

佛教長霞淨院有限公司

BUDDHIST CHEUNG HA TEMPLE LIMITED

香港新界大埔錦山路43 - 45號
43-45, Kam Shan Road, Tai Po, N.T., Hong Kong



Your ref. DEVB(PL-P)50/31/06/1
Our Ref.:(39) in Lot1130+1087DD006/AA

19th Sept., 2013

Secretary for Development,
Development Bureau,
17/F., West Wing,
Central Government Offices,
2, Tim Mei Venue, TAMAR,
HONG KONG.
(Attention: Miss Erica LAM)

AS(P)2 ←

BY FAX 2868 4530 And BY MAIL

Dear Sir/Madam,

Listing of Columbarium
Re: Lots 1130 and 1087 in DD 6
Buddhist Cheung Ha Temple, Tai Po, New Territories.

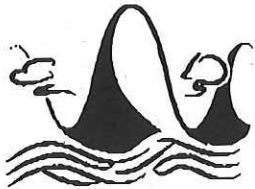
Your letter ref. DEVB(PL-P) 50/31/06/1 dated 16 Sept.,2013 on the above subject to us refers.

We attach herewith the Reply Slip (In Chinese) dated 19th Sept., for your action.

We further reiterate that we strongly object to your listing "*Buddhist Cheung Ha Temple*" in Part B of the Information on Private Columbarium. We specifically object to the information detailed in Town Planning Information in Column 5 and Land/Land Lease Information in Column 6. We wish to register the following for your information , agreement and necessary action therefor:---

I. Town Planning Information:

We would request you to classify Buddhist Cheung Ha Temple as an "EXISTING USE" under Column 5 on Town Planning Information on the grounds that the site in question was outside any OZP or ODP and It was later zoned as "V" in the Tai Po OZP gazette on 12 Dec. 1980. As per the



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information supplied to you and DPO/ST,TP and N earlier, there is sufficient evidence showing that the buildings on these two lots have been existed and been used as a temple cum columbarium since 1934 and also Pre-12 Dec.,1980, the date the Tai Po OZP was gazetted. The subject was fully spelt out in our letter ref. (24) in this series dated 12 Nov.,2012 to DPO/ST,TP and N and copied to you.

II. Land/Lease Information

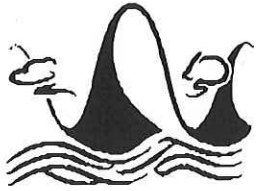
The Columbaria are situated within two buildings erected on BUILDING land on Lots 1130 and 1087 in DD6 and do not involve any Government Land as these two lots occupy 3,000 sq.ft. (60 ft. x 50 ft.) for Lot 1087 and 1,200 sq.ft. (40 ft. x 30 ft.) for Lot 1130. We also consider it is proper to keep cremated human ashes or called cremains which is distinct from human remains.

III. Government Land Issues

The plots of Government Land adjoining the Temple cum Columbarium have been occupied by us for decades of years. These plots had once been granted to us under Short Term Tenancy STT415 and STT1576 which were later cancelled on account of the neighbouring of the columbarium. Following a court case on illegal occupation of Government Land, we applied to District Lands Officer/Tai Po for the granting of STT to us for a number of reasons to cover the use of GARDEN and the Incinerator and the Smoke Removal Unit. The attached copies of letters dated 23 August,2013 from DLO/TP and our letters dated 1 Sept.,2013 and 12 Sept.2013 refer.

We also wish to point out that :---

- (a) We possess the titles to the premises, Lots 1130 and 1087 In DD6 where the columbarium cum Temple are situated.
- (b) Our premises have been inspected by the officers of Food and Environmental Hygiene Bureau, Fire Services Department, Environmental Protection Department. We will undertake to comply with additional requirements on fire precautions, environmental hygiene and building and fire safety measures to be imposed by the Authorities for the good of the general public and the visitors/users .



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We further give consent to you to publish this and the above-said related letters at the coming issue of the Supplementary Information from the Operators of Columbaria for the reference of the public.

Please kindly acknowledge the receipt of this letter and contact the undersigned at Tel. 2652 1134 should you need to have clarifications on the above subject.

Yours faithfully,

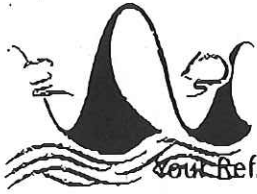
For and on behalf of

BUDDHIST CHEUNG HA TEMPLE LTD.

(Auser Kee-wah Au)
Project Manager



Enclosures.



佛教長霞淨院有限公司

BUDDHIST CHEUNG HA TEMPLE LIMITED

香港新界大埔錦山路43 - 45號

Our Ref.: (20) in DLO/TP-233/TAT/67
Kam Shan Road, Tai Po, N.T., Hong Kong 12 Sept., 2013

Our Ref.: (24) in Gland/Lands/AA/01



COPY

District Lands Officer/Tai Po,
District Lands Office, Tai Po,
Tai Po Government Offices, 1/F.,
No.1, Ting Kok Road, Tai Po,
New Territories.

BY FAX 2650 9896 and POST

(Attention: Mr TSANG Chun, Jack)

Dear Sirs,

**Application for STT for Garden Purpose including
Incinerator and Smoke Removal Unit and
Court Case No. FLS 16953/2012
Illegal occupation of Government Land
adjoining Lots 753A,1087,1130 and 2089 in DD 6
Kam Shan Village, Tai Po, N T**

We refer to your letter ref.(20) in DLO/TP 233/TAT/67 dated 5 Sept to us and wish to inform you that:---

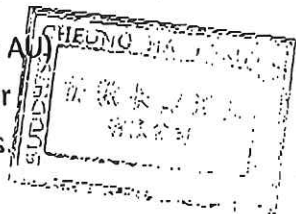
- (a) We would like to request you to process the STT for the existing Incinerator and the proposed Smoke Removal Unit as we wish to finalise the issue and to have the Smoke Removal Unit to be installed as soon as possible for environmental grounds. APPENDIX A refers.
- (b) We should be grateful if you would kindly amend the area for the proposed STT for GARDEN purpose to that as shown at APPENDIX B.

Yours faithfully,

For and on behalf of

BUDDHIST CHEUNG HA TEMPLE LTD.

(Auser Kee-wah Au)
Project Manager
With Enclosures.

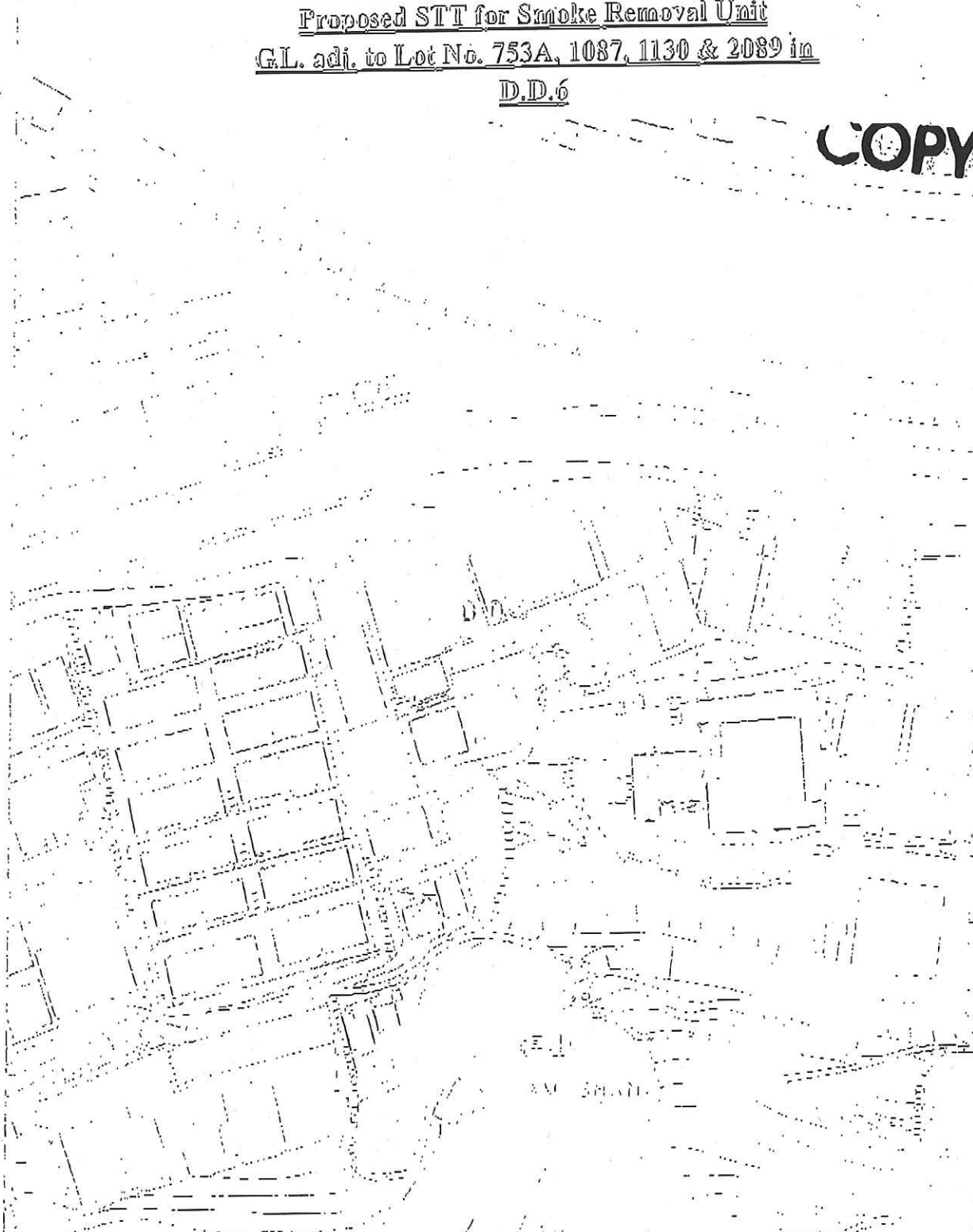


APPENDIX A

Proposed STT for Smoke Removal Unit
G.L. adj. to Lot No. 753A, 1087, 1130 & 2089 in

D.D.6

COPY



Legend:



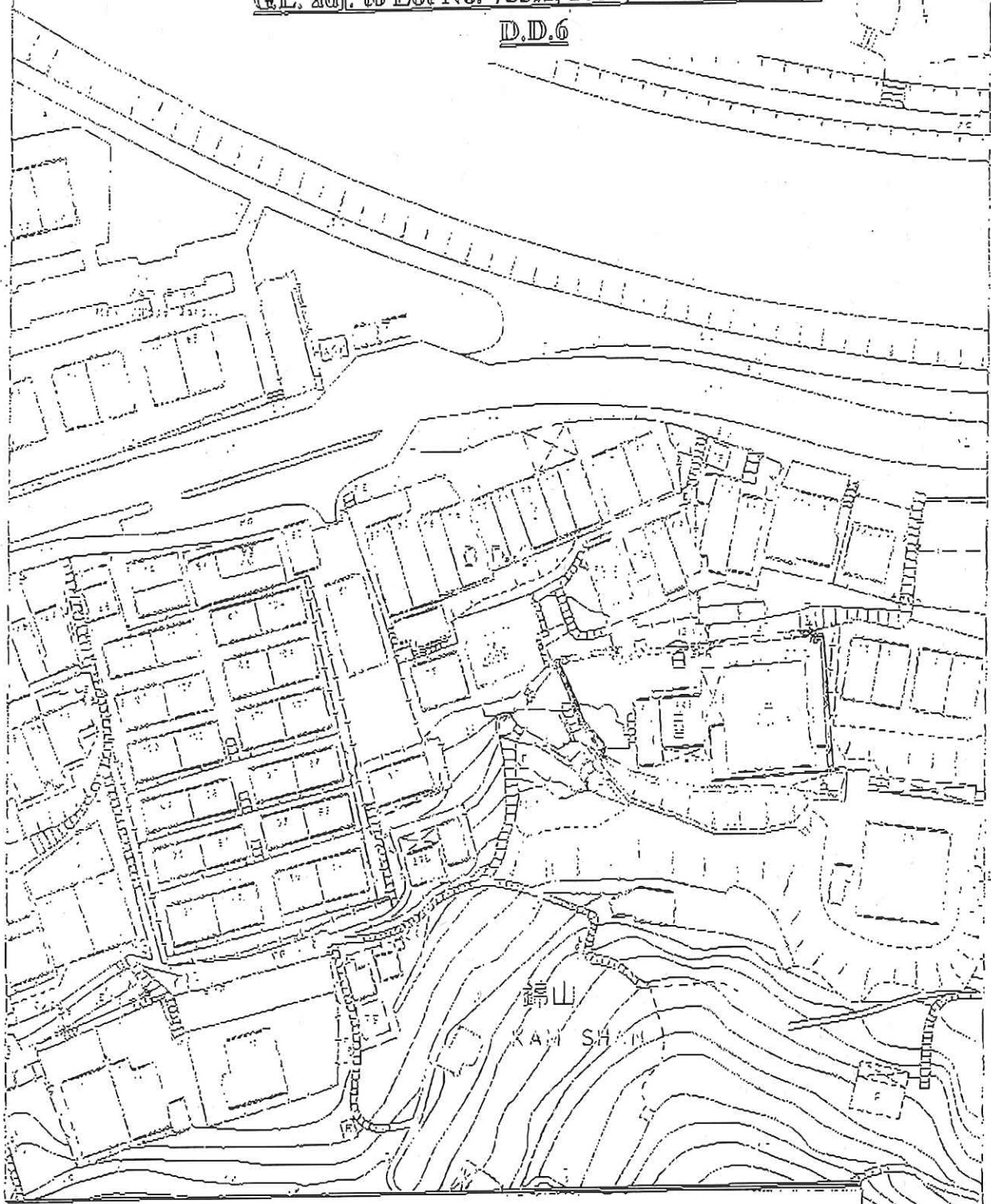
Existing Incinerator area about: 2.0m x 2.15m = 4.3m² (Ht: 6.0m)



Proposed STT for Smoke Removal Unit area about: 2.0m x 2.0m = 4.0m² (Ht: 2.2m)

COPY

Proposed STT for Smoke Removal Unit
G.L. adj. to Lot No. 753A, 1087, 1130 & 2089 in
D.D.6



Revised Area for proposed STT for GARDEN
(Less Private Land)

23

電話 Tel: 2654 1130

圖文傳真 Fax: 2650 9896

電郵地址 Email: gendlotp@landsd.gov.hk

本署檔號 Our Ref: (20) in DLO/TP 233/TAT/67

來函檔號 Your Ref: (22) in Gland/Lands/AA/01

來函請註明本署檔號
Please quote our reference in your reply

COPY
地政總署
大埔地政處
DISTRICT LANDS OFFICE/
TAI PO
LANDS DEPARTMENT

我們矢志努力不懈，提供盡善盡美的土地行政服務。
We strive to achieve excellence in land administration.

新界大埔汀角路一號大埔政府合署一樓
1/F, TAI PO GOVERNMENT OFFICES BUILDING,
1 TING KOK ROAD, TAI PO, NEW TERRITORIES.
網址 Website: www.landsd.gov.hk

Attn: Auser Kee-wah AU
Project Manager
Buddhist Cheung Ha Temple Limited
43-45, Kam Shan Road
Tai Po
New Territories

By Fax (2652 1101) and
By Post

Date: 5 September 2013

Dear Sir,

**Application for STT for Garden Purpose including
Incinerator and Smoke Removal Unit and
Court Case No. FLS 16953/2012
Illegal occupation of Government Land
adjoining Lots 753A, 1087, 1130 and 2989 in D.D. 6
Kam Shan Village, Tai Po, New Territories**

I refer to your letter dated 1 September 2013 regarding the above subject, the content of which is noted.

I will revert to you when I am in the position to do.

Should you have enquiry, please contact Land Inspector of Disposal Team 2 Mr. WONG Chuk-shem at 2654 1309 or Land Executive of Disposal Team 2 Mr. MAK Wing-ho at 2654 1130.

Yours faithfully,


(TSANG Chun, Jack)
for District Lands Officer/Tai Po

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倘本信息誤傳給你，請立即通知本署，並刪除或銷毀本信息。本署絕不承擔因使用本信息而引致的任何法律責任。
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(23)

09-SEP-2013 10:39 FROM LANDS DEPT

TO 26521101

COPY

P. 01/01



地政總署
大埔地政處
DISTRICT LANDS OFFICE/
TAI PO
LANDS DEPARTMENT

查詢電話 Tel: 2654 1130
傳真號碼 Fax: 2650 9896
電郵地址 Email: gndlotp@landsd.gov.hk
來件編號 Cor Ref: (20) in DLO/TP 233/TAI/67
來函日期 Year Ref: (22) in Gland/Lands/AA/01

我們致力努力不懈，提供最良善的土地行政服務。
We strive to achieve excellence in land administration.

總署大樓新址位於新界大埔政府合署一樓
1/F, TAI PO GOVERNMENT OFFICES BUILDING,
1 TIN GOK ROAD, TAI PO, NEW TERRITORIES.
網址 Website: www.landsd.gov.hk

請在回信時引述來件編號
Please quote our reference in your reply

Attn: Auser Kee-wah AU
Project Manager
Buddhist Cheung Ha Temple Limited
43-45, Kam Shan Road
Tai Po
New Territories

By Fax (2652 1101) and
By Post

Date: 5 September 2013

Dear Sir,

**Application for STT for Garden Purpose including
Incinerator and Smoke Removal Unit and
Court Case No. FLS 16953/2012
Illegal occupation of Government Land
adjoining Lots 753A, 1087, 1130 and 2289 in D.D. 6
Kam Shan Village, Tai Po, New Territories**

I refer to your letter dated 1 September 2013 regarding the above subject, the content of which is noted.

I will revert to you when I am in the position to do.

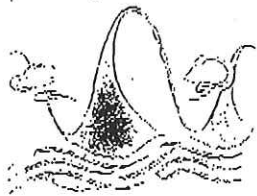
Should you have enquiry, please contact Land Inspector of Disposal Team 2 Mr. WONG Chuk-shem at 2654 1309 or Land Executive of Disposal Team 2 Mr. MAK Wing-ho at 2654 1130.

Yours faithfully,

(TSANG Chun, Jack)
for District Lands Officer/Tai Po

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TOTAL F. 31



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香港新界大埔錦山路43 - 45號

43-45, Kam Shan Road, Tai Po, N.T., Hong Kong

FILE
COPY

22

Your Ref.:(17) in DLO/TP 233/TAT/67

01 Sept.,2013

Our Ref.: (22) in Gland/Lands/AA/01

District Lands Officer/Tai Po,
District Lands Office, Tai Po,
Tai Po Government Offices, 1/F.,
No.1, Ting Kok Road, Tai Po,
New Territories.

BY FAX 2650 9896 and POST

(Attention: Mr TSANG Chun,Jack)

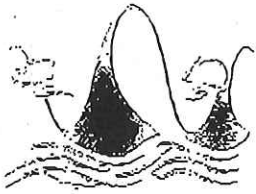
Dear Sirs,

**Application for STT for Garden Purpose Including
Incinerator and Smoke Removal Unit and
Court Case No. FLS 16953/2012
Illegal occupation of Government Land
adjoining Lots 753A,1087,1130 and 2089 in DD 6
Kam Shan Village , Tai Po,N T**

Further to our letter ref. (21) in this series dated 28th August,2013 to you, please be advised that we also wish to apply for the area as coloured yellow and edged red in the attached Plan for GARDEN purpose including the Incinerator and Smoke Removal Unit to be erected for environmental reasons.

Please kindly note the following paragraphs. As a follow-up action on the court case No. FLS 16953/2012, we wish to apply for the STT for GARDEN purpose to cover the area as shown in the attached Plan vide Appendix A. We wish to submit the following reasons to support our application as follows:---

1. The proposed STT for GARDEN purpose is an integral part on the operation of the Cheung Ha Temple. Some parcels of the land had in fact been made by the site formations for the two lots 1087 and 1130 in DD6 as described in the lease conditions in front of and at the back of the lots. We did apply for the STT to cover the necessary plots of Government Land as early as 30 January,2007 and then 1985 and then there were no follow-up actions for the subject. The Plans at Appendix B and Appendix C refer.
2. The granting of the STT will generate general revenue to the Government as considerable amounts of STT fees have to be collected from us;



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COPY

3. STT 415 and STT 1576 had been issued to us years ago and these STTs had been cancelled for unsound reasons; the cancellation of these STTs had been a subject of arguments in recent years between the Land Authority and our Temple. The approximate locations of the two STTs are drafted on the Plan attached;
4. We admit that we have been occupying the Government Land for many years and the Government had not been able to take the reasonable actions to regularize the status of our occupation.
5. We opine that regularizing our occupation of the Government Land by the issue of STT to us would enhance better management of the land in question. We as the licensees will also take the maintenance responsibility of the land allocated. Thus better management of Government Land is anticipated.

Yours faithfully,
For and on behalf of
BUDDHIST CHEUNG HA TEMPLE LTD.

(Auser Kee-wah AU)
Project Manager
With Enclosures.



COPY



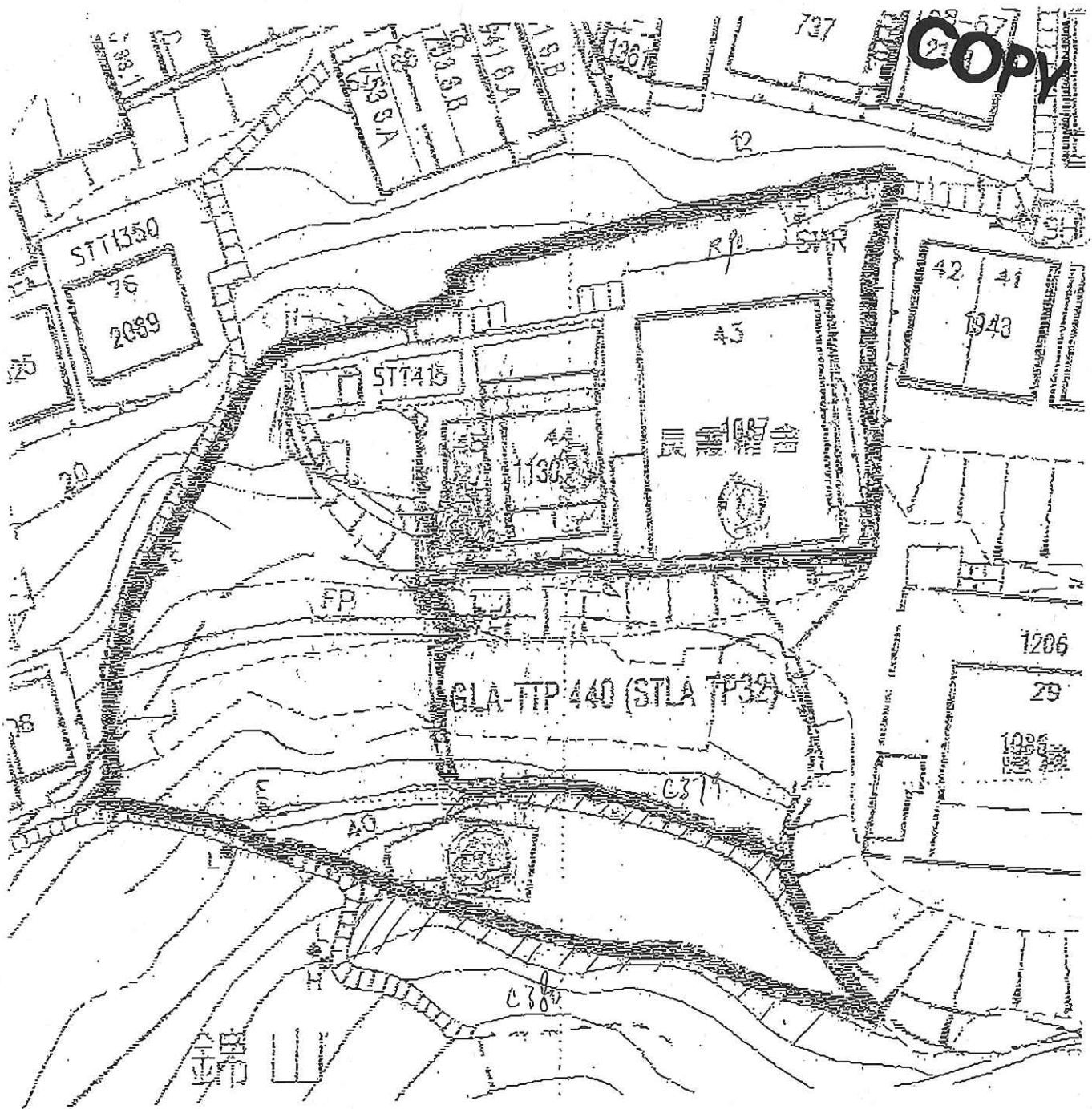
Vanguard:
 Yellow Area for Unlawful
 Occupation of Government Land
 黃色區域非法佔用政府土地

Date: 13/09/2013
 Land Administration Office, QICD/AR/0
 土地行政處, 土地管理處, 土地管理處, 土地管理處

SCALE: 1:2000

Sheet Number
 7-NW-9/A

Appendix A



30-1-07 潘先生親臨高討租同政府地事項，
 上圖為擬規劃之租同地。

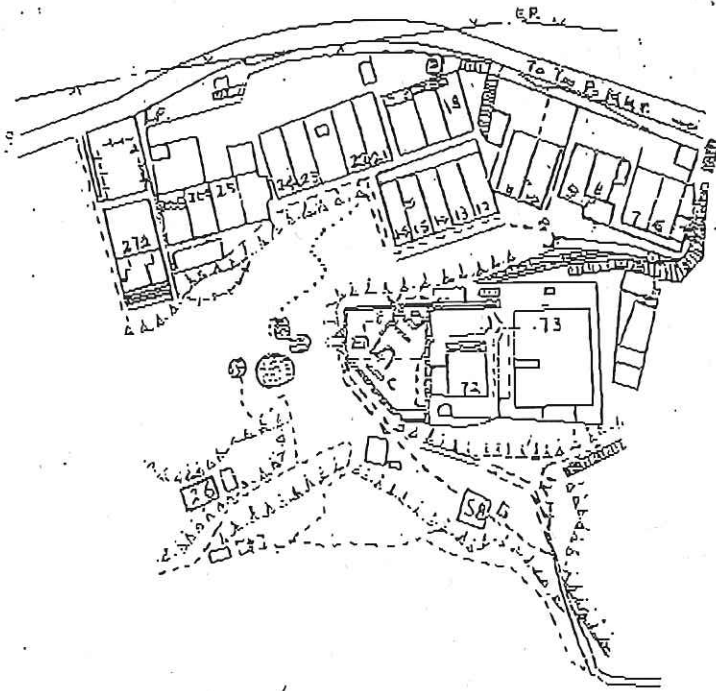
Appendix B

COPY

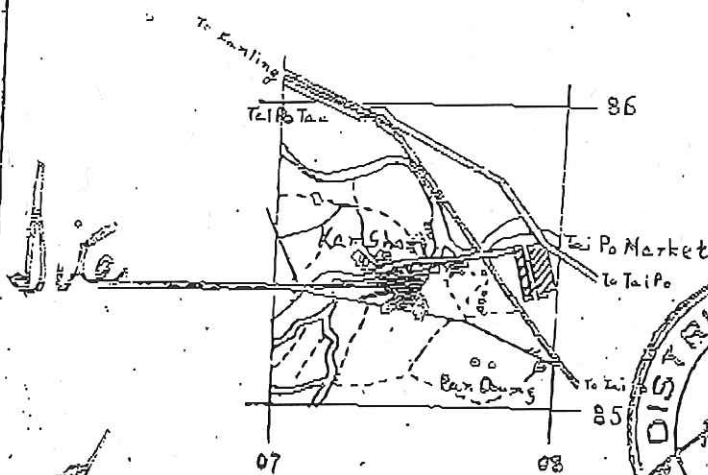
KAM SHAN RESETTLEMENT AREA SITE PLAN.

D.D. 6

Area of garden land = 2527 sq. ft. or .60 ac.



SCALE 100 FEET = 1 INCH.
SHEET NO. 11 KEY PLAN.



SCALE 1:25,000

I, the undersigned, do hereby certify that this is a true and complete copy of the original deed.

Dated 23 APR 1935

Victor K. C. Ng
Victor K. C. Ng
Solicitor, Hong Kong



Appendix C