale similar to a New Territories Exempted House, the proposed ancillary use in terms of construction and operation is considered as environmentally acceptable with the aforementioned mitigation measures proposed.

## List of Appendices

---

Appendix I	Architectural Drawings and Plans
Appendix II	Location of Proposed Septic Tank and Soakaway System

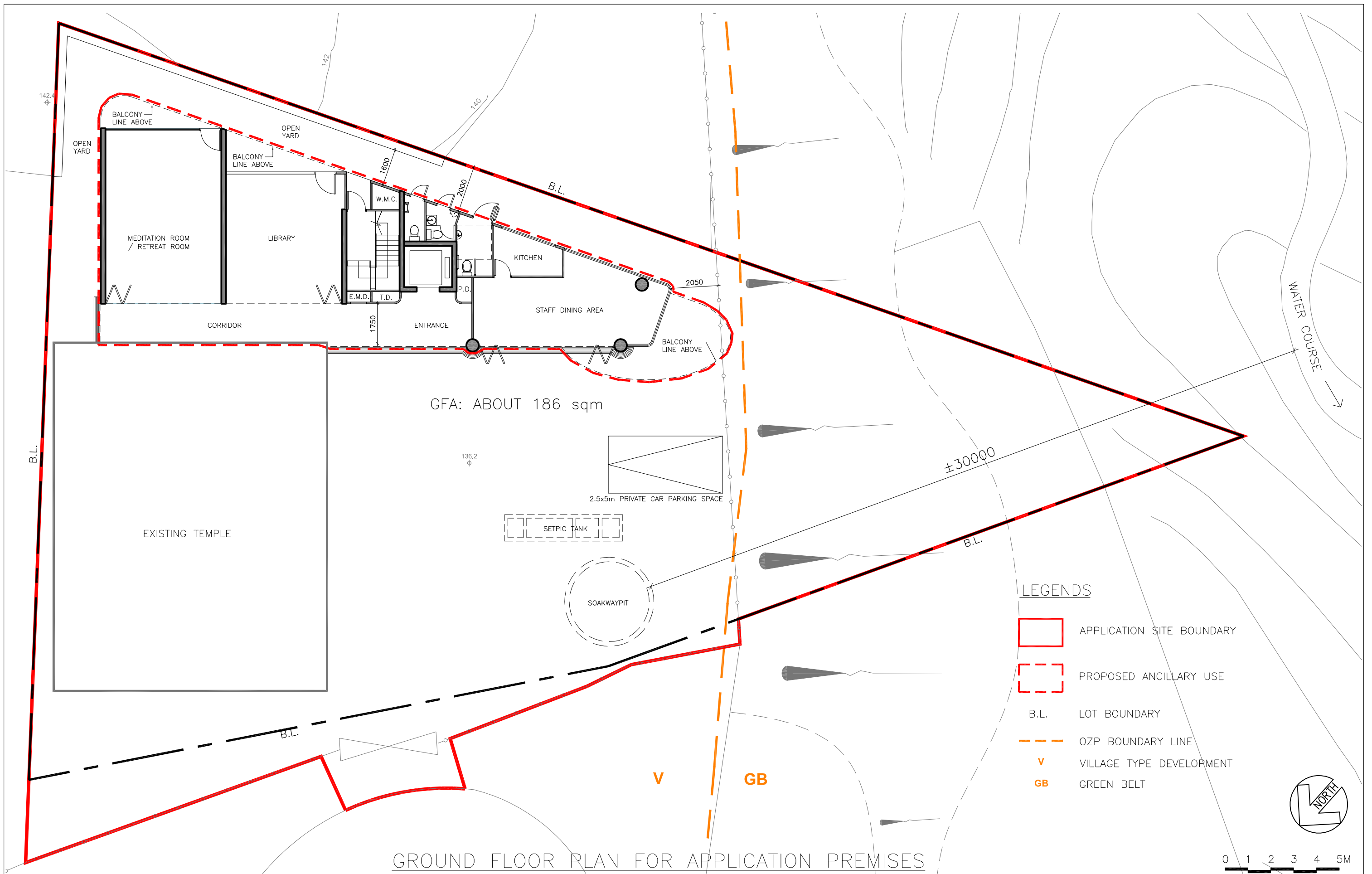


---

## Appendix | II

---

### Location of Proposed Septic Tank and Soakaway System



---

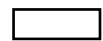
Supporting Drawings

**LEGEND:**

Application Site



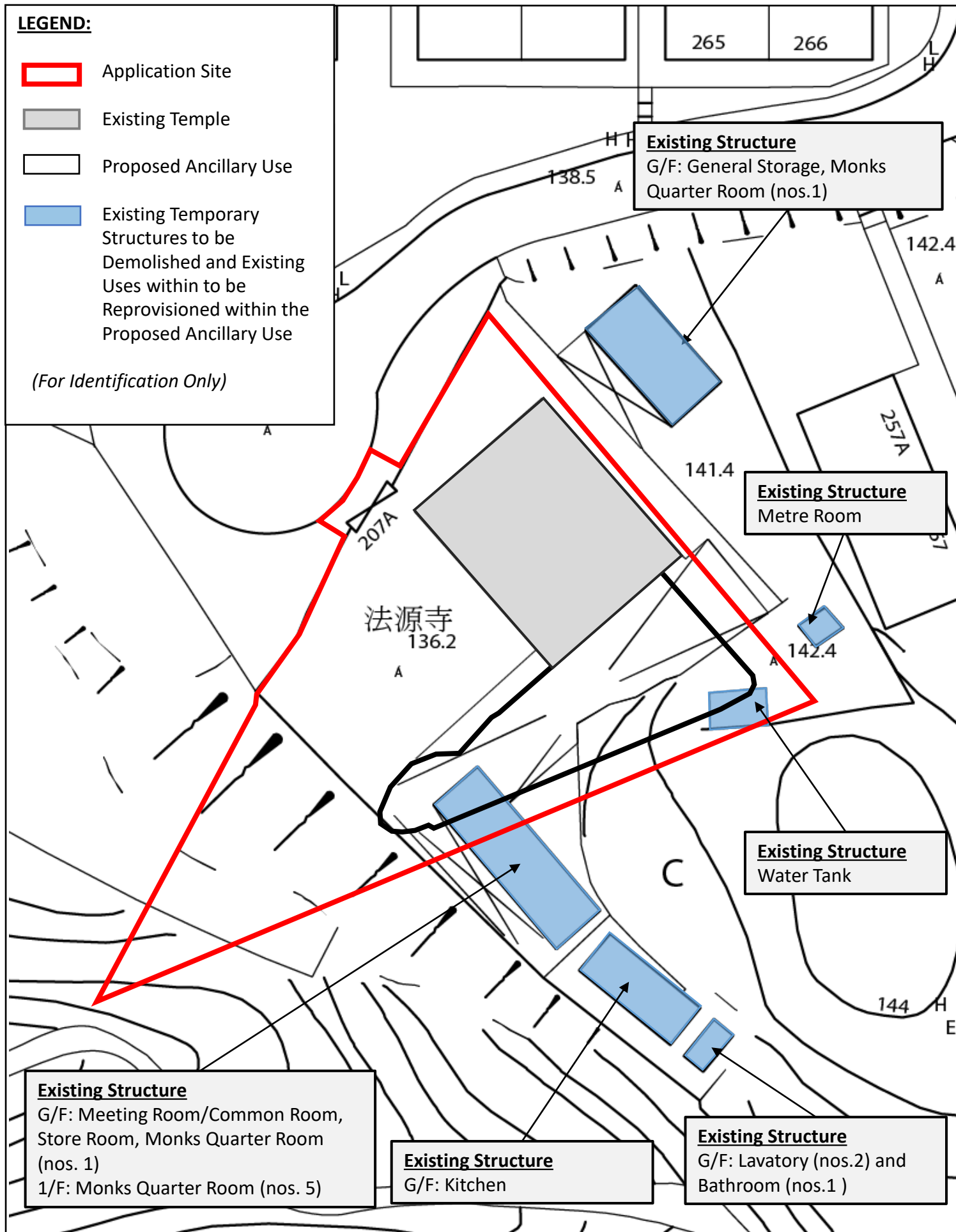
Existing Temple



Proposed Ancillary Use



Existing Temporary  
Structures to be  
Demolished and Existing  
Uses within to be  
Reprovisioned within the  
Proposed Ancillary Use

*(For Identification Only)***Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

Existing Structures for Demolition

Ref.: ADCL/PLG-10240-L009/F001

**Figure:**

1

**Scale:**

Not to Scale

**Date:**

Aug 2022



AIKON DEVELOPMENT CONSULTANCY LTD.



**LEGEND:**



Application Site

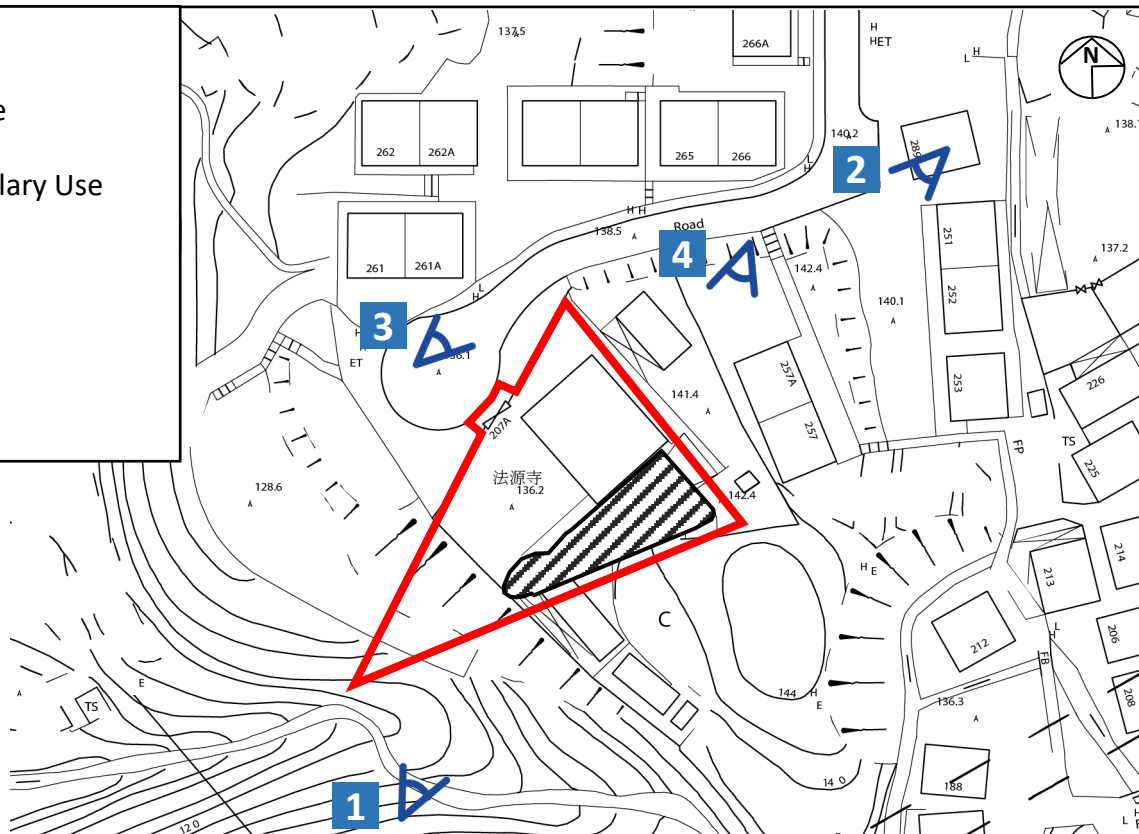


### Proposed Ancillary Use

1 – 4

## Surrounding Views

*(For Identification Only)*



**Project:**

Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories

**Title:**

### Surrounding Land Uses

Ref.: ADCL/PLG-10240-R001/I002-I

**Illustration:**

2-1

**Scale:**

Not to Scale

## Date:

Mar 2022



AIKON DEVELOPMENT CONSULTANCY LTD.

**Relevant Extracts of Town Planning Board Guidelines for Application for Development  
within Green Belt Zone under Section 16 of the Town Planning Ordinance  
(TPB PG-No. 10)**

The relevant assessment criteria are as follows:

- (a) There is a general presumption against development (other than redevelopment) in a “Green Belt” (“GB”) zone. In general, the Board will only be prepared to approve applications for development in the context of requests to rezone to an appropriate use.
- (b) An application for new development in a “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed development including the plot ratio, site coverage and building height should be compatible with the character of surrounding areas. With the exception of New Territories Exempted Houses, a plot ratio up to 0.4 for residential development may be permitted.
- (c) Redevelopment of existing residential development will generally be permitted up to the intensity of the existing development.
- (d) Applications for government, institution or community (G/IC) uses and public utility installations must demonstrate that the proposed development is essential and that no alternative sites are available. The plot ratio of the development site may exceed 0.4 so as to minimize the land to be allocated for G/IC uses.
- (e) The design and layout of any proposed development should be compatible with the surrounding area. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment.
- (f) The vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features. Tree preservation and landscaping proposals should be provided.
- (g) The proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, roads and water supply. It should not adversely affect drainage or aggravate flooding in the area.
- (h) The proposed development must comply with the development controls and restrictions of areas designated as water gathering grounds.
- (i) The proposed development should not overstrain the overall provision of G/IC facilities in the general area.
- (j) The proposed development should not be susceptible to adverse environmental effects from pollution sources nearby such as traffic noise, unless adequate mitigating measures are provided, and it should not itself be the source of pollution.
- (k) Any proposed development on a slope or hillside should not adversely affect slope stability.



**Detailed Comments from Government Departments**

**Comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD):**

- (a) unless the application site (the Site) abuts on a specified street under Building (Planning) Regulation (B(P)R) 18A(3) of not less than 4.5m wide, its development intensity should be determined by the Building Authority under B(P)R 19(3). In this connection, the land status/integrity of the adjoining GL and existing access road should be clarified;
- (b) the means of obtaining access to the proposed building from a street including the land status of the adjoining GL and the existing access road should be clarified to demonstrate compliance with B(P)R 5;
- (c) emergency vehicular access (EVA) should be provided in accordance with B(P)R 41D;
- (d) all unauthorized building works (UBW) have to be removed;
- (e) the planning permission, if granted, should not be construed as an acceptance of the UBW on site under the Buildings Ordinance. Enforcement action may be taken to effect the removal of all UBW in the future; and
- (f) detailed comments will be given during general building plans submission stage.

**Comments of the Director of Environmental Protection:**

**Noise Impact**

- (a) as the Site is located about 200m away from Po Lam Road, the existing temple and proposed ancillary block are not anticipated to be subject to adverse road traffic noise impact. In view of the existing use nature and small scale of the subject religious institution, no adverse noise impact to and from the proposed development is expected;

**Air Quality Impact**

- (b) the applicant has confirmed that there is no chimney in the vicinity of the Site. According to the applicant, the proposed kitchen will only serve as a domestic kitchen for the monks living at the proposed ancillary block and will not serve the public for restaurant and food business purposes. The exhaust vent of the kitchen will be positioned away from nearby village houses;
- (c) the applicant has clarified that activities for joss paper furnaces or other joss paper burning apparatuses at the existing temple have been strictly controlled since 2019 by suggesting alternative forms of worshipping without pollution effect, such as offering flower. The applicant is also well prepared to upgrade the existing joss paper furnace system by adopting the best available technology and carrying out good operational practice and administrative measures as suggested in the Guidelines on Air Pollution Control for Joss Paper Burning at Chinese Temples, Crematoria and Similar Places issued by her department;

### Water Quality Impact

- (d) according to the applicant, good site practices as recommended in the Professional Persons Environmental Consultative Committee Practice Note 1/94 “Construction Site Drainage” and the “Recommended Pollution Control Clauses for Construction Contracts” issued by her department will be adopted where applicable to minimise the water quality impacts during construction; and
- (e) the applicant has committed to ensure that wastewater generated from joss paper furnaces or other joss paper burning apparatuses at the Site will be properly handled and not be discharged to stormwater drains or nearby water environment. The applicant also confirms that a new Septic Tank and Soakaway (STS) system with adequate capacity will be constructed and used for the Site. The new STS system will follow the requirements stated in Professional Persons Environmental Consultative Committee Practice Note 5/93, such as clearance distance and percolation test, and be duly certified by an Authorized Person.

### **Comments of the Director of Fire Services:**

- (a) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (b) the EVA provision in the proposed development shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation 41D which is administered by BD. Also, the EVA provision of the nearby buildings shall not be affected by the proposed development; and
- (c) shall the proposed development affect any EVA provision of nearby buildings or licensed premises in the area, such as petrol filling station or dangerous goods store, the applicant should make separate enquiry to his department to ensure work feasibility.

### **Comments of the Director of Electrical and Mechanical Services:**

- (a) in the interests of public safety and ensuring the continuity of electricity supply, the applicant should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. The applicant should also observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established thereunder when carrying out works in the vicinity of the electricity supply lines; and
- (b) there is an intermediate pressure underground town gas transmission pipeline (running along Tseung Kwan O Tunnel) which is in the vicinity of the Site. For the sake of public safety and ensuring the continuity of town gas supply, the applicant shall therefore liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes/gas installations in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of works. The involved parties are also required to observe the requirements of the Code of Practice on “Avoidance of Damage to Gas Pipes” (2nd Edition) issued by his department for reference.

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220611-123201-07710

提交限期

Deadline for submission:

28/06/2022

提交日期及時間

Date and time of submission:

11/06/2022 12:32:01

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-TLS/60

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Mr, Yik

意見詳情

Details of the Comment :

本人為馬游塘村居民、剛好在這申請寺院背後！看到這申請加大面積！實在有點困惑，這寺院原有面積也很大，也有很多地方好像荒廢一樣！還要申請擴建？本人十分擔心申請後他們的用途和目的、會增加嘈音，景觀和空氣環境、增加焚燒祭品等問題！還有本身中電已視察過現場本村，本身電力已不足夠！還要增加負荷、影響本村電力穩定性！真不明白，掛著非牟利字眼就可以霸土地？也需要顧及日常居民正常生活吧！本身十分反對這項申請、希望能有一個正常居所！

2

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review****參考編號****Reference Number:**

220613-141944-39615

**提交限期****Deadline for submission:**

28/06/2022

**提交日期及時間****Date and time of submission:**

13/06/2022 14:19:44

**有關的規劃申請編號****The application no. to which the comment relates:**

A/SK-TLS/60

**「提意見人」姓名/名稱****Name of person making this comment:**

女士 Ms. Yeung kwai mui

**意見詳情****Details of the Comment :**

反對於上址興建宗教宿舍,此地乃綠化地帶,本村綠化地帶已非常缺少,而且易引起其他不是本村人來往極為不方便.寺廟經常在農曆七月晝夜不停誦經,已非常煩擾居民,影響鄉郊寧靜生活,時常大量焚燒冥鏹,嚴重擾民,極度反對於上址興建寺廟宿舍,而且對外通道是本村村民夾錢興建,乃屬本村村民財產不容其他人借宗教議提作商業用途,熱熾期盼將寺廟遷走.

3

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220613-150636-57949

提交限期

Deadline for submission:

28/06/2022

提交日期及時間

Date and time of submission:

13/06/2022 15:06:36

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-TLS/60

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Chan chu hei

意見詳情

Details of the Comment :

反對於上址興建寺廟宿舍,上指實為本村僅有綠化地帶,本人極度反對非原住民出入本村,增加車流量增加閑雜人等,影響鄉郊寧靜生活,寺廟以引來很多非原住民出入,寺廟經長大量焚燒冥鏹,嚴重影響本村居民生活,本人極度反對

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220613-151639-93799

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

13/06/2022 15:16:39

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 曾詠聰

意見詳情

**Details of the Comment :**

反對興建



5

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220613-154424-67550

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

13/06/2022 15:44:24

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss Chan Peggy

意見詳情

**Details of the Comment :**

應該保留多一點休憩空間

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220613-163948-94345

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

13/06/2022 16:39:48

有關的規劃申請編號

**The application no. to which the comment relates:** A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

夫人 Mrs. Winnie

意見詳情

**Details of the Comment :**

村內已經不多休憩空間，不要再擴展原有的綠色地區。破壞生態。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220613-165644-21363

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

13/06/2022 16:56:44

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

夫人 Mrs. chan yuk yee

意見詳情

**Details of the Comment :**

本人反對法原寺興建宿舍，這樣嚴重影響馬游塘居民。一來要動土，污染空氣同環境，二來多閒雜人等出入，影響治安。

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220614-120342-85230

提交限期

Deadline for submission:

28/06/2022

提交日期及時間

Date and time of submission:

14/06/2022 12:03:42

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-TLS/60

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. 劉

意見詳情

Details of the Comment :

支持。法源寺歷史悠久、多年來致力弘揚佛法，服務社會。批准這則申請有助法源寺繼續營運，服務大眾。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220614-141045-04058

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

14/06/2022 14:10:45

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss 李

意見詳情

**Details of the Comment :**

十分支持。

是次申請的主要目標是為僧侶提供安全的住所，並非以營利為目的。法源寺多年來盡心服務大眾，我認為沒有理由反對申請。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220614-143001-04666

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

14/06/2022 14:30:01

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 袁

意見詳情

**Details of the Comment :**

支持有關申請。

根據申請人的資料，寺廟旁邊現有的建築已經日久失修，對寺廟的住持構成危險。批准申請有助重置以上建築，幫助法源寺繼續服務附近居民。



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220614-143558-98272

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

14/06/2022 14:35:58

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 呂

意見詳情

**Details of the Comment :**

我不反對以上申請。申請人建議興建的附屬宿舍只用作代替現有的鐵皮屋，並不會帶來額外的人流及交通。加上寺廟不會透過附屬宿舍獲得利潤，我認為批准申請合情合理。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220614-145648-35801

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

14/06/2022 14:56:48

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 林

意見詳情

**Details of the Comment :**

支持。法源寺為區內的少數僧院，多年來致力服務居民。大師功德無量、廣結善緣。本人希望城市規劃委員會可以接納申請，讓大師繼續廣傳佛法，佛渡有緣人。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220614-151033-37862

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

14/06/2022 15:10:33

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss Pun

意見詳情

**Details of the Comment :**

支持申請，因可以支持佛教發展。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220614-152114-45181

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

14/06/2022 15:21:14

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 傅

意見詳情

**Details of the Comment :**

支持。申請地點的寺廟甚少遊人拜訪，相信不會造成噪音或交通上的滋擾。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220614-152849-76020

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

14/06/2022 15:28:49

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 曾

意見詳情

**Details of the Comment :**

法源寺的主要服務對象為附近村民。作為服務村民的社區設施，我十分相信以上申請符合土地用途，理應獲得批准。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220614-154503-21012

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

14/06/2022 15:45:03

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. N

意見詳情

**Details of the Comment :**

- 法源寺現時已在村在霸佔公用地地方，已對村內居民做成嚴重滋擾
- 加上在極近民居的地方焚香燒衣，會做成環境污染，因此不宜於村內再作進一步發展
- 大型工程車的進出會對村內居民做成滋擾，亦會破壞公用道路。



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220614-155938-26960

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

14/06/2022 15:59:38

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 李

意見詳情

**Details of the Comment :**

絕對支持。住持在寺內修行多年、與世無爭、畢生為弘揚佛法鞠躬盡瘁、受人敬仰。寺院旁的建築物日久失修，實在有重置的必要。懇請城市規劃委員會批准申請。

18

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220615-001214-31560

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

15/06/2022 00:12:14

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 潘弘强

意見詳情

**Details of the Comment :**

**反對法源寺擴建工程！**

法源寺在民居中早已造成騷擾，包括焚燒金銀衣紙發出的煙和灰影響了我們。如今若再擴建，將原本簡單及有限空間的馬游塘村民居環境破壞了。寺院原本已近民居，擴建後影響範圍更多，而且是長遠的，並且居民每天都要面對的。

因此我堅決反對有關擴建工程。

19

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220615-095424-57498

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

15/06/2022 09:54:24

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 曾

意見詳情

**Details of the Comment :**

支持。加建的設施並非坐落於綠化地帶上，所以不會破壞環境。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220615-101853-35274

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

15/06/2022 10:18:53

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss 羅

意見詳情

**Details of the Comment :**

土地屬於寺院範圍，將來亦不適合用來發展村屋，所以我支持將土地用作興建附屬設施。



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

Reference Number:

220615-030333-94207

提交限期

Deadline for submission:

28/06/2022

提交日期及時間

Date and time of submission:

15/06/2022 03:03:33

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-TLS/60

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. Wong Yuen Chun

意見詳情

Details of the Comment :

本人為馬游塘村[REDACTED]村民，得知法源寺希望申請建設附屬宿舍及設施，現在表示強烈反對。以下是反對的原因：

對環境：

首先，馬游塘為一個鄉村式發展及綠化地帶，作為綠化地帶，馬游塘村村民一直致力保持地方整潔，注重生態環境，對該地的動物植物進行良好的保育。

而法源寺原本已對馬游塘村一帶的環境而進行相當的污染，每天都會有燒香，每逢大時大節，更會有不同的儀式，導致空氣環境受更大污染，燒香拜神的活動產生的氣味，更對本村村民所飼養的動物及小孩造成身體不適，有時還會嚴重咳嗽。

當如果擴建附屬設施的時候，會引來更多的善信到來拜祭，屆時後，會造成比現在更大的環境損害。乃至對綠化地區造成無可挽救的地步。

對交通：

由寶琳路轉入馬游塘村直到法源寺，只有一條狹窄的行車線，每次只能供一架車經過，貨Van經過已非常狹窄。而且這短短一條路，是供超過60棟村屋，接近200戶人使用。而且汽車及人都是用這條必經之路，所以可謂非常繁忙及使用率非常高。

如果法源寺需要建設附屬宿舍及設施，定必須使用各種類別大型運輸車、泥頭車、或吊機車。由於該行車路已經非常狹窄，這些車輛頻繁地於村內唯一行車路使用，必定會對一帶村民造成極度嚴重阻礙及產生非常嚴重的危險性。故我認為擴建宿舍及設施實不可行，小則造成危險意外，大則隨時造成人命傷亡。

另外，位於法源寺外，是道路的倔頭路，進入附近一帶的車輛，都必須以該福地進行掉頭，然後駛離馬游塘村，如果建築時，定必會有不同的大型車輛停泊在該處進行上落貨或進行工程，屆時，每對需要掉頭的車輛造成嚴重阻礙，甚至會令該段道路的車輛癱瘓，實不可取。

此外，馬游塘村連接着衛奕信徑第3段，每天都會有很多市民大眾前來馬游塘村郊遊，如此狹窄的行車道，擠滿了村民、日常汽車出入、及前來郊遊的廣大市民，如果再加上興建的大型車輛，必定會造成人車爭路及對村民的嚴重阻礙。

對供水對排水對電力：

上述提及之行車路底下均鋪設不同的排水管、供水管及電線，當建築時，大型車輛經過

行車路時，定必會對道路造成嚴重破壞及很大機會對供水排水及電線造成不同程度的破壞。直接癱瘓馬游塘村村民的正常生活。而這些道路日常更是靠馬游塘村村民共同維修保養，如果造成損壞，誰來負責？

構成景觀影響及構成視覺影響：

當法源寺建造宿舍及設施後，其位置會直接阻礙馬游塘村村民對外望出藍田及觀塘方向的景觀。另一方面，亦會對藍田及觀塘市民望向馬游塘方向時，會見到有建築物，造成景觀破壞，破壞綠化地帶。

砍伐樹木：

馬游塘村村民包括我，都一向對附近樹木非常珍惜，在香港越來越少的郊外地方，我們更加珍而重之，絕對不會破壞。

法源寺申請興建的區域，包括了山坡及樹木，當興建時，對該山坡及樹木必定需要移除，才能興建，定必對環境造成嚴重破壞。

對附近村民及市民大眾的影響：

建設時，所帶來的灰塵、噪音及對環境的破壞，必定會令馬游塘村一帶居民深受嚴重的日常生活影響，小至令村民的健康、日常活動、以及作息時間造成非常嚴重的影響；大至危及村民的生命安全。

另一方面，亦會對村民飼養的動物，流浪動物，以及附近一帶環境造成無可挽救的破壞。

總結：

現時法源寺佔據的位置及樓宇結構，都非常充足及穩固。進行加建及擴建，實在多此一舉。

考慮到上述種種原因，擴建對本村村民、廣大市民、環境保護、以至最基本的生命安全，都帶來前所未有的危險。作為本村村民的我，懇請城市規劃委員會聆聽市民大眾的請求，拒絕有關法源寺的規劃申請(A/SK-TLS/60)。



☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&pub



反對及投訴  
14/06/2022 10:40

From:

To:

tpbpd@pland.gov.hk

File Ref:

1 attachment



Screenshot\_20220614-102522\_Word.jpg

致城規會有關部門：

A/SK-TLS60,有關於以上城規會安排。

本人代表聯同30名附近居民作出嚴正反對及抗議

。該地段為鄉村綠化環保地段，居民努力與環保署及鄉事委員一直盡力保持此村綠化與環保。

另外本人經過多次了解，完全不認同此私人廟宇有需要擴建宿舍，本人極為懷疑當中有否牽涉私人骨灰龕場地。對於風水及環保嚴重影響附近村落居民，我們聯同30多附近居民。作出強烈反對。

我們就有關事情，已經聯絡環保處，立法局議員，及相關律師，就地規會安排進行了解。

現作書面 陳述及反對及嚴重抗議

居民：曾小姐

**Broad Development Parameters of the Applied Use/Development  
in respect of Application No. A/SK-TLS/60  
關乎申請編號 A/SK-TLS/60 的擬議用途/發展的概括發展規範**

Application No. 申請編號	A/SK-TLS/60		
Location/address 位置/地址	Lot 542 in D.D. 401 and Adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories 新界西貢馬游塘丈量約份第 401 約地段第 542 號和毗連政府土地		
Site area 地盤面積	About 約 994.6 sq. m 平方米 (Includes Government Land of about 包括政府土地 約 65.5 sq. m 平方米)		
Plan 圖則	Draft Tseng Lan Shue Outline Zoning Plan No. S/SK-TLS/9 井欄樹分區計劃大綱草圖編號 S/SK-TLS/9		
Zoning 地帶	"Village Type Development" and "Green Belt" 「鄉村式發展」及「綠化地帶」		
Applied use/ development 申請用途/發展	Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) 擬議宗教機構(現存寺院的附屬宿舍及設施)		
Gross floor area and/or plot ratio 總樓面面積及/ 或地積比率		sq. m 平方米	Plot ratio 地積比率
	Domestic 住用	About 約 177	About 約 0.18
	Non-domestic 非住用	About 約 558	About 約 0.56
No. of block 幢數	Domestic 住用	-	
	Non-domestic 非住用	1	
	Composite 綜合用途	1	
Building height/No. of storeys 建築物高度/ 層數	Domestic 住用	-	m 米
		-	mPD 米(主水平基準上)
		-	Storey(s) 層
	Non-domestic 非住用	11	m 米
		147.2	mPD 米(主水平基準上)
		-	Storey(s) 層
	Composite 綜合用途	9.45	m 米
		145.65	mPD 米(主水平基準上)
		Not more than 不多於 3	Storey(s) 層
Site coverage 上蓋面積	About 約 37 %		

23

☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&pub



反對A/SK-TLS/60申請

14/06/2022 21:13

From:

To:

File Ref:

[Redacted]  
tpbpd@pland.gov.hk

本人是馬游塘原居民，因近日收到法源寺快要擴建一事，另本人有以下三大問題：

1) 原先法源寺是一個非常幽靜的地方，如果一但擴建多少也會影響居民生活及環境的改變。

2) 同時此段路已又窄又多車，日後能否應付車輪的出入問題日益嚴重。

3) 加上區內有很小孩子玩耍容易產生車禍。

以上三點本人希望城規會能仔細審查定作結論。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220616-073345-38150

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

16/06/2022 07:33:45

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

女士 Ms. Lam Lai Man Sam

意見詳情

**Details of the Comment :**

更多閒雜人等出入，影響村內安寧及治安，焚燒冥鏹更是影響空氣質素、環境健康

敬請堂局拒絕此項規劃申請審批



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220616-084720-42768

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

16/06/2022 08:47:20

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

夫人 Mrs. 李太

意見詳情

**Details of the Comment :**

關於法源寺向城規會申請用地，用作佛寺員工宿舍，將會在其寺附近官地範圍興建三座三層高員工宿舍，首先該些官地是本村環保綠化區，而且本村休禧地方及綠化地方而甚少，傲雲峰嘅EVA通路是我們夾錢興建，地下有大量水電喉管，若法源寺獲政府批土地興建樓宇的話，大型車輛會使用此地段作運輸材料用途，道路喉管損毀，誰來負責？現時已經常燒香焚化元寶，由於極近民居，已嚴重影響環境污染，而在假期或節日時間，現時已有大量善信渣車入村亂泊車，引來太多閒集人等進／出本村，亦影響保安問題，本人強烈反對有關加建之申請，同時速請有關當局，安排搬遷法源寺到遠離民居的地方。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220616-121819-69229

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

16/06/2022 12:18:19

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

女士 Ms. Lee Yuen wing

意見詳情

**Details of the Comment :**

關於法源寺向城規會申請用地，用作佛寺員工宿舍，將會在其寺附近官地範圍興建三座三層高員工宿舍，首先該些官地是本村環保綠化區，而且本村休禱地方及綠化地方而甚少，傲雲峰嘅EVA通路是我們夾錢興建，地下有大量水電喉管，若法源寺獲政府批土地興建樓宇的話，大型車輛會使用此地段作運輸材料用途，道路喉管損毀，誰來負責？現時已經常燒香焚化元寶，由於極近民居，已嚴重影響環境污染，而在假期或節日時間，現時已有大量善信渣車入村亂泊車，引來太多閒集人等進／出本村，亦影響保安問題，本人強烈反對有關加建之申請，同時速請有關當局，安排搬遷法源寺到遠離民居的地方。



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220616-123505-81194

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

16/06/2022 12:35:05

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. Chan Wai Hung

意見詳情

**Details of the Comment :**

本人反对法源寺於馬游塘村內加建僧侶宿舍,此地實為本村環保地帶,並非居住用地,不明白住宅用地有寺廟還要加建宿舍,嚴重影響居民生活起居,農曆七月法會期間,日夜不停誦經焚燒大量冥鏹,污染環境,製造噪音,本人極度反對加建宿舍引入大量非原居民,引發治安問題,請跟進

28

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

Reference Number:

220616-125126-70415

提交限期

Deadline for submission:

28/06/2022

提交日期及時間

Date and time of submission:

16/06/2022 12:51:26

有關的規劃申請編號

The application no. to which the comment relates: A/SK-TLS/60

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. 李

意見詳情

Details of the Comment :

關於法源寺向城規會申請用地，用作佛寺員工宿舍，將會在其寺附近官地範圍興建三座三層高員工宿舍，首先該些官地是本村環保綠化區，而且本村休禱地方及綠化地方而甚少，傲雲峰嘅EVA通路是我們夾錢興建，地下有大量水電喉管，若法源寺獲政府批土地興建樓宇的話，大型車輛會使用此地段作運輸材料用途，道路喉管損毀，誰來負責？現時已經常燒香焚化元寶，由於極近民居，已嚴重影響環境污染，而在假期或節日時間，現時已有大量善信渣車入村亂泊車，引來太多閒集人等進／出本村，亦影響保安問題，若法源寺獲政府批新土地，不排除日後有機會擴展為私營骨灰龕場，嚴重影響本村居民，本人強烈反對有關加建之申請，同時速請有關當局，盡快安排搬遷法源寺到遠離民居的地方。

29

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220616-125708-52251

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

16/06/2022 12:57:08

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

夫人 Mrs. Lo mee

意見詳情

**Details of the Comment :**

關於法源寺向城規會申請用地，用作佛寺員工宿舍，將會在其寺附近官地範圍興建三座三層高員工宿舍，首先該些官地是本村環保綠化區，而且本村休禧地方及綠化地方而甚少，傲雲峰嘅EVA通路是我們夾錢興建，地下有大量水電喉管，若法源寺獲政府批土地興建樓宇的話，大型車輛會使用此地段作運輸材料用途，道路喉管損毀，誰來負責？現時已經常燒香焚化元寶，由於極近民居，已嚴重影響環境污染，而在假期或節日時間，現時已有大量善信渣車入村亂泊車，引來太多閒集人等進／出本村，亦影響保安問題，本人強烈反對有關加建之申請，同時速請有關當局，安排搬遷法源寺到遠離民居的地方。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220616-132630-83344

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

16/06/2022 13:26:30

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

夫人 Mrs. 孫太

意見詳情

**Details of the Comment :**

本人住在法源寺附近,極力反對法源寺擴建,一來嚴重影響環境污染及衛生,二來不是申請用途所講有咁多僧侶前來居住,三來一年只有兩個節日(新年及農曆7月)稍為多善信前來參拜,而且法源寺位置處於近山邊位置,如果擴建真的是要大興土木,泥頭車又多,但路又得一條,嚴重影響出入及嚴重影響生態,加上近年馬游油整條村在整理污水渠都已經有泥頭車不斷出入,如果擴建又多更多泥頭車出入...法源寺先可以考慮修理一下寺廟內既地方,大部分都用鐵皮去做遮擋,不如內部修理一下先...自己內部未修葺就要申請擴建未免太過份



31

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

**To: Secretary, Town Planning Board**

By hand or post: 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax: 2877 0245 or 2522 8426

By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

A/SK-TLS/60

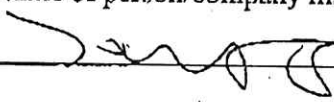
意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

請參閱另頁說明

「提意見人」姓名／名稱 Name of person/company making this comment

簽署 Signature



日期 Date

17.6.2022



致城市規劃委員會:

香港北角渣華道 333 號北角政府合署 15 樓

傳真:28770245 或 25228426

31

強烈反對西貢馬游塘村法源寺申請在  
馬游塘村丈量約份第 401 約地段 542 號  
和毗連政府土地擴建事宜(申請編號 A/SK-TLS/60)

法源寺自 50 年代被無知及自私村民引狼入室後，霸佔 Lot No. 542 in D.D. 401 附近不少政府土地自用及在土地上興建大量僭建構築物，目無法紀。以致破壞整條馬游塘村風水，村民皆對此等行為恨之刺骨。現得悉這借宗教名義之師姑庵(法源寺)，實則斂財自肥，更向城規會申請大肆擴展周邊地方(包括政府土地)，興建達三層高之宿舍、廚房、會議室及飯堂等設施。此項擬擴展工程嚴重破壞及影響整條村風水，從申請書提供的照片，更可以看到建議的附屬設施地點已侵佔及嚴重影響毗鄰過百年墓穴的風水及土地神位。

查此法源寺並不是什麼宗教場所宏揚佛法，打著旗號是非牟利機構，只是排羊頭賣狗肉。實則寺內安放及供奉大量有捐獻人士祖先的神位，以及存放及售賣骨灰龕，這種魚目混珠斂財方法明眼人也看得穿，現更大肆展寺院設施及範圍，村民不得不反對及舉報此等違法行為。

法源寺申請擴展範圍涉及的土地用途坐落於[鄉村式發展]及[綠化地帶]，嚴重侵佔了村民的可使用權及公用空間，村內已嚴重缺乏休憩用地及康樂設施，更剝奪村民可在綠化地帶向城規會申請鄉村式小型屋宇發展用途。

現時村內村路已不勝負荷，是項申請擴展工程涉及大量大型工程車及重型運泥車，嚴重破壞村內道路及造成嚴重交通擠塞，破壞及損毀的路面由誰來負責維修費用，其影響對本村村民極不公平，只是有破壞沒有建設。擬議附屬用途規模不少，佔地過萬呎，預計會為村內交通、視覺、景觀、環境及建設帶來極嚴重影響。擬申請的附屬用途與鄰近的村內環境極不協調，馬游塘村只是一條寧靜鄉村，並不適宜打造成一個宗教朝聖地點，滋擾村民。

查法源寺師姑人數並不多，只有十數人，現存設施已十分足夠支持現存寺院的運作，並不需要擴建大量宿舍及大型廚房等設施。只是恐怕擴建工程的地方是用來供奉及存放捐獻人士祖先的神位及售賣更多骨灰龕位。法源寺的申請擴展是張原本霸佔的政府土地及僭建構築物合法化，惜西貢地政處及屋宇署在收到村民投訴皆敷衍了事，並沒有執法反清拆此違法僭建構築物，看來真要向申訴專員投訴有關部門行政失當，敷衍失責。



31

再者，預計到春秋二際及不同祭祀日期間，特別是盂蘭節，大量拜祭者及善信駕車擁入村內，使村內原本已非常擠塞的交通，更加不勝負荷，嚴重影響村居出入。加上法源寺位置極近民居，拜祭焚香燒衣所造成的空氣及環境污染，已使村民非常不滿，嚴重影響村民安寧及日常作息。

基於上述理據，現本人及村民等強烈反對法源寺此項擴展申請，懇請城規會會員否決是項申請，以保村民有一個寧靜舒適的環境。

提意見人



曾永祥

2022年6月17日

31 附加

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220620-144529-75603

提交限期

Deadline for submission:

28/06/2022

提交日期及時間

Date and time of submission:

20/06/2022 14:45:29

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-TLS/60

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. TSANG WING C  
HEUNG

意見詳情

Details of the Comment :

致城市規劃委員會:

香港北角渣華道333號北角政府合署15樓

傳真:28770245 或25228426

強烈反對西貢馬游塘村法源寺申請在  
馬游塘村丈量約份第401約地段542號  
和毗連政府土地擴建事宜(申請編號A/SK-TLS/60)

法源寺自50年代被無知及自私村民引狼入室後，霸佔Lot No.542 in D.D.401 附近不少政府土地自用及在土地上興建大量僭建構築物，目無法紀。以致破壞整條馬游塘村風水，村民皆對此等行為恨之刺骨。現得悉這借宗教名義之師姑庵(法源寺)，實則斂財自肥，現更向城規會申請大肆擴展周邊地方(包括政府土地)，興建達三層高之宿舍、廚房、會議室及飯堂等設施。此項擬擴展工程嚴重破壞及影響整條村風水，從申請書提供的照片，更可以看到建議的附屬設施地點已侵佔及嚴重影響毗鄰過百年墓穴的風水及土地神位，法源寺過往已私搬遷隔鄰墓地土神位及將政府土地用鐵絲網圍封自用。此等自私及卑劣行為，村民皆目睹。村民曾向西貢地政處及屋宇署作出投訴，但均沒有採取執法行動，檢控違規人士，不知道法源寺背後有什麼勢力撐腰？

查此法源寺並不是什麼宗教場所宏揚佛法，打著旗號是非牟利機構，只是排羊頭賣狗肉。實則寺內安放及供奉大量有捐獻人士祖先的神位，以及存放及售賣骨灰龕，這種魚目混珠斂財方法明眼人也看得穿，現更大肆展寺院設施及範圍，村民不得不反對及舉報此等違法行為。

法源寺申請擴展範圍涉及的土地用途坐落於[鄉村式發展]及[綠化地帶]，嚴重侵佔了村民的可使用權及公用空間，村內已嚴重缺乏休憩用地及康樂設施，更剝奪村民可在綠化地帶向城規會申請鄉村式小型屋宇發展用途。

現時村內村路已不勝負荷，是項申請擴展工程涉及大量大型工程車及重型運泥車，嚴重破壞村內道路及造成嚴重交通擠塞，破壞及損毀的路面由誰來負責維修費用，其影響對



本村村民極不公平，只是有破壞沒有建設。擬議附屬用途規模不少，佔地過萬呎，預計會為村內交通、視覺、景觀、環境及建設帶來極嚴重影響。

擬申請的附屬用途與鄰近的村內環境極不協調，馬游塘村只是一條寧靜鄉村，並不適宜打造成一個以宗教為旗號的朝聖地點，滋擾村民。

查法源寺師姑人數並不多，只有十數人，現存設施已十分足夠支持現存寺院的運作，並不需要擴建大量宿舍及大型廚房等設施。只是恐怕擴建工程的地方是用來供奉及存放捐獻人士祖先的神位及售賣更多骨灰龕位。法源寺的申請擴展是張原本霸佔的政府土地及僭建構築物合法化，惜西貢地政處及屋宇署在收到村民投訴皆敷衍了事，並沒有執法反清拆此違法僭建構築物，看來真要向申訴專員投訴有關部門行政失當，敷衍失責。

再者，預計到春秋二際及不同祭祀日期間，特別是盂蘭節，大量拜祭者及善信駕車擁入村內，使村內原本已非常擠塞的交通，更加不勝負荷，嚴重影響村居出入。加上法源寺位置極近民居，拜祭焚香燒衣所造成的空氣及環境污染，已使村民非常不滿，嚴重影響村民安寧及日常作息。過往盂蘭節及其它祭祀日子，法源寺長時間焚燒大量冥鏹及衣紙，造成滿天煙灰，污染環境。村民曾向環保署作出投訴，但亦不了了之，奈他不何。

基於上述理據，現本人及村民等強烈反對法源寺此項擴展申請，懇請城規會會員否決是項申請，以保村民有一個寧靜舒適的環境。

提意見人

(TSANG WING CHEUNG)曾永祥

2022年6月20日

31 附加

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

**To: Secretary, Town Planning Board**

By hand or post: 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax: 2877 0245 or 2522 8426

By e-mail: tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

A/SK-TLS/60

意見詳情（如有需要，請另頁說明）

Details of the Comment (use separate sheet if necessary)

---

---

---

---

---

---

---

---

---

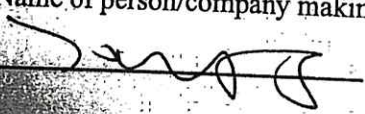
---

---

---

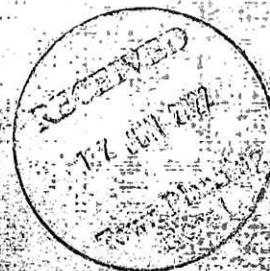
「提意見人」姓名／名稱 Name of person/company making this comment

簽署 Signature



日期 Date

17.6.2022





致城市規劃委員會：

香港北角渣華道 333 號北角政府合署 15 樓

傳真：28770245 或 25228426

強烈反對西貢馬游塘村法源寺申請在  
馬游塘村丈量約份第 401 約地段 542 號  
和毗連政府土地擴建事宜(申請編號 A/SK-TLS/60)

法源寺自 50 年代被無知及自私村民引狼入室後，霸佔 Lot No. 542 in D.D. 401 附近不少政府土地自用及在土地上興建大量僭建構築物，目無法紀。以致破壞整條馬游塘村風水，村民皆對此等行為恨之刺骨。現得悉這借宗教名義之師姑庵(法源寺)，實則斂財自肥，更向城規會申請大肆擴展周邊地方(包括政府土地)，興建達三層高之宿舍、廚房、會議室及飯堂等設施。此項擬擴展工程嚴重破壞及影響整條村風水，從申請書提供的照片，更可以看到建議的附屬設施地點已侵佔及嚴重影響毗鄰過百年墓穴的風水及土地神位。

查此法源寺並不是什麼宗教場所宏揚佛法，打著旗號是非牟利機構，只是排羊頭賣狗肉。實則寺內安放及供奉大量有捐獻人士祖先的神位，以及存放及售賣骨灰龕，這種魚目混珠斂財方法明眼人也看得穿，現更大肆展寺院設施及範圍，村民不得不反對及舉報此等違法行為。

法源寺申請擴展範圍涉及的土地用途坐落於[鄉村式發展]及[綠化地帶]，嚴重侵佔了村民的可使用權及公用空間，村內已嚴重缺乏休憩用地及康樂設施，更剝奪村民可在綠化地帶向城規會申請鄉村式小型屋宇發展用途。

現時村內村路已不勝負荷，是項申請擴展工程涉及大量大型工程車及重型運泥車，嚴重破壞村內道路及造成嚴重交通擠塞，破壞及損毀的路面由誰來負責維修費用，其影響對本村村民極不公平，只是有破壞沒有建設。擬議附屬用途規模不少，佔地過萬呎，預計會為村內交通、視覺、景觀、環境及建設帶來極嚴重影響。擬申請的附屬用途與鄰近的村內環境極不協調，馬游塘村只是一條寧靜鄉村，並不適宜打造成一個宗教朝聖地點，滋擾村民。

師姑人數並不多，只有十數人，現存設施已十分足夠支持現存寺院的運作，不需要擴建大量宿舍及大型廚房等設施。只是恐怕擴建工程的地方是用來供奉捐獻人士祖先的神位及售賣更多骨灰龕位。法源寺的申請擴展是張原政府土地及僭建構築物合法化，惜西貢地政處及屋宇署在收到村民投訴後，並沒有執法反清拆此違法僭建構築物，看來真要向申訴專員投訴有失當，敷衍失責。



31 附加

再者，預計到春秋二際及不同祭祀日期間，特別是盂蘭節，大量拜祭者及善信駕車擁入村內，使村內原本已非常擠塞的交通，更加不勝負荷，嚴重影響村居出入。加上法源寺位置極近民居，拜祭焚香燒衣所造成的空氣及環境污染，已使村民非常不滿，嚴重影響村民安寧及日常作息。

現本人及村民等強烈反對法源寺此項擴展申請，懇請城規會會員否決是項申請，以保村民有一個寧靜舒適的環境。

提意見人

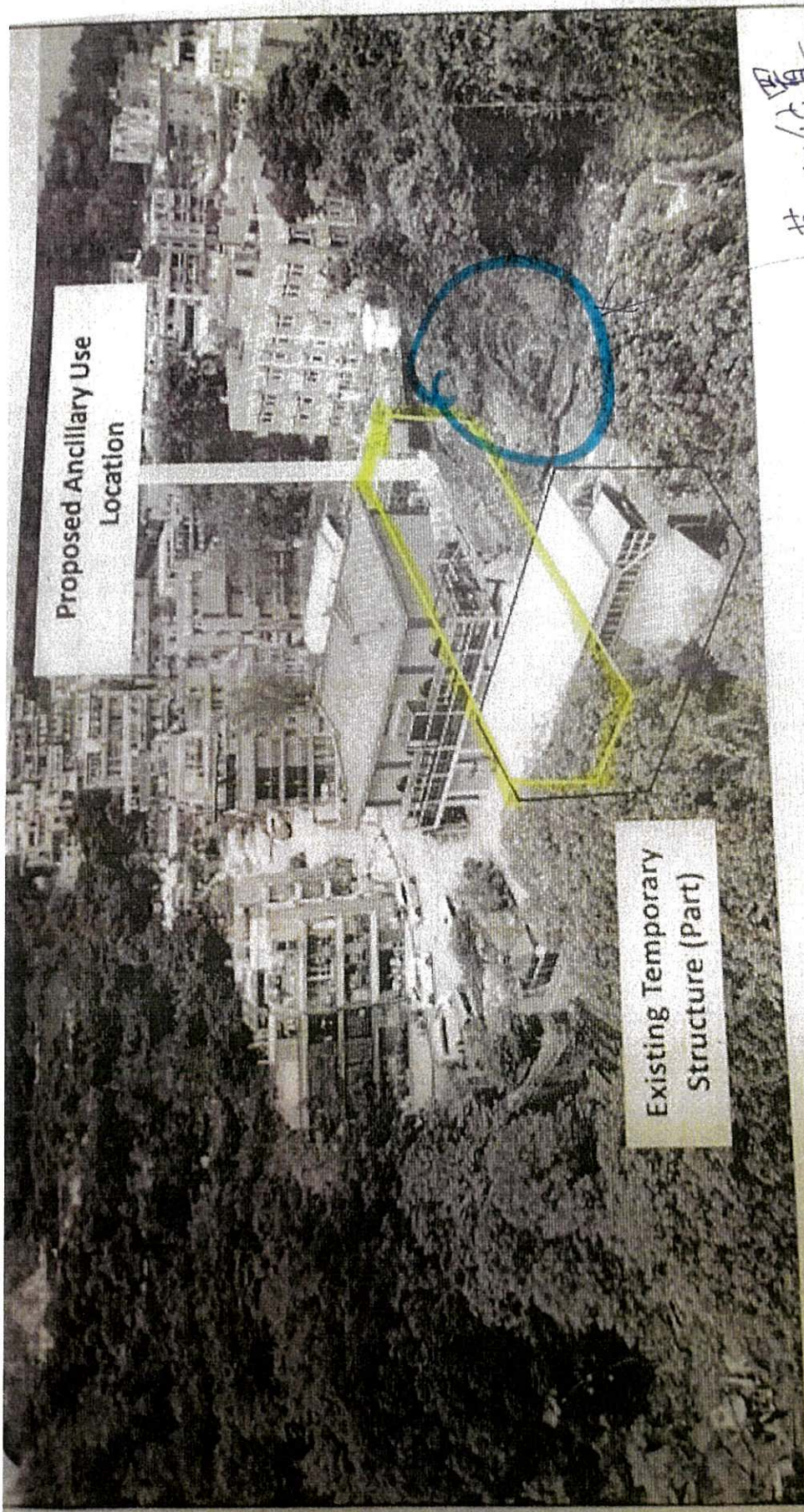


曾永祥

2022年6月17日




31 附加



Handwritten signature/initials

■ Aerial view of the Application Site

<b>Project:</b> Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D. 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories	<b>Title:</b> Existing Condition of the Application Site  <small>Ref: ADEL/PLG 10240-8001/001-W</small>	<b>Illustration:</b> 1-III  <b>Scale:</b> Not to Scale  <b>Date:</b> Mar 2022	 AIKON AIKON DEVELOPMENT CONSULTANTS LTD.
---	--	--	--



A/SK-TLS/60

1823 CASE: 3-7244892977

DEPT REF:

Request Type : Complaint

Channel : Phone

Case Creation Date : 2022-06-10 20:17:45

32

---

#### I. DUE DATE:

Acknowledgement : 2022-06-15 14:00:00

Interim Reply :

Final Reply :

---

#### II. ASSIGNMENT HISTORY:

[Date/Time]	[Status]	[Dept]	[Assigned To]
2022-06-10 20:17:50	Open	TPB	TPB

---

#### III. CONTACT HISTORY:

[No.]	[Id]	[Date/Time]	[Type]
1	3-3BSRH4Y	2022-06-10 11:35:58	Voice Mail - Inbound

[No.]	[Id]	[Date/Time]	[Type]
2	3-3BTF77L	2022-06-10 20:18:12	Call - Outbound

[Detail]

投訴人為馬遊塘村村民，投訴有機構打算在村內法源寺興建員工宿舍，並已經向城規會提出申報，但投訴人希望作出反對，而村民與投訴人亦會作出聯合反對。要求部門跟進及回覆。

---

#### IV. CASE DETAILS:

Direct Reply By Department: N

Subject Matter : 城市規劃委員會 - DQ[NON-GOV]

Description :

投訴人為馬遊塘村村民，投訴有機構打算在村內法源寺興建員工宿舍，並已經向城規會提出申報，但投訴人希望作出反對，而村民與投訴人亦會作出聯合反對。要求部門跟進及回覆。

Specific Questions and Answers :

null

---

#### V. EVENT DETAILS:

Event Date & Time : null

EVENT LOCATION:

Room :

Floor :

Block No. :

Building Name :

Estate :

Street No. :

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220622-104514-21695

33

提交限期

Deadline for submission:

28/06/2022

提交日期及時間

Date and time of submission:

22/06/2022 10:45:14

有關的規劃申請編號

The application no. to which the comment relates: A/SK-TLS/60

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. 陳

意見詳情

Details of the Comment :

支持，擬建的建築不會阻礙景觀

致城市規劃委員會：

香港北角渣華道333號北角政府合署15樓

傳真：28770245 或25228426



強烈反對西貢馬游塘村法源寺申請在  
馬游塘村丈量約份第401約地段542號  
和毗連政府土地擴建事宜

A/SK-TLS/60

34

### 反對擴建工程影響曾氏過百年墓地

事因村民於2022年6月7日從村公所告示板獲悉西貢馬游塘村法源寺[第401約地段542號]向城市規劃委員[城規會]申請(編號A/SK-TLS/60)丈量約第401約地段542號和毗連政府土地擴建事宜。法源寺並非本村開村神靈，在過往數十年間在其原址及附近不斷擴大建築物範圍及僭建大量構築物，過往工程已對本村村民做成極大滋擾。就今次法源寺有限公司向城規會申請擴建工程事宜，涉及我曾氏過百年祖先墓地正坐落於此項工程旁邊，而擬擴建三層高建築物(Proposed Ancillary Use Location Illustration 1-III圖片)及擋土牆與我曾氏祖墳相距不足三米。再者祖墳旁邊土地神位可能亦需要再次移位，因此項擴建工程對於旁邊曾氏墓地造成極嚴重滋擾，令祖先未得安寧。更令曾氏後人子孫在精神、心理健康方面構成極大影響，後果由誰來負責？其傷害代價難以衡量。因此特致函向城規會對法源寺在丈量約第401約542號地段和毗連政府土地擴建工程提出強烈反對。

### 反對擴建用地涉及政府綠化地帶

現時本村範圍內部份土地已被政府規劃成為綠化地帶，相對來說，綠化地帶空氣比較清新，對本村村民身心健康極為重要。但村民察覺法源寺大門永遠關閉(門常關)，市民大眾並不能進出，正門鐵閘外又有鐵馬圍繞，說什麼寺廟弘揚佛法宗旨，吸引善信參拜為擴建理據，簡直是口是心非，掛羊頭賣狗肉。這種做法並不符合綠化地帶申請土地擴建。現得悉法源寺有限公司申請於其原址對開部份區域進行擴建私用，因此特致函向城規會對法源寺在丈量約第401約542號地段政府綠化區域試圖獲政府批地擴建工程作出強烈反對。

### 寺廟尼姑佛口蛇心及居心叵測

我曾氏祖先墓地坐落於馬游塘村有過百年歷史，其位置背山面向維多利亞港。本應先人得已安寧，自從法源寺入村後，竟於墓地前面不足三米距離非法搭建一幢單幢式廚房，並刻意在屋頂豎立一支約兩米高煙囪，位置正正面向我祖先墓地墓碑中央(見附圖)，風水學上成為一支頂心杉，此歹毒行為直接影響我祖墳墓穴風水。由此可見法源寺表面雖為信眾佛堂，實則斂財自肥，佛家之人竟然有此用心不良，居心叵測的行為，令人髮指。長久以來，法源寺與本村村民關係並不和諧，寺廟的尼姑歹毒行為令村民對之神憎鬼厭。



基於上述理由，曾氏墓地後人特致函向城規會對法源寺在丈量約第401約地段542號和毗連政府土地擴展工程作出強烈反對。

曾氏墓地後人簽署

  
曾永良

  
曾永祥

  
曾閏強

  
曾永雄

  
曾河堅

  
曾令龍

  
曾令翔

  
曾令騫

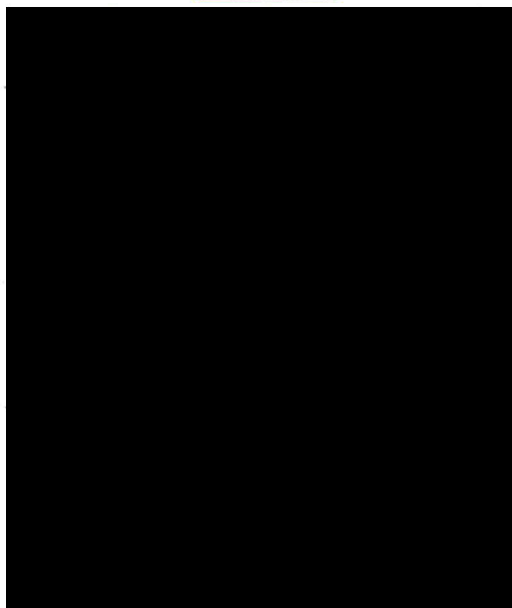
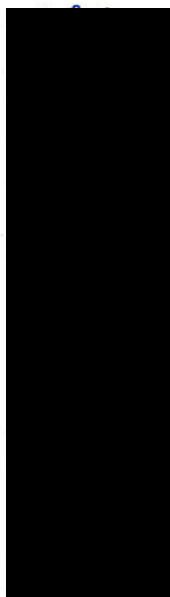
  
曾令曦

申請人

身份證號碼

住址

曾永良  
曾永祥  
曾閏強  
曾永雄  
曾河堅  
曾令龍  
曾令翔  
曾令騫  
曾令曦



曾氏墓地後人(經辦人：曾永良)

通訊地址：

電話號碼：

2022年6月20日





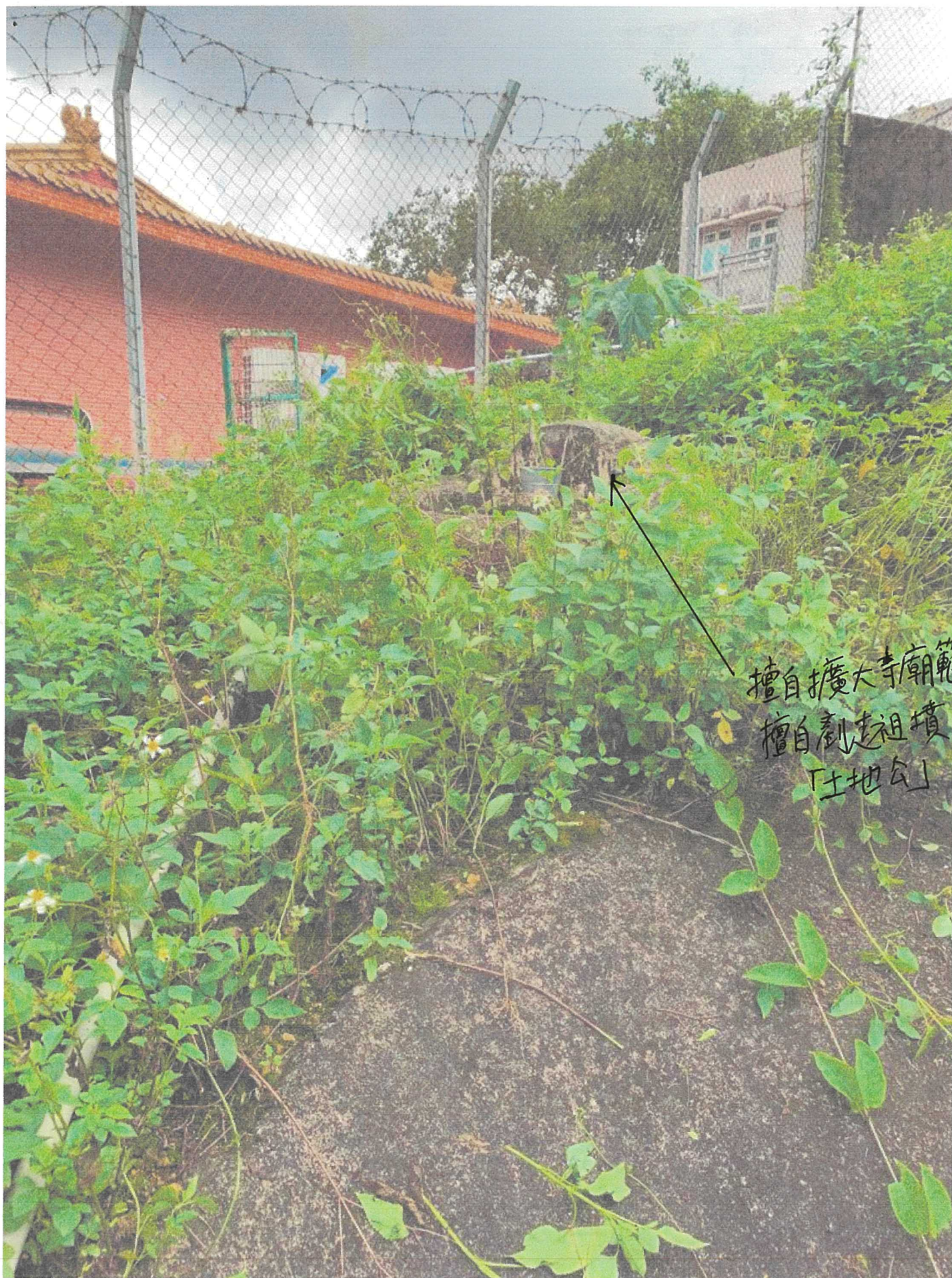






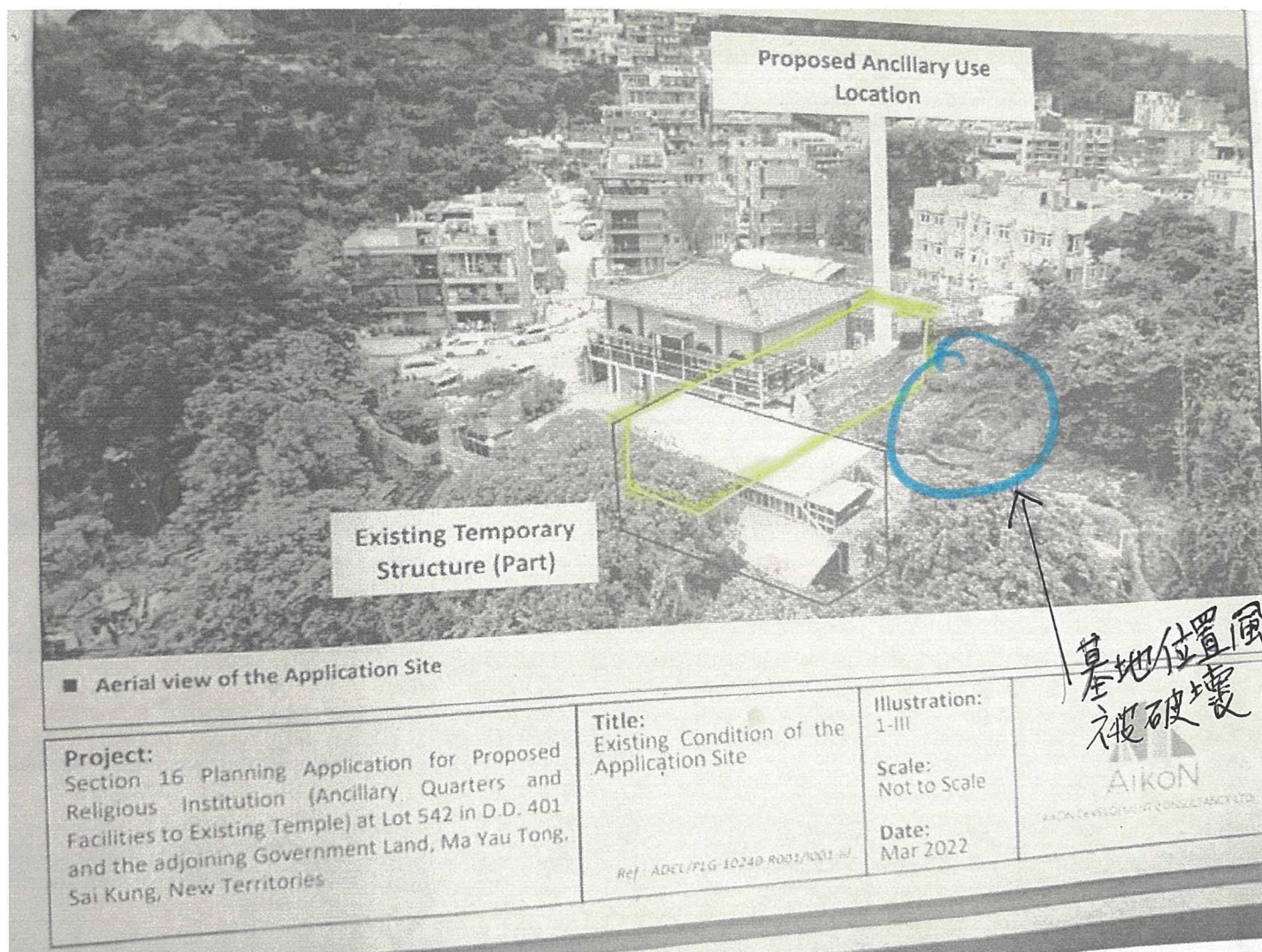






擅自擴大寺廟範圍  
擅自剷起祖墳  
「土地公」





☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&publi



**A/SK-TLS/60DD 401 Fat Yuen Temple, Ma Yau Tong, GB**

22/06/2022 02:20

From:

To:

File Ref:

[REDACTED]  
tpbpd <tpbpd@pland.gov.hk>

**A/SK-TLS/60 Fat Yuen Temple**

Lot 542 in D.D. 401 and Adjoining Government Land, Ma Yau Tong, Sai Kung

Site area : About 994.6sq.m Includes Government Land of about 65.5sq.m

Zoning : "VTD" and "Green Belt"

Applied development : Ancillary Quarters and Facilities to Existing Temple / 2  
Blocks / 1 Vehicle Parking

Dear TPB Members,

When temples talk about expanding alarm bells ring. Does this temple provide niches?

No details provided as to how many monks would live on site, is it one per room?  
How many currently live there?

Re the government land, if the plan is approved then instead of granting additional land there should be a land swap for the private Green Belt element. This would preserve the integrity of the GB and prevent the temple from expanding onto the slopes.

In addition conditions should make it clear that columbarium and niche use are prohibited.

Mary Mulvihill

36

☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&publi



反對規劃申請（申請編號：A/SK-TLS/60）  
21/06/2022 20:11

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

1 attachment



反對規劃申請 6月21日.pdf

致城市規劃委員會：

法源寺（下稱申請人）向城規會提交規劃申請（編號：A/SK-TLS/60），擬建宗教機構（現存寺院的附屬宿舍及設施），當中涉及兩座一至三層樓高的綜合用途設施。

本人強烈反對此申請，現隨電郵附上反對信件，本人希望政府會全面、公正、持久解決A/SK-TLS/60申請所帶來的爭議，否決有關申請，感謝撥冗閱讀。如有需要與本人聯絡，請電[REDACTED]（曾小姐），或寄信至[REDACTED]，謝謝。

曾小姐  
[REDACTED]

致城市規劃委員會：

**反對規劃申請（申請編號：A/SK-TLS/60）**

法源寺（下稱申請人）向城規會提交規劃申請（編號：A/SK-TLS/60），擬建宗教機構（現存寺院的附屬宿舍及設施），當中涉及兩座一至三層樓高的綜合用途設施。

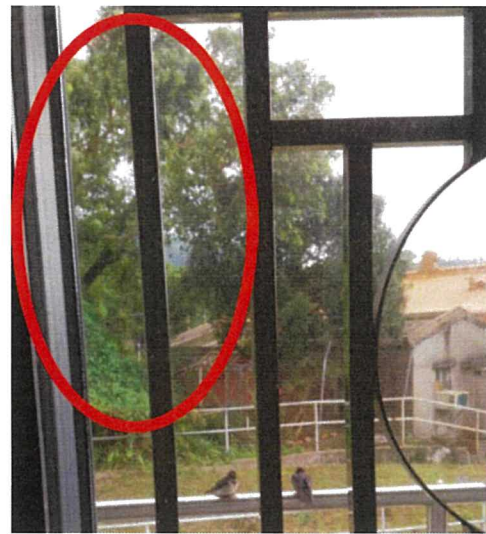
是次申請擬建一個車位，惟有關位置位於迴旋處盡頭，倘政府批准，恐怕將來導致車輛無法調頭，同時影響消防安全；有關宗教場所平日宗教作業包括焚燒衣紙等，已對當地環境帶來負面影響，居民被迫吸入受污染空氣。審閱有關文件及到場評估後，本人認為若不及時阻止規劃，將對社區構成深遠影響。

本人強烈反對此申請，理據如下：

- 申請人於本年申請期間，已於鄰近寺廟用地進行小工程，無聲無色將鐵絲網圍欄向外移，侵佔鄰近民居屋後用地，工程更涉及清除部份位於民居旁、屬官地範圍的樹木（如下圖），妄顧鄰舍居民利益。連接斜坡的平地屬於官地範圍，地政總署已立牌為照，惟申請人在 2020 年間展開斬樹及外移圍欄工程，有侵佔官地之嫌，政府不應將土地交予其發展，以免日後增加地政總署執法的難度。



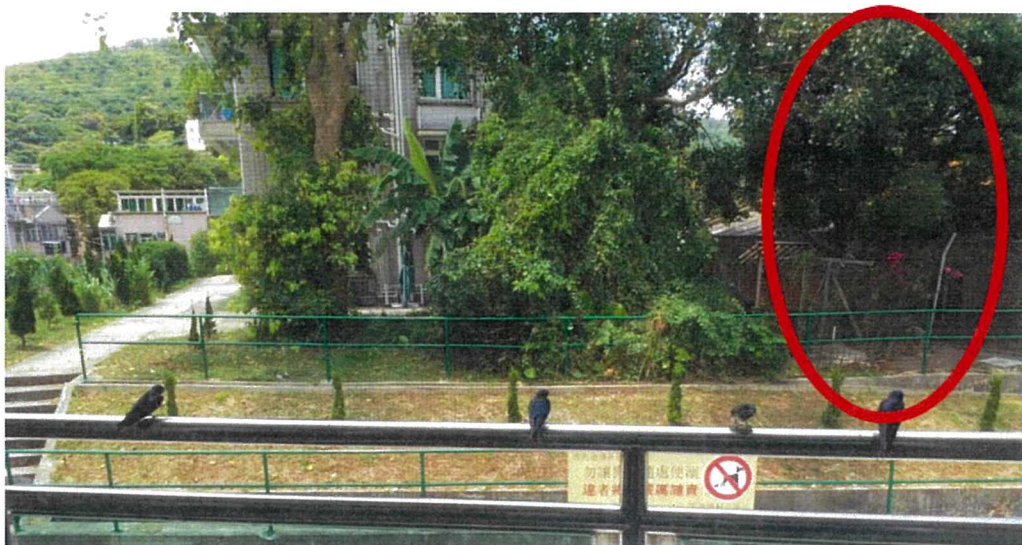
2019 年 3 月 3 日



2019 年 8 月 2 日

申請人周邊的官地上種有高及 3 層的樹木





2020 年 7 月 14 日

官地上種有多棵高及 3 層的樹木，為周圍民居保留適當私隱，而紅圈為立於官地範圍內的樹木。



2021 年 6 月 22 日

申請人開始將雜物放在寺廟周圍，準備圍欄向外移工程。





2022 年 6 月 14 日

圖中可見本來位於官地內的樹木已被斬草除根，圍欄外移。



2022 年 6 月 15 日

以上圖片可見樹木已被移走，申請人將鐵絲網圍欄向外移。

- 申請人未盡責尋找所有可行的行車方案供工程車輛出入，亦無法證明此方案為唯一選擇。申請文件中提到有關行車通道的安排，僅為一條現有車路，惟有關車路屬當地村民於發展村屋時集資興建，屬於私家路，是唯一出入鄰近地區的車路，申請人如今漠視甚至侵害一眾出資村民的權益，在文件中作出如此申報實在厚顏無恥。

村民集資興建的車路屬於私家路，同時為消防通道，沿路地底鋪設電線、水管、光纖，所有維護及管理費用均由相關地段村民負責。翻查文件，有關車路鄰近的地下水管曾於本年初發生爆裂，均由村民集資維修。本年渠務處也在相關車道下進行污水渠工程<sup>(註 1)</sup>，車道上已出現大大小小修補痕跡，加上車道已起用逾 5 年，道路已現損耗，部份石屎已出現裂紋甚至碎裂。

申請人在規劃文件中，將現有私家路視為出入擬建地盤的唯一行車通道安排方式，工程及來往的重型車輛勢必加重該私家路的負荷，一旦車道損壞導致地下水管爆裂，將令村民蒙受龐大損失。申請人根本沒有充份理據犧牲公眾利益遷就其發展。

- 申請人在文件中提及建車位，實際情況卻是利用雜物霸佔迴旋處作寺廟私人停車場及上落位之用（如圖），已令有關迴旋處超出負荷，倘若政府批准申請人擴建設施，勢必令迴旋處更加擠擁。



2022 年 6 月 14 日

申請人利用多個鐵馬自劃為界，佔用迴旋處一半空間，甚至在接近山坡之地放置死車，重施故技進一步侵佔土地。

註 1：原文網址 2021 年 9 月 29 日 — [立法會十二題：基建的提供](#)



此外，擬建地區相關地段附近樹木叢生，近年多次發生大小火災，起火地點均為民居後面的樹林<sup>(註 2)</sup>，消防員到達時，均因迴旋處空間收窄，導致消防車輛無法駛進迴旋處盡頭以便更接近起火地點，政府實在不應該批准有關申請。

馬游塘村彎多而路窄，住宅眾多，交通流量本已接近飽和，亦不設訪客車位。文件辯稱有車輛調頭空間實是混淆視聽，申請人一直以來不斷透過欄柵、木材等佔用迴旋處空間，的士、客貨車甚至住戶汽車均難以窄路調頭。外來車輛如法源寺信眾所乘坐的的士、私家車，甚至送貨貨車，已多次佔用鄰近民居前方的空間調頭，徒添交通意外風險，同時恐要村民承受巨額的維護費用。

倘 A/SK-TLS/60 申請獲批，只會令繁忙的迴旋處更添擠塞，將來居民必身受其害，同時為當村本已近飽和的交通帶來沉重負擔。

- 申請人擬建宿舍地近綠化邊陲位置，附近為大片綠林，同時就近藍田行山徑，設施旁邊是斜坡，申請人申請挖地 7 米工程，建設一至三層設施，明知對周邊民居的環境帶來嚴峻挑戰，勢必影響景觀，但仍欠工程對視覺影響、景觀、土力影響、空氣流通的評估，僅以「擬議附屬用途規模細小，預計不會為帶來交通、視覺、景觀、環境及建設上的不良影響」略略帶過。
- 申請人現有的宗教活動，已為周邊居民帶來困擾，包括於特別日子以自動播音裝置播放經文，以及焚燒衣紙等行徑，尤其是焚燒衣紙活動導致空氣質素變差，空氣塵埃密佈，影響大小居民健康。

宗教團體擴大任何活動，均應符合三大原則：

- (一) 合法：符合地契、土地規劃等用途、消防條例…等等。
- (二) 合理：在學校區、住宅區則不合理。
- (三) 合情：應充份諮詢附近居民的意見，得到大多數人的同意才應批准。

申請人有不符以上三大原則之嫌：

其一：申請人妄顧消防通道功能，以死車、廢棄木材、鐵欄等佔用有關空間，行為抵近滋擾，完全是對原居民的挑釁，申請人作為宗教機構，本人期望申請人會作出自主努力，維護村內環境的穩定，為村內人民謀求更多福祉；

註 2：原文網址《頭條日報》— [將軍澳馬游塘村木屋及農地起火 無人受傷](#) (2020-10-04)

其二：村內共有三大宗族，各宗族建有一座祠堂，自有一套祭祀文化，村民大小節日及春秋二祭在祠堂辦理，村民往生也會按村內習俗舉行殯葬儀式，申請人以此為基地聲稱弘揚佛法而擴建寺廟及相當設施，實與村內文化相抵觸；


其三：馬游塘村為住宅區，人口結構簡單，除了行山客外少有外人出入；申請人顯然沒有諮詢周邊居民意見一意孤行，甚至不斷霸佔由村民所建的地方，嚴重破秩序和規則。本人認為，保持溝通管道順暢是必要和有益的，申請人應秉持相互尊重、互利共贏的原則處理，政府更加不應助長惡霸行為。

- 倘政府批准擬建項目，變相容許申請人擴大宗教活動，除了加劇污染的憂慮之外，也恐怕導致更多外來人進入馬游塘村。自疫情爆發以來，村內多次見到有人隨地扔棄口罩，而馬游塘村本年已發生入屋爆竊罪行<sup>(註3)</sup>，村民及本人不希望更多陌生人入村，進一步影響村內治安及衛生。
- 申請文件指本次擬議設施為住持安年之用，值得指出的是有關地段土地用途從來不是住宅。倘寺廟日久失修，何不修繕寺廟而要大興土木建三層設施。此外，住持由寺廟退休後理應搬離工作地方另覓住處安老才是恰當，以此理據建設多幢樓高數層的「設施」供「一」名住持也是無稽之談。

本人希望政府會全面、公正、持久解決 A/SK-TLS/60 申請所帶來的爭議，否決有關申請，感謝撥冗閱讀。如有需要與本人聯絡，請電 [REDACTED] (曾小姐)，或寄信至 [REDACTED]，謝謝。

順祝  
台安

馬游塘村傲雲峰村民

曾佛強 (簽署: )

林蟬鄉 (簽署: )

曾雅雯 (簽署: )

曾雅斯 (簽署: )

2022 年 6 月 21 日

註 2：原文網址《香港 01》 — [將軍澳村屋遭爆竊失 2 萬元 警翻查天眼拘一男](#) (2022-05-27)



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-100352-54599

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

23/06/2022 10:03:52

有關的規劃申請編號

**The application no. to which the comment relates:** A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. Jeff

意見詳情

**Details of the Comment :**

寺廟已存在多年，一直與周邊村落兼容，而且為附近地方提供宗教場所和景點，所以我支持申請。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號  
**Reference Number:** 220623-101350-11247

提交限期  
**Deadline for submission:** 28/06/2022

提交日期及時間  
**Date and time of submission:** 23/06/2022 10:13:50

有關的規劃申請編號  
**The application no. to which the comment relates:** A/SK-TLS/60

「提意見人」姓名/名稱  
**Name of person making this comment:** 小姐 Miss 盧

意見詳情  
**Details of the Comment :**

支持申請以善用土地。申請人如果無意發展丁屋，應容許他作其他與周邊相容的用途。  
這申請的高度與規模都與丁屋相約，完全符合該區特色。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-101516-40615

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

23/06/2022 10:15:16

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 陳

意見詳情

**Details of the Comment :**

支持。此宗申請可以支持推廣華人廟宇文化和佛教，增強本港和地區的文化氣息。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-102351-23370

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

23/06/2022 10:23:51

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss Janet Pun

意見詳情

**Details of the Comment :**

I hope the Board will approve this application. The scale and intensity of the development is similar to the surroundings and it is only for ancillary quarters to the existing temple that has been there for more than 40 years. It should be considered compatible with the villages.



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-103420-39365

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

23/06/2022 10:34:20

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 郭

意見詳情

**Details of the Comment :**

同意申請。廟宇已建立多年，已成為鄉村的一部分，而且僧侶需要地方住宿以維持廟宇運作和推廣佛教文化。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-103947-20723

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

23/06/2022 10:39:47

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss 簡

意見詳情

**Details of the Comment :**

此申請有助改善廟宇人員的住宿和活動環境，有利寺院的長遠運作和發展。政府應多支持這些宗教場所的發展，以免香港變成文化沙漠。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-104953-30117

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

23/06/2022 10:49:53

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 麥

意見詳情

**Details of the Comment :**

這宗申請主要由現時的寺廟僧侶和員工使用，不會造成額外交通負荷。不反對這申請。
--

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-105211-06862

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

23/06/2022 10:52:11

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

夫人 Mrs. 蔡

意見詳情

**Details of the Comment :**

從圖則和規劃報告可見到綠化地帶唔會有任何建築，所以對環境應該唔會造成不良影響。  
。支持！



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-105631-25632

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

23/06/2022 10:56:31

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss Kathy Ng

意見詳情

**Details of the Comment :**

The existing quarter is in poor condition. This application can help provide a better environment serving the needs of the monks by enhancing the safety and comfort of the quarters. Therefore I support this application.

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-110551-77712

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

23/06/2022 11:05:51

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. Anson

意見詳情

**Details of the Comment :**

The nature and scale of development is similar to village type development. The proposed development only has 3 storeys and is same as a small house, and the nature is for living quarters. Therefore there is no reason to reject this application.

致城市規劃委員會：

47

**有關：反對法源寺擬建申請（申請編號 A/SK-TLS/60）**

本人得悉 Fat Yuen Temple Limited（下稱法源寺）申請擴建宗教機構，包括現存寺院的附屬宿舍及設施，涉及大型工程。鑑於有關申請勢必對環境、未來村務規劃、日後居民生活帶來深遠影響，法源寺在未有與村代表及周圍居民諮詢協商的情況下申請擴建設施，引起居民的普遍擔憂和質疑，本村對法源寺的做法深表震驚及遺憾，同時對法源寺的申請表達強烈反對。

法源寺在今次申請表中使用到村內綠化地，侵佔村內資源，平日卻重門深鎖，未見對村內居民開放。從照片可見，寺廟被一重鐵絲網包圍，正前外的鐵絲網外又有幾個鐵馬欄着，防備心極重。儘管寺廟屬私人範圍，但既然寺廟在申請文件中以「弘揚佛法」吸引更多信眾為擴建理據，平常卻未見開放門戶，言行自相矛盾。



（左圖）2022 年 6 月 17 日下午 4 時，（右圖）2022 年 6 月 18 日上午 10 時，法源寺閘門均沒有開放。



馬游塘村歷史悠久，為曾朱李三姓原居民聚居之地。三姓祖先自清朝以來便在此深耕細作，擁有近 300 年歷史，村民過往以務農為生，目前子孫後代生活於此。馬游塘村三姓村民各建有祠堂，供奉太公及觀音娘娘，而根據華人廟宇委員會網頁所示，法源寺供奉的為釋迦牟尼、觀音、地藏、韋陀及伽藍，與本村祠堂所供奉的不同。此外，每年天后誕本村均會與周邊村落合作，包括茅湖仔村及茶果嶺村等，籌備天后誕活動，祭祀天后娘娘，村落與法源寺從來沒有任何合作關係，法源寺也沒有參與相關的天后誕活動。

祠堂除了用作崇宗祀祖場地外，子孫辦理婚、喪、壽、喜等紅白事務均在祠堂按本村習俗完成，三姓村民根本無需尋求宗教機構協助，故本村與法源寺由此至今素無關係。

法源寺在申請文件中聲稱寺廟有悠長歷史，與本村相比實在微不足道。據村內長者口述，1950 年代前，法源寺前主持（已逝世）為一富戶誦經，對方為表謝意，詢問主持要何回報，主持回說一塊土地，故於 1950 年代獲富戶買地餽贈，即申請文件中的黃色範圍。以上口述歷史足見本村從沒有邀請法源寺入村，兩者毫無關係，本村村民亦從未受惠法源寺的佛教恩澤。

本人希望城規會考慮一眾村民的憂慮，否決有關申請，謝謝！

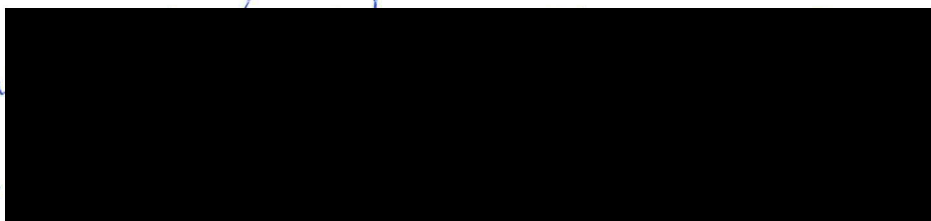
村民

曾志誠

二零二二年六月二十日

通訊地址：

電話：





致城市規劃委員會:

48

檔案編號: A/SK-TLS/60

有關上述規劃申請(A/SK-TLS/60) 我們馬游塘村村民堅決反對!

1. 由馬游塘村口途經路段到傲雲峰、其中需要經過兩個地段 228 & 229RP、這兩個地段屬於傲雲峰居民擁有、而只限於傲雲峰及村民都有權使用、而法源寺並沒有使用權、所涉及工程的車輛不能夠進入及經過該路段進行擴建工程。
2. 有關擴建工程會嚴重影響該處路段交通擠塞、嚴重危害村民出入。
3. 有關擴建位置鄰近曾氏百年祖墳、亦有山神土地公、有關工程需要開山劈石、動土會影響龍脈風水、如曾氏後人因此而精神、心理、健康受此影響、沒有人能夠擔當得起此風險及責任。
4. 法源寺位置於本村範圍之內、有關擴建工程未有任何人士通知本村村代表、村公所、商討、溝通有關事宜、做法極不尊重本村。
5. 現時法源寺有足夠空間給予僧侶使用、現時龕位短缺、不排除有人教唆寺院進行擴建、而擴建背後另有目的。

馬游塘村原居民村長及居民村長

李健宇 曾志誠

馬游塘村村務委員會全體委員

曾觀生 曾佛麟 曾植星  
李善濠 曾繁浚 李偉明  
曾文生 朱少明 曾佛強  
朱健新 朱金清  
朱官發 曾永良  
李有昌 李政達



合共四頁紙

日期: 27.06.2022

Page 1

48

馬游塘村原居民及居民

余麗娟	曾棟軒	陳家儀	曾智聰
黃燕冰	朱浩然	李憲和	林輝鄉
曾國強	曾楚軒	曾永雄	曾雅雯
曾健曦	余美珍	曾令曦	曾雅斯
曾河慶	曾令翔	廖曼嬌	王志華
徐笑	曾正聰	曾權	王志輝
王志明	曾潤才	曾沛霖	凌綺華
黃展暉	鄧珮琪	馮智強	鄭秀麗
李建建	張詩華	山度士	朱偉旗
高仕生	黃秀芳	梁時培	曾國華
	鄭偉傑	吳志強	曾宏
	陳國芳	李浩然	

日期:





馬游塘村村公所  
新界坑口馬游塘村



MA YAU TONG VILLAGE OFFICE  
HANG HAU DISTRICT, N.T.  
HONG KONG

馬游塘村原居民及居民簽名:-

(35)

Dennis Wong.	曾健志	馬輝城	黃軍勇
Cynthia Wang	羅錦彪	李愛珍	黃以平
熊嘉明	劉國政	石積環	李輝
劉愛敬	黃兆麟		熊鳳嫻
熊兆文	Michael Ska		熊滿珍
葉詠珊	江荷		葉金權
葉潤平	李慧		熊兆輝
Angy	周富強		曾佛仁
Crystal	黃錦輝		鄭文龍
Kwong	黃錦輝		曾偉傑
	黃錦輝		陳曉暉
	黃錦輝		蔡文志
	黃錦輝		劉守明
	黃錦輝		羅家豪



48

李 劉 李  
 錦 煜  
 李 盈 悅 青 熙  
 李 星 安  
 杜 葉 錦  
 曾 金 龍  
 李 有 故 胡 榮  
 李 有 祥 賢 胡  
 李 告 吟  
 鄭 建 江  
 李 國 基  
 李 明 聖  
 李 彤  
 李 家 俊  
 王 吉 芳  
 劉 觀 妹  
 李 少 亭  
 李 仁 安 周 云 華  
 李 志 榮  
 李 永 祥 寧 寧  
 李 嘉 寧  
 李 雪 心  
 何 Chu  
 Lee San Yung  
 李 惠 儀  
 李 偉 明  
 文 綺 華  
 曾 北 尉  
 曾 北 尉  
 曾 北 尉



Page 4



敬啟者：

49

**有關：反對法源寺擬建申請（申請編號 A/SK-TLS/60）**

本人為西貢馬游塘村村民，現來信反對 Fat Yuen Temple Limited（下稱法源寺）申請擴建，有關編號為 A/SK-TLS/60。

本村源遠流長，文化深厚，擁有 300 年歷史，其中一個屬於本村村民、有逾百年歷史的祖墳位於法源寺範圍外，惟位於墳墓附近的「土地公」，正正在其範圍內。聲稱「致力於香港宏揚佛法」的法源寺當年在未與村民或本村商討下，為了自身利益擴大寺廟範圍，擅自剷走村民祖墳的「土地公」，並僅以石磚墊在「土地公」底部，有關行徑猶如視村民祖墳如無物，與佛教教義相違。

村民在春秋二祭掃墓時，首要工作是清潔墳墓環境，包括掃走樹葉，其中「掃墓」最先打掃的，正是祖墓旁的「土地公」。村民將墓碑旁的環境打掃乾淨，才會放置祭品，而且「土地公」更是祭祖儀式的「頭陣」，村民點香時首先是將線香點在「土地公」前，足見對村民而言，先人遺產不只一座墳墓，而「土地公」亦非普通石碑，對村民及祖先均有重要價值。



曾姓村民於 2016、2017 年左右，就法源寺輕率處理祖墳「土地公」一事尋求時任區議員邱玉麟先生協助，惟當時法源寺表現出的態度是不屑與村民協商，是故目前祖墳與「土地公」相隔甚遠，加上法源寺周圍建立圍欄，子孫拜山時無法經寺廟抵達祖墳，而是另覓路徑前往。

法源寺如今向城市規劃委員會申請擴建，涉及挖土深近 7 米的工程，有關工程對一個建於百年前的脆弱墳墓地基結構帶來何種影響，相信寺方心知肚明。加上擴建後建築物將會進一步遮掩祖墳，致墳墓周圍景觀受損，倘寺方一意孤行，曾氏祖墳一旦被遮擋、甚至慘遭震裂，對子孫及村內風水勢必帶來負面影響，位於村內的寺廟也無可避免，如此工程只會損人害己。寺廟一方應當深刻反省自身過去行為，切實停止打著宗教旗號在村內製造動盪和分裂的錯誤言行。

本村公所期望法源寺以歷史經緯和是非曲直出發，積極促進打破與村民隔膜，促進村內秩序穩定，同時應該以負責任方式推動妥善解決問題。本村公所繼續為此發揮應有作用，並懇請城市規劃委員會正視村民憂慮，否決法源寺的申請。

此致

城市規劃委員會

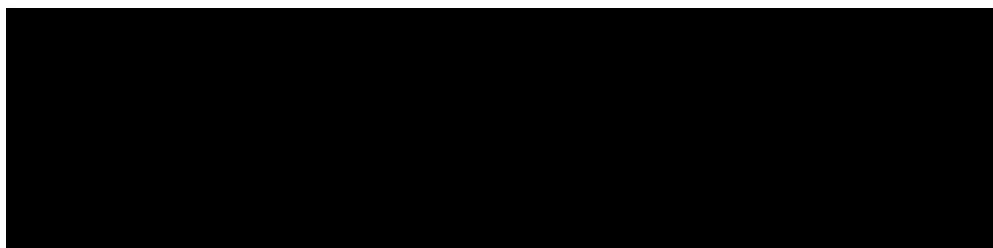
馬游塘村村民

TSANG KOON SANG



二零二二年六月二十日

通訊地址：



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-165738-38288

51

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

23/06/2022 16:57:38

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. John

意見詳情

**Details of the Comment :**

Fat Yuen Temple is already an attraction as a part of the nearby rural environment. By supporting the ancillary facilities the operation of the temple can be sustained and Buddhism can be promoted to enhance the cultural and religious character of Hong Kong. I support this.

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-170128-87400

52

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

23/06/2022 17:01:28

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss Ng

意見詳情

**Details of the Comment :**

法源寺已建立多年，而且附近不太可能再做丁屋發展，所以最好善用土地作宗教相關用途。希望城規會批准此宗申請。



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-170633-01330

提交限期

**Deadline for submission:**

28/06/2022

53

提交日期及時間

**Date and time of submission:**

23/06/2022 17:06:33

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. Kenneth Wong

意見詳情

**Details of the Comment :**

是次申請旨在以合符規格的建築取代現時的臨時結構，對使用者和周邊環境乃好事，所以我不反對。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220623-170930-71301

提交限期

**Deadline for submission:**

28/06/2022

54

提交日期及時間

**Date and time of submission:**

23/06/2022 17:09:30

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

女士 Ms. 姚

意見詳情

**Details of the Comment :**

支持.申請人提交的報告和評估均證明批准這個申請不會帶來環境和交通方面的不良影響,而且此申請可以令廟宇在更安全和理想的環境繼續運作

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220624-134217-85842

提交限期

**Deadline for submission:**

28/06/2022

55

提交日期及時間

**Date and time of submission:**

24/06/2022 13:42:17

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

女士 Ms. 關

意見詳情

**Details of the Comment :**

香港已經不夠宗教場所，應該多支持這類規劃申請，推廣更多元化的宗教文化。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220624-134602-85599

提交限期

**Deadline for submission:**

28/06/2022

56

提交日期及時間

**Date and time of submission:**

24/06/2022 13:46:02

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. Kit Lam

意見詳情

**Details of the Comment :**

申請人提議的用途與鄉村發展近似，都是用作住用，而且建得不高，同周圍的村屋差不多，支持批准申請。



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220624-141010-04296

提交限期

**Deadline for submission:**

28/06/2022

57

提交日期及時間

**Date and time of submission:**

24/06/2022 14:10:10

有關的規劃申請編號

**The application no. to which the comment relates:** A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss 高

意見詳情

**Details of the Comment :**

申請人無意起丁屋，如果不批准申請只會浪費土地，希望委員批准申請以善用土地資源。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220624-141503-85630

提交限期

**Deadline for submission:**

28/06/2022

38

提交日期及時間

**Date and time of submission:**

24/06/2022 14:15:03

有關的規劃申請編號

**The application no. to which the comment relates:** A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 趙

意見詳情

**Details of the Comment :**

相信批准這宗申請有助促進佛教以致本港宗教文化發展，除了能為區內帶來一個景點亦能令社會更多元化。支持。

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220624-142104-19040

提交限期

**Deadline for submission:**

28/06/2022

59

提交日期及時間

**Date and time of submission:**

24/06/2022 14:21:04

有關的規劃申請編號

**The application no. to which the comment relates:** A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 鄧

意見詳情

**Details of the Comment :**

同意申請.申請的樓高只有三層,與丁屋相同,因此不會有景觀和通風的不良影響,寺院設施能融入鄉村環境

23 June 2022

Dear Sir/Madam,

**Objection on Application for Permission (Ref No.: A/SK-TLS/60)**

In view of the abovementioned application by Fat Yuen Temple Limited (the Temple), I am writing this letter to express my strong objection towards this plan and address my concerns on possible adverse impacts on the surrounding environment and neighbourhood.

I am particularly concerned about the noise the construction work and religious rituals that would bring to the neighbourhood. As the proposed site is directly facing the village houses, any noise created would definitely cause nuisance and disturbance to the adjoining community as well. Residents have already been enduring such noise created from inside the Temple, for example, the chants played in some religious rituals held inside. This situation will only deteriorate during and after the extension arising from any construction activities.

I am even concerned about the poorer air quality that can be foreseen. Residents now also have to tolerate the strong smell of incense burning, and the ashes blown from burning the joss papers when rituals are ongoing in the temple. Windows are even needed to be closed to avoid the smell and ashes blowing into the houses, or to prevent babies and little children in some families from breathing in the fumes. Shall the application was given the green light, the health of residents would be jeopardised when more rituals and ceremonies were held by the Temple.

I would like to reiterate the strong opposition to this application for permission as the environmental impacts posed would be irreversible. Considering Ma Yau Tong Village as a low-density residential area proximal to the Temple, any work should be reduced to minimal in order not to exceed the existing carrying capacity. I urge the committee to re-consider and give a veto towards this plan.



A handwritten signature in black ink, appearing to be "Francis Tsang".

Yours sincerely,  
Francis TSANG



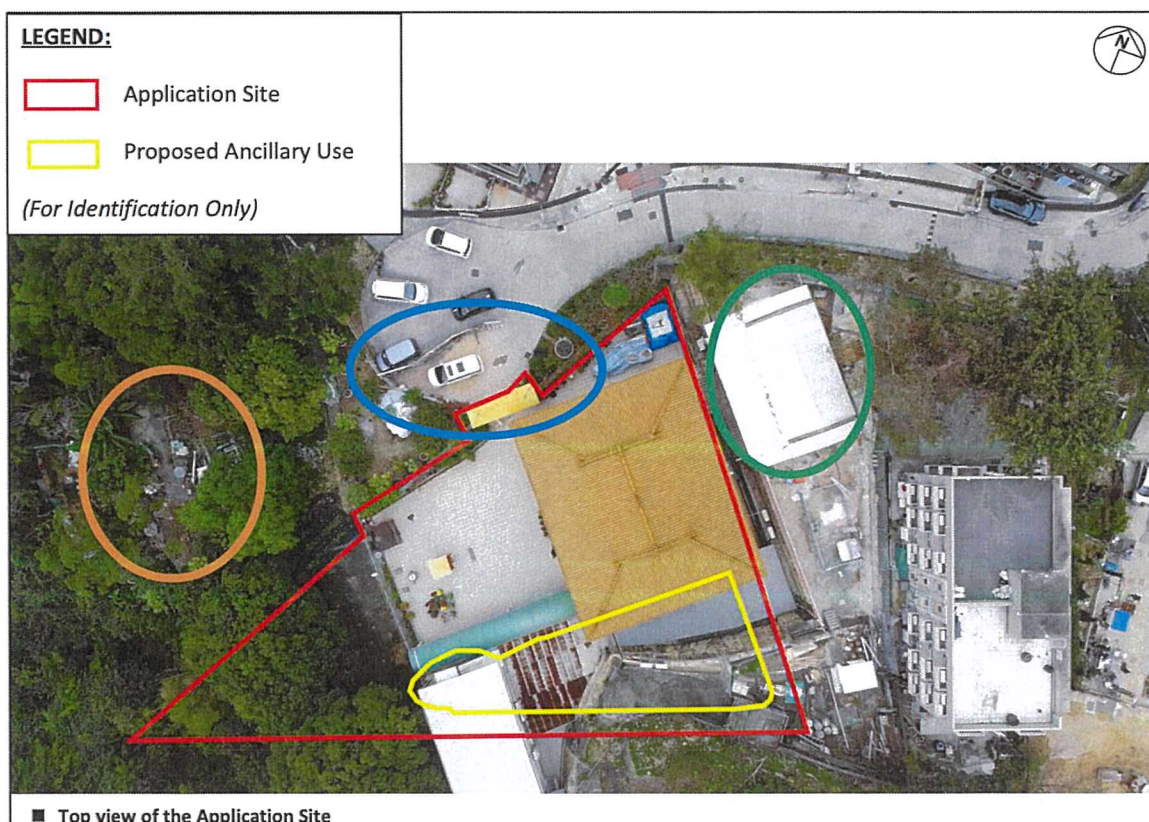


反對 A/SK-TLS/60 (井欄樹) 規劃申請

坑口鄉事委員會及馬游塘村傲雲峰居民聯署反對法源寺有限公司的規劃申請（編號 A/SK-TLS/60）。原因如下：

法源寺霸佔官地多時

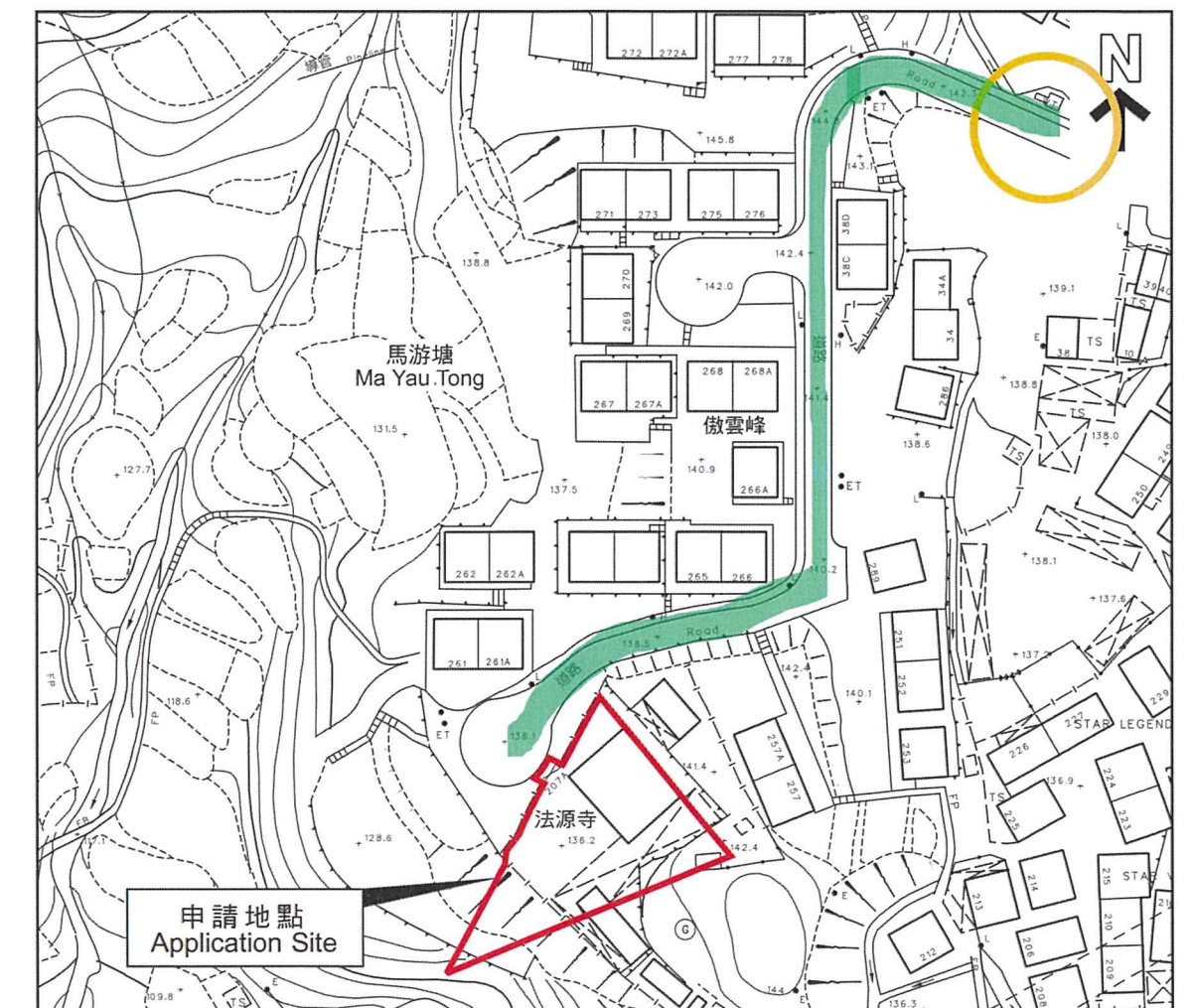
法源寺於本村已不時霸佔用附近公地以作私用。附圖源於申請文件<sup>1</sup>。圖中綠色橢圓標示近 50 平方米的官方土地，已被法源寺興建有蓋房屋據為己用；藍色標示部分為近寺廟大門前的避車處，亦已被法源寺下了欄柵作泊車之用，寺廟以外的車輛均不得駛入；橙色部分佔地約 100 平方米的土地，已被法源寺霸佔作耕作之用。現法源寺有限公司竟然再向城規會作規劃申請，其申請必定會影響本村居民的生活環境及進一步減少本村的公共空間。城規會除了不應接納法源寺有限公司的申請外，還應即時下令法源寺有限公司清拆及歸還現時所有非法佔用的地方。



<sup>1</sup> Ref.: ADCL/PLG-10240/R001

[https://www.info.gov.hk/tpb/en/application\\_collection/A\\_SK-TLS\\_60/Drawings\\_Plans\\_2.pdf](https://www.info.gov.hk/tpb/en/application_collection/A_SK-TLS_60/Drawings_Plans_2.pdf)

## 通往法源寺緊急車輛通道的使用權



通往法源寺的其中一段車輛通道（見上圖黃色部分，DD401 LOT 228 及 LOT 229），是本村居民與發展商共同興建及擁有（其相關證明文件可見附件一），法理上其路段只供本村的居民使用而並不包括法源寺。該路段的設計亦只適合緊急車輛出入，並不適合大型工程車輛進出，因此是次規劃申請工程的工程車輛並不得使用該路段。另外，由於法源寺有限公司是次申請的工程規模龐大，本村居民極度擔心在興建期間，大型工程車輛進出時，除了會造成嚴重交通阻塞，更會對整條車輛通道（圖中綠色標示部分）及地底的喉管造成嚴重損毀。如法源寺有限公司事後不負責相關損毀的維修工程費用，本村居民則要自掏腰包應付巨額的維修費用，其影響對本村居民極不公平。



極近民居，不宜作進一步發展

每年不同的祭日期間，善信的數目已使本村交通非常阻塞，影響本村居民出入，加上法源寺位置極近民居，其焚香燒衣所造成的環境污染已經使本村居民非常不滿，影響本村居民安寧。現法源寺的規劃申請，非住用總樓面面積高達 558 平方米，佔地面積近乎廟宇大樓的三分之一。香港華人廟宇委員會<sup>2</sup>資料中顯示，該寺廟為一私營廟宇，其廟宇所提供的服務只包括功德法事、宗教授課及於誕日及法會時免費供應齋菜。現其申請非住用總樓面面積之大，實不合乎其現行服務的實際需要，長遠而言，該申請必定會為寺廟帶來不少善信。惟現時空間實不能再讓法源寺作進一步發展，其發展必然對本村居民造成嚴重滋擾。如法源寺有限公司有意再作發展，應向城規會另行覓地處理，而不應在現時極近民居的原址作擴建發展。

現坑口鄉事委員會及本村居民聯署反對法源寺有限公司的規劃申請，懇請貴會仔細考慮相關規劃申請對本村居民所做成的影響，謝謝。

順祝

台安

坑口鄉事委員會及馬游塘村傲雲峰居民

日期：2022-06-20



曾文生

馮志光

曾偉強

曾 芳

宋偉雄

曾俊銘

楊志雄

羅錦超

何 榮

曾 芳

葉金雄

熊滿珍

曾桂星

李志豪

黃香芳

石鎮輝

顏昭洋

華克爾

熊恩輝

劉愛欣

熊嘉明

熊兆文

傲雲峰召集人：

<sup>2</sup> 香港華人廟宇委員會 [http://www.ctc.org.hk/b5/registered\\_temple\\_result.asp?tp\\_ID=11138](http://www.ctc.org.hk/b5/registered_temple_result.asp?tp_ID=11138)

易如富 ID

田梅

曾潤才

黃展暉

曾權

戴志明

張詩華

馮志遠

李彩屏

曾建忠

王 志華

王 志輝

許雨平

黃志敏

曾棟軒 ID

周富欣 ID

余偉超

鄧珮琪

曾國威

山度士

黃沛浩

陳曉暉

陳潔儀

張雪燕

李建輝

楊松梅

陳偉雄

陳紀憲



Dak aly



Cynthia May 10:

Fung chi ching



thyy

聯絡人：曾宏（傲雲峰召集人）

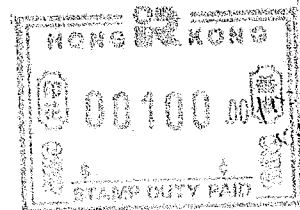
地址：



電話：



附件一)



THIS DEED OF CONSENT AND GRANT OF RIGHT OF WAY

is made on

1st day of April 2009

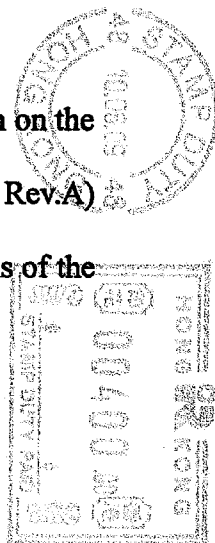
BETWEEN (1) the Grantor described in Schedule 1 hereto; and

(2) the Grantee described in Schedule 2 hereto

WHEREAS :

1. The Grantor is the registered owner of those two (2) pieces or parcels of ground lying in Sai Kung District and registered in the Land Registry as Lots Nos.228 and 229 in Demarcation District No.401 ("the Lands").
2. The Grantee is the registered owner of the parcel of land lying in the Sai Kung District and described in the second column of Schedule 2 hereto ("the said property").
3. Pursuant to the New Grant under which the said property is held ("the said New Grant"), the Grantee and other approved applicants for similar new grants are required by the District Lands Officer Sai Kung ("DLOSK") to, among other things:
  - (a) at their own expenses and to the satisfaction of the Director of Fire Services, construct and maintain a 4.5 metre wide emergency vehicular access ("EVA") and a 1.5 metre wide footpath for the passage of Fire Services appliances and Fire Services personnel; and
  - (b) obtain the consent of the Grantor, as portions of the Lands, as shown on the BD approved drawing (of Drawing No.MYT-SF-001 Rev.A) submitted by Leadtops Raymond Limited ("the said relevant portions of the Lands"), will form part of the EVA and the footpath.

\$ 400 being penalty for late stamping payable under Section 9 of the Stamp Duty Ordinance.  
Asst. Collector



4. In order to be sure that the construction works of the EVA and the footpath will meet the high standard as required, the Grantor has agreed to be responsible for such construction works.
5. Having agreed terms with the Grantor on his own part of the construction costs, the Grantee has requested the Grantor to affirm that, so far as the Grantee's individual case is concerned, the Grantor's consent for the said relevant portions of the Lands to be affected is to be deemed given.
6. The Grantee has also requested the Grantor to grant him a pedestrian right of way over the said relevant portions of the Lands.

**NOW THIS DEED WITNESSES that:**

1. In consideration of the premises, and to the intent that its successors and assigns be so bound, the Grantor covenants with the Grantee that, in so far as any call for emergency fire service shall originate from any part of the said property or from any neighbouring Government land, Fire Services personnel and Fire Services appliances will always be permitted to have the free and uninterrupted use of the said relevant portions of the Lands as part of the EVA and the footpath, for the remaining term of the current Government Leases in respect of the Lands and any extension of such current Government Leases.
2. The above covenant shall be binding on the Grantor its successors and assigns, as an irrevocable consent given by the Grantor, in favour of the Grantee as the owner of the said property and shall enure to the benefit of his executors, administrators, successors and assigns, for the purpose of satisfying the requirement as imposed by DLOSK on the Grantee, regarding the consent of the Grantor as owner of the Lands.

3. The Grantor grants unto the Grantee the full right and liberty for the Grantee and his executors, administrators, successors and assigns and the occupier for the time being of the said property or any part thereof and his servants agent and licensee (in common with the Grantor and all others having the like right) at all times by day or night to pass and repass on foot over the said relevant portions of the Lands for all purposes connected with the use and enjoyment of the said property of the Grantee TO HOLD the said right of way unto the Grantee for the period from the commencement date of the said New Grant until 30 June 2047. It is expressly agreed that should the current Government Leases respecting the Lands be extended either by operation of law or otherwise, the effective period of this grant of right of way shall be automatically extended to run the full length of such extension.
4. The Grantor shall be responsible for the construction works of the EVA and the footpath to the satisfaction of the Director of Fire Services, and the Grantee and other approved applicants for new grants similar to the said New Grant shall have the right to carry out maintenance works concerning the EVA and the footpath, and the maintenance expenditure shall be borne rateably between the Grantor, the Grantee and other grantees of the same rights.
5. The right of way hereby granted is subject to the conditions that :
  - (a) the maintenance expenditure respecting the EVA and the footpath shall be borne rateably between the Grantor, the Grantee and other grantees of the same rights; and
  - (b) no obstruction of any kind shall be placed upon or caused to any part of the said relevant portions of the Lands such that the same can be preserved as an



Schedule 1

Grantor: HENRICH DEVELOPMENT LIMITED ( 顯富發展有限公司 ), Company

No.380511, whose registered office is situated at [REDACTED]  
[REDACTED]

Schedule 2

Grantee

Description of the said property

TSANG WANG ( 曾宏 ), holder of

Lot No.664 in Demarcation District

Hong Kong Identity Card No. [REDACTED]  
[REDACTED]

No.401

IN WITNESS whereof the parties have executed this deed on the date first above written.

SEALED with the COMMON SEAL of

the Grantor and SIGNED by its

directors Ho Phaik May and

Wong Wing Sze Agnes -----

whose signature(s) is/are verified by



**JOHN B CHAN**  
Solicitor, Hong Kong SAR  
John Chan & Co

SIGNED SEALED and DELIVERED

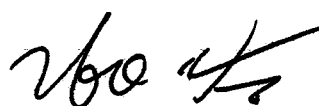
by the Grantee (Holder of Hong Kong

Identity Card No. [REDACTED] ) in

the presence of :



**WAI TO SUEH HAGON**  
Solicitor, Hong Kong SAR  
Messrs. Hagon Wai & Partners



Dated the 1st day of April 2009



註冊摘要編號 Memorial No.:

09061203040457

本文書於2009年6月12日在土地註冊處  
以上述註冊摘要編號註冊。

This instrument was registered in the  
Land Registry by the above Memorial  
No. on 12 June 2009.

土地註冊處處長  
Land Registrar

---

DEED OF CONSENT AND GRANT OF  
RIGHT OF WAY

---

Lots Nos.228 & 229 in DD No.401

John Chan & Co, Solicitors,  
8th Floor, OTB Building,  
95-97 Castle Peak Road,  
Yuen Long, NT

Ref : JBC/1/6330/05

Code : my doc/JBC/6330 - 228&229 - ROW

H2gon Wai & Partners  
H2/S/70795/08/50

民建聯西貢將軍澳支部  
邱浩麟聯絡處

地址：西貢清水灣道井欄樹村 60H

電話：2791 9757 傳真 2791 9776

電郵：[REDACTED]

62

致：香港北角渣華道 333 號北角政府合署 15 樓  
城市規劃委員會秘書

規劃申請意見書 (申請編號 A/SK-TLS/60)

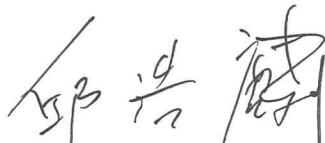
現附上以下規劃申請之意見書，請見內文：

申請編號 A/SK-TLS/60  
申請地區 井欄樹  
區域 西貢及離島區  
收到日期 25/05/2022  
地點 新界西貢馬游塘丈量約份第 401 約地段  
第 542 號和毗連政府土地

如有任何查詢，請聯絡本人電話：[REDACTED]，辦事處電話：2791 9757 (溫先生)。  
電郵：[REDACTED]，謝謝。

順祝 閣下工作愉快！



  
民建聯坑口西社區主任 邱浩麟  
2022年06月25日



香港北角渣華道 333 號北角政府合署 15 樓；  
城市規劃委員會秘書

62

執事先生 / 女士:

#### [ 馬游塘村歷史背景 ]

馬游塘村又名馬遊塘村，俗寫為馬油塘村

馬游塘村位於新界西貢區坑口鄉事委員會的認可村落，本村原居民基本上享有興建丁屋的權利。

馬游塘村為三姓原居民（即：李氏、曾氏及朱氏），三姓原居民都有各自祠堂，三姓族人約於 300 年前由沙頭角麻嶺遷至現址建村。當時三姓族人並沒有為個別佛教、道教或其他傳統神明建廟設壇拜祭，三姓族人各自在自己宗祠拜祭祖先，並於馬游塘村周邊後山安葬先人。

馬游塘現時為最接近觀塘區的西貢原居民村落，鄰近有觀塘區秀茂坪寶達邨、安達臣安泰邨及藍田德田邨(步行距離約為 35 分鐘至 1 小時不等)。

#### [ 馬游塘村交通及村民出入情況 ]

馬游塘村車輛現時只依靠村內唯一的馬游塘路及主幹線寶琳路往來將軍澳市鎮及秀茂坪，基本上大部份馬游塘村民皆以車輛代步，出入馬游塘村只有一條單線車路(馬游塘路)；村民亦可選擇另外 3 條村路步行半小時至藍田或將軍澳隧道巴士轉乘站出村。

#### [ 馬游塘村法源寺起源 ]

按照村內長者所述，法源寺約於國共內戰至新中國成立時建寺，開山主持為釋仁常法師，現時的主持為第二代主持；據聞當年開山主持為某本港世家大族誦經渡劫去病，該家族遂向本村居民購地轉售予主持開廟，圓其宏願，惟在開廟之時，本村三姓原居民事先對此並不知情，惟本著佛道祖先本一家的精神，並無過多的異議，事過景遷，法源寺供奉的神明至今仍不為本村三姓原居民所信仰。

### [ 近廿年法源寺發展 ]

法源寺近 20 年來，一直都閉門禪修及招待村外善信，並不曾參與馬游塘村任何傳統祭祠興生喪葬活動，與馬游塘村並沒有多大聯繫。即使近 20 年來，雖然不斷有非原居民遷進馬游塘村定居，該寺亦無主動在村內主動提供任何服務及活動，故大部份村內原居民及一般居民近 20 年來都不是法源寺善信。即使該寺為稅務局認可的慈善機構 ( S88 NGO )，本村的村民普遍都不曾接受其惠澤及得益。

### [ 法源寺地理位置 ]

法源寺周邊有兩幅登記斜坡(編號: 11NE-D/FR147 及 11NE-D/CR648)，毗鄰漢顯妣曾太母阮老孺人曾太公之墓(位於葬區以外)。

現時法源寺善信只能由寶琳路經馬游塘路(1 號路口)沿傲雲峰前往該寺，途中經過兩幅私家地(DD Lot 228 及 DD Lot 229RP)及傲雲峰緊急車輛通道(EVA)。

法源寺善信亦可由將軍澳隧道巴士轉乘站步行村路 30 分鐘抵達該寺，惟該條小路濕滑及日久失修，並且沒有任何公共照明。

### [ 反對理據 ]

按<<城規會規劃指引>>編號 10 準則，設立「綠化地帶」為保存現有自然景觀、風景勝地及具認可風水價值地點，惟法源寺相較坑口天后古廟(坑口鄉)、佛堂門天后古廟(坑口鄉)及蠔涌車公廟(西貢鄉)，該廟不論在開廟時間、村民信仰普及性及傳統歷史文化上，都遠遠不及上述三間寺廟，故在本次申請中並無任何顯着的文化價值理由凌駕本來規劃意向。

按照上述指引的規劃準則 2.g，擬發展的設計及布局需和周邊理境配合，不應影響四周景觀，惟現時新建的建築物座落於兩個人造斜坡及曾太母太公祖墓旁，令現時景觀已有顯著及大幅度改變，故不符上述原則。另外，按照該規劃準則 2.m 段要求，任何在斜坡或山坡上的發展，皆不得影響斜坡穩定性，現時申請人 ( 法源寺 ) 並無就新構建築物對兩個人造斜坡及附近天然斜坡作出初步評估，亦無就進一步的斜坡加固工程與曾太母太公祖後人商議，可見申請人 ( 法源寺 ) 並無仔細考慮斜坡安全問題，故本人認為現階段不宜倉促批准有關申請，尤其是申請人曾兩次 ( 1998 年、2008 年 ) 因拖延屋宇署斜坡維修令而遭釘契，城規會更應審慎嚴格要求申請人提交進一步斜坡報告，方可作進一步審批。

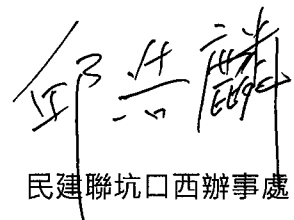
按照最新的法源寺賬目，該寺廟現有盈餘港幣 HK\$ 8000,000，本人質疑該寺是否有足夠財力承擔是次建議，尤其是該寺在未獲兩幅私家地及本村傲雲峰業主同意情況下，現階段根本無法證明法源寺有足夠的財力及向地主購置路權大興土木。

雖然申請人表示宗教機構是「鄉村式發展」經常准許的用途，與周邊發展並無太大的不融和；但本人對此不敢苟同，認為本次申請是為僧侶住所及其他周邊宗教活動而為之，故希望城規會應回歸「鄉村式發展」的核心目的再作審視－

涵蓋認可鄉村的「鄉村式發展」地帶：此地帶的規劃意向，是就現有的認可 鄉村和適宜作鄉村擴展的土地劃定界線。地帶內的土地，主要預算供原居村民興建小型屋宇之用。設立此地帶的目的，亦是要把鄉村式發展集中在地帶內，使發展模式較具條理，而在土地運用及基礎設施和服務的提供方面，較具經濟效益。在新界豁免管制屋宇的地面一層，有多項配合村民需要和鄉村發展的商業和社區用途列為經常准許的用途。其他商業、社區和康樂用途，如向城市規劃委員會申請許可，或會獲得批准。

按照申請人所提交文件及綜合各村民所述，法源寺擴建完全不符以上規劃意向，全因法源寺主要以服務村外善信為主，尤其是並無提及會另建新建村路作獨立出入口；屆時如獲批，居於秀茂坪、將軍澳市鎮以及安達臣發展區的村外善信湧入馬游塘村，破壞鄉郊寧靜環境及勢必令人車爭路，不符上述的規劃原則及精神。另外，申請人所及的出入道路為單程行車線及極度貼近民居，根本不適合工程時重型車輛出入，擴建工程一旦展開，勢必令周遭居民飽受滋擾，進而引致雙方進一步衝突，本人在此希望城規會留意申請人事先並無就擴建一事告知傲雲峰村民、馬游塘村兩位村代表或坑口鄉事會 (包括：口頭或非正式)，遑論進一步的磋商；基於以上源由，本人認為擴建後，外村善信步行入廟定亦會令鄉郊環境進一步惡化，故本人強烈希望城規會需拒絕本次申請。

另外，申請人表示是次申請是為改善僧侶的居住環境，惟「鄉村式發展」地帶用地主要用作原居民興建小型屋宇之用，如個別僧侶需有額外的住屋需求，理應由特殊規劃用地處理，而非由本村珍貴的「鄉村式發展」土地承擔額外的需求。近幾十年來，村界的 V Zone 地價都有可觀的升幅，法源寺亦可出售現址珍貴的村界地皮予原居民用作興建丁屋，將資金用在外尋覓更大的土地，並劃作「宗教」等特殊用途，以進一步改善寺廟環境，而非在不符現時規劃意向的 V Zone 土地牟求進一步擴展而影響村民的居住環境。



邱浩麟

2022 年 6 月 25 日

1. 馬游塘村口 1 往法源寺之主路

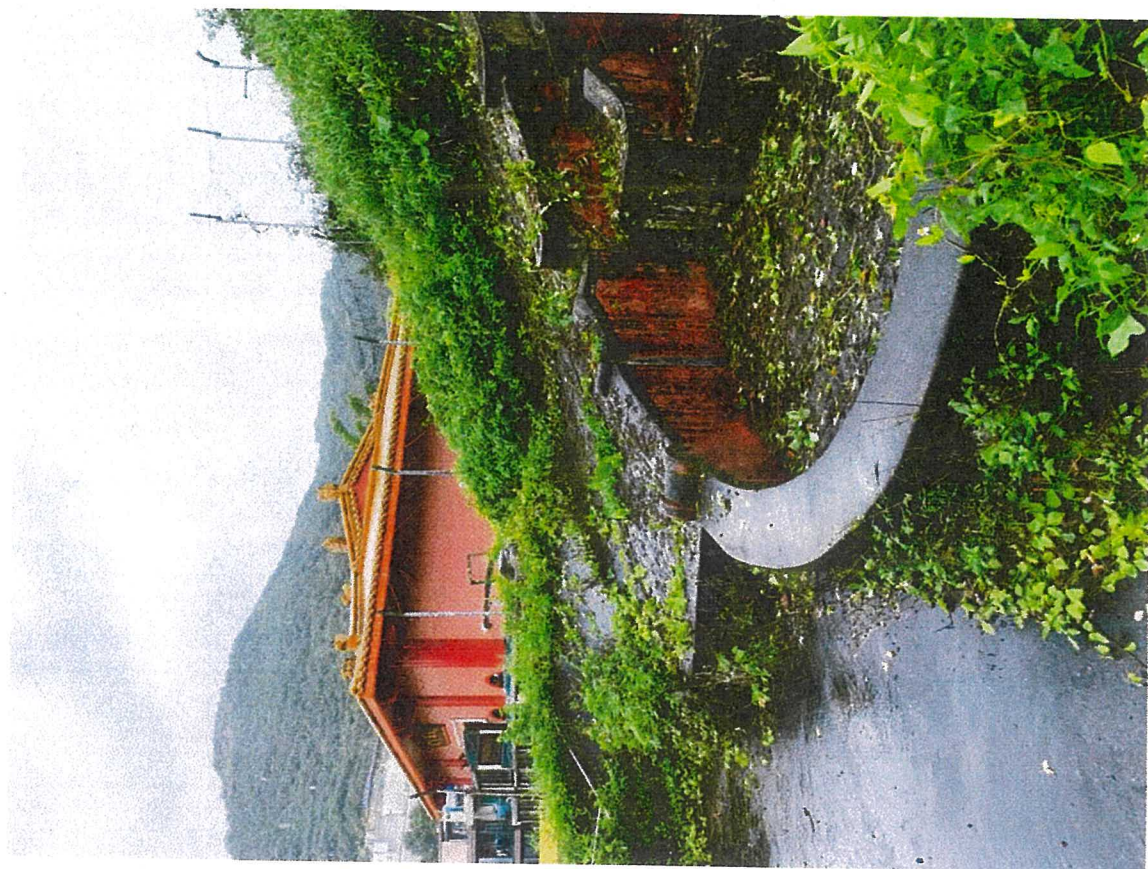




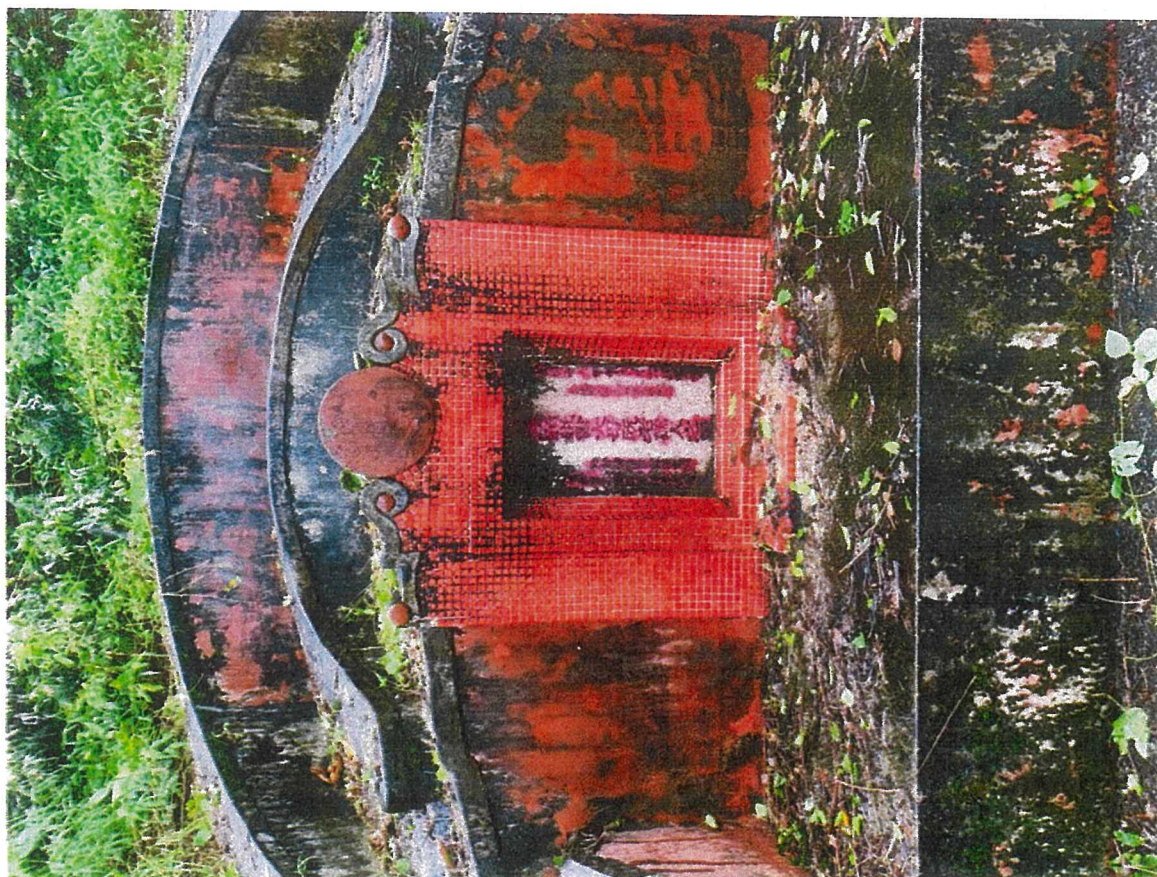
2.由將軍澳隧道步行往法源寺之小路



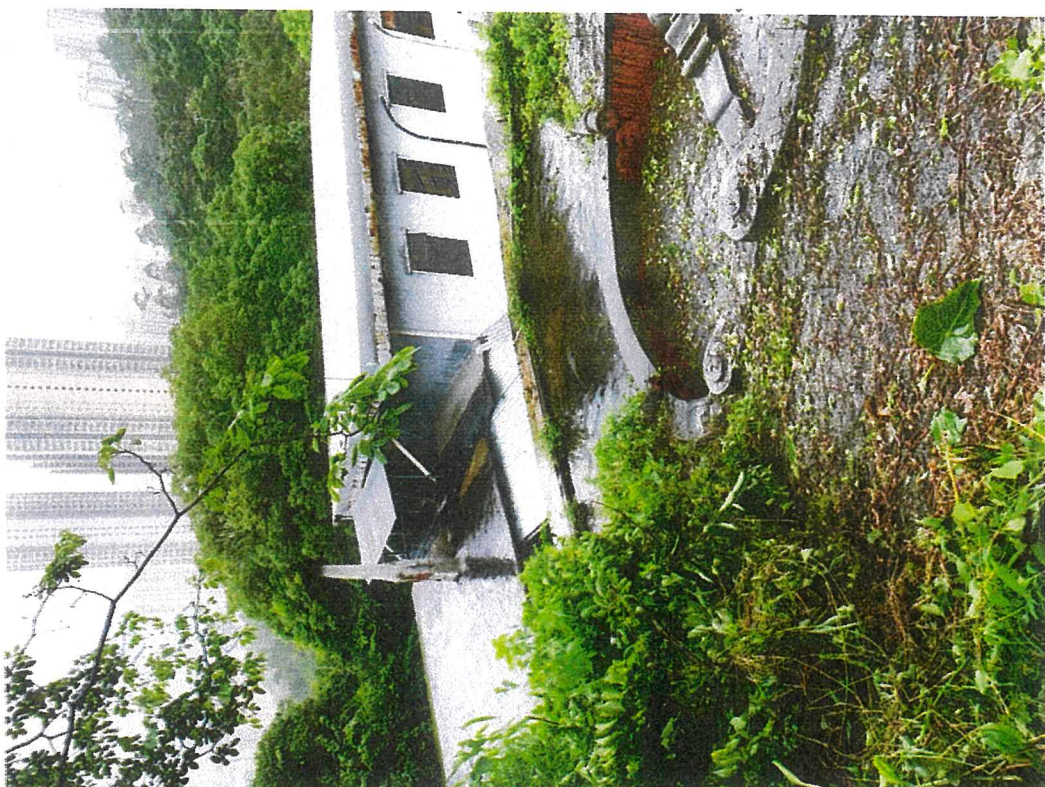




3. 法源寺旁之曾氏祖墳







**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220627-091736-93983

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

27/06/2022 09:17:36

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 陳

意見詳情

**Details of the Comment :**

支持，可以改善寺廟環境



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220627-091923-02315

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

27/06/2022 09:19:23

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss 陳

意見詳情

**Details of the Comment :**

支持，為來港僧侶提供安全的住所及設施，有助推廣佛法

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220627-111211-73091

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

27/06/2022 11:12:11

有關的規劃申請編號

**The application no. to which the comment relates:** A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 何

意見詳情

**Details of the Comment :**

支持，因為現有的臨時建築物可能有倒塌的風險



**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220627-111347-37417

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

27/06/2022 11:13:47

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

小姐 Miss 張

意見詳情

**Details of the Comment :**

支持，因為擬建設施所在的土地屬於寺廟，而且並非坐落於綠化地帶，沒有環境問題
---------------------------------------

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220627-111550-07447

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

27/06/2022 11:15:50

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

先生 Mr. 馬

意見詳情

**Details of the Comment :**

支持

改善佛寺的安全及衛生環境

保障內部人員的安全

68

**就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**

參考編號

**Reference Number:**

220627-111838-00581

提交限期

**Deadline for submission:**

28/06/2022

提交日期及時間

**Date and time of submission:**

27/06/2022 11:18:38

有關的規劃申請編號

**The application no. to which the comment relates:**

A/SK-TLS/60

「提意見人」姓名/名稱

**Name of person making this comment:**

夫人 Mrs. 黃

意見詳情

**Details of the Comment :**

支持。有關申請主要為了將現有作業重置至擬建的建築物內，並不會帶來額外的車流、噪音等。而擬建的建築物比現有的鐵皮屋更加安全，所以支持。

69

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220628-113138-20979

提交限期

Deadline for submission:

28/06/2022

提交日期及時間

Date and time of submission:

28/06/2022 11:31:38

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-TLS/60

「提意見人」姓名/名稱

Name of person making this comment:

小姐 Miss 林

意見詳情

Details of the Comment :

支持. 只是附屬設施, 不會有太大影響

70

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220628-113004-40711

提交限期

Deadline for submission:

28/06/2022

提交日期及時間

Date and time of submission:

28/06/2022 11:30:04

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-TLS/60

「提意見人」姓名/名稱

Name of person making this comment:

先生 Mr. 呂

意見詳情

Details of the Comment :

支持

屬於宗教用途，不會帶來噪音、污染等



71

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220628-160150-80176

提交限期

Deadline for submission:

28/06/2022

提交日期及時間

Date and time of submission:

28/06/2022 16:01:50

有關的規劃申請編號

The application no. to which the comment relates:

A/SK-TLS/60

「提意見人」姓名/名稱

Name of person making this comment:

小姐 Miss 曾

意見詳情

Details of the Comment :

支持

72

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

220628-170206-92774

Reference Number:

提交限期

28/06/2022

Deadline for submission:

提交日期及時間

28/06/2022 17:02:06

Date and time of submission:

有關的規劃申請編號

A/SK-TLS/60

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. 劉啟康

Name of person making this comment:

意見詳情

Details of the Comment :

反對 A/SK-TLS/60 規劃申請

本會收到馬游塘村村代表及村民的意見，指出該規劃申請的建築物毗鄰馬游塘村民居，但申請機構事先沒有與村民溝通及徵詢意見，現在看到規劃申請時覺得很突然，對於有關規劃申請提出反對，理由如下：

1. 申請地段的旁邊與一村民的祖墳距離相當接近，有關申請的建築物將嚴重影響該祖墳的風水設計；
2. 通往廟宇的唯一通道是馬游塘村傲雲峰發展商及村民所有，他們不會開放道路給有關工程的車輛通過，以免大型車輛損壞路面，而要付出高昂的維修費；
3. 現在廟宇的運作已為村民帶來滋擾，包括燃燒香燭衣紙的四散空中灰燼，及誕期前來外的善信，村民不希望廟宇擴建後，增加滋擾程度。

坑口鄉事委員會

2022年6月28日

**Recommended Advisory Clauses**

- (a) to note the comments of the District Lands Officer/Sai Kung, Lands Department (LandsD) that:
- (i) the application site (the Site) includes Lot No. 542 in D.D. 401 (the Lot) and a portion of Government land (GL) between the Lot and the road at front which is intended to be used for vehicular access. There is no guarantee that this portion of GL will be granted if any application to his office is received. Also, it is noted that this portion of GL is being occupied. No permission has been given for the unauthorized occupation. The Government reserves the right to take action as may be considered appropriate;
  - (ii) it is noted that the height of the existing temple is 11m (i.e. about 36ft) which exceeds 25ft permitted under the existing lease. Also, as shown on the roof floor plan, the roof of the existing temple has encroached onto the adjoining GL outside the northeastern boundary of the Lot. No permission has been given to occupy the adjoining GL and the Government reserves the right to take any lease enforcement and land control actions as may be considered appropriate;
  - (iii) based on the applicant's submissions, the structures straddling the Crown Land Permit S7698 (the Permit) and the Lot are in breach of the Permit. There are some other structures erected on and outside the permit area which are also in breach of the Permit. No permission has been given to occupy the adjoining GL. The Government reserves the right to take any enforcement or land control action as may be considered appropriate should any breach of the conditions of any land documents or unauthorized occupation of GL is detected;
  - (iv) the registered owner of the Lot needs to apply to LandsD for a lease modification/land exchange for the development proposal. However, there is no guarantee that such application will be approved. The application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In considering any such application received, the portion of GL between the Lot and the road may not be granted and there is no guarantee that any right of way will be given. In the event that the application is approved, it would be subject to such terms and conditions as the Government shall deem fit to do so, including among others, charging of premium and administrative fee as may be imposed by LandsD. The Government reserves the right to take any lease enforcement or land control action as may be considered appropriate should any breach of lease conditions or conditions of any land documents or unauthorized occupation of GL is detected;
  - (v) the proposed development may affect the adjoining slope features No. 11NE-D/CR648 and 11NE-D/FR147. In considering any lease modification or land exchange application, if received, to implement the proposal, the applicant of such application may be required to maintain these slope features;
- (b) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (BD) that:
- (i) unless the Site abuts on a specified street under Building (Planning) Regulation (B(P)R) 18A(3) of not less than 4.5m wide, its development intensity should be determined by the Building Authority under B(P)R 19(3);
  - (ii) the means of obtaining access to the proposed building from a street including the land status of the adjoining GL and the existing access road should be clarified to demonstrate

compliance with B(P)R 5;

- (iii) emergency vehicular access (EVA) should be provided in accordance with B(P)R 41D;
  - (iv) all unauthorized building works (UBW) have to be removed;
  - (v) the granting of the planning permission should not be construed as an acceptance of the UBW on site under the Buildings Ordinance. Enforcement action may be taken to effect the removal of all UBW in the future;
  - (vi) detailed comments will be given during general building plans submission stage;
- (c) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that approval of the application does not imply approval of tree works such as pruning, transplanting and felling. The applicant should seek comments and approval from the relevant authority on the proposed tree works and compensatory planting proposal, where appropriate;
- (d) to note the comments of the Director of Fire Services that:
- (i) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
  - (ii) the EVA provision in the proposed development shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under B(P)R 41D which is administered by BD. Also, the EVA provision of the nearby buildings shall not be affected by the proposed development;
  - (iii) shall the proposed development affect any EVA provision of nearby buildings or licensed premises in the area, such as petrol filling station or dangerous goods store, the applicant should make separate enquiry to his department to ensure work feasibility;
- (e) to note the comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department that the existing registered man-made features No. 11NE-D/FR147, 11NE-D/CR648 may affect or be affected by the proposed development. The future geotechnical study should cover all man-made slopes and retaining walls within or in the vicinity of the Site, if such slopes or retaining walls would affect or be affected by the development under the project, or if their failure could affect lives and property within or outside the Site. As a result of the study or design, and if found necessary, all upgrading works to existing man-made slopes and retaining walls or construction of new man-made slopes and retaining walls should meet the current safety standard;
- (f) to note the comments of the Director of Electrical and Mechanical Services that:
- (i) in the interests of public safety and ensuring the continuity of electricity supply, the applicant should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. The applicant should also observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established thereunder when carrying out works in the vicinity of the electricity supply lines; and

- (ii) there is an intermediate pressure underground town gas transmission pipeline (running along Tseung Kwan O Tunnel) which is in the vicinity of the Site. For the sake of public safety and ensuring the continuity of town gas supply, the applicant shall therefore liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing or planned gas pipes/gas installations in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of works. The involved parties are also required to observe the requirements of the Code of Practice on “Avoidance of Damage to Gas Pipes” (2nd Edition) issued by his department for reference.





**Appendix I of RNTPC**  
**Paper No. A/SK-TLS/60**  
**毅勤發展顧問有限公司**  
Tel 電話 : (852) 3180 7811  
Fax 傳真 : (852) 3180 7611  
Email 電郵 : info@aikon.hk  
Web 網址 : www.aikon.hk

Date : 8<sup>th</sup> July, 2022

Your Ref. : TPB/A/SK-TLS/60  
Our Ref. : ADCL/PLG-10240/L006

The Secretary  
Town Planning Board  
15/F., North Point Government Offices  
333 Java Road, North Point, Hong Kong

**By Email and Fax (No. 2877 0245)**

Dear Sir/Madam,

**Re: Section 16 Planning Application for Proposed Religious Institution (Ancillary Quarters and Facilities to Existing Temple) at Lot 542 in D.D 401 and the adjoining Government Land, Ma Yau Tong, Sai Kung, New Territories**

We refer to the comments from Environmental Protection Department (EPD) conveyed by Planning Department (PlanD) on 30.6.2022 regarding the subject application.

We would like to request for a 2-month temporary deferment of the decision on the planning application by Town Planning Board such that sufficient time can be given to the Applicant to prepare Further Information in addressing the aforesaid comments by the government departments.

Thank you for your kind attention and should you have any queries, please do not hesitate to contact our Mr. Thomas Luk or Miss Isa YUEN at 3180 7811.

Yours faithfully,  
For and on behalf of  
**Aikon Development Consultancy Limited**



c.c. DPO/ TKO (Attn: Ms. Caroline TANG) – By Email

Address 地址 :

香港葵涌興芳路 223 號新都會廣場 2 期 13 樓 1310 室  
Unit 1310, Level 13, Tower 2 Metroplaza,  
223 Hing Fong Road, Kwai Chung, New Territories, Hong Kong