



Workers hired by the Lands Department repossessed the site of an illegal private columbarium on Ma Shi Chau, Tai Po yesterday. Photo: Dickson Lee

# Illegal columbarium repossessed

**Officials who seized site on Tai Po island suspect decoy niches had been used to lure customers**

Johnny Tam and Cheung Chi-fai

Lands officials yesterday repossessed the site of a columbarium on a Tai Po island after the landowner defied an order to rectify land lease breaches.

The seizure of the land on Ma Shi Chau resulted in about two dozen apparently occupied underground niches – which officials believe are decoys – becoming government property.

It came as two Marshall Islands-registered companies, Splendid Resources and Sky Pacific, are seeking clarification in court over a similar development on another island, Po Toi, where officials are also said to be considering repossession.

The site, of at least 3,000 square metres, at Shui Mong Tin at the southern tip of Ma Shi Chau – which is part of the recently designated global geopark in Tolo Harbour – was enclosed with wire mesh yesterday morning by workers hired by the Lands Department.

In a notice signed by deputy lands director Graham Ross the Government Rights (Re-entry and Vesting

Remedies) Ordinance is cited for the repossession.

The notice lists breaches of lease requirements including that it should be used only for agriculture, that no buildings should be erected and that any structures should have prior approval.

The owner now has six months to petition the Chief Executive's Office against the repossession.

The move came after Union Lucky Development, with a registered address in Kwong Fuk Road, Tai Po, ignored an order to stop the breaches by the end of February.

In an effort to regularise the development, the company held talks with the Lands Department on modifying the lease but the application was rejected on December 1. A consultant advising the developer said yesterday that time was needed to consider what to do next.

The Lands Department said the developer had told the district lands office that no human ashes had been deposited, although marble tombstones with names, birth and death dates and photographs covered some niches. Lands officers had not

been able to open the niches yesterday but a spokesman said their fate was an issue to be settled between the developer and the users.

About 3,000 niches were said to have been developed at the site, priced from HK\$90,000 to HK\$200,000 each. Private niches are valuable because of a serious shortage of public niches, but Funeral Business Association president Ng Yiu-tong said the facility was unpopular because of doubts over its legality.

Questionable niche sites have been repossessed before. In 2010, a 300,000 sq ft site at Tei Tong Tsai on Lantau Island, also with underground niches, was taken back.

Critics welcomed the move but

said it came too late. But they were uneasy about the tombstones.

"Are there really no urns? Or are the decoys just a sales tactic to lure consumers? If that's the case, it shows us how unscrupulous these operators are and there is a real need for the government to crack down quickly on all other illegal facilities," said Eddie Tse Sai-kit, convenor of a columbarium concern group.

The government has listed 74 private columbariums with land lease and planning rules breaches and proposed a licensing system.

The Ma Shi Chau site was first found to have been cleared of vegetation in early 2009 and was not covered by any zoning until last year when an interim land use plan was introduced for the whole island and its vicinity.

Cindy Choi, of the Association for Geoconservation, welcomed the repossession, but said the government should incorporate the site as a country park or geopark. "It would give the site a much better and more comprehensive protection," she said.

Lai Hau-yan, a spokesman for the Hong Kong Columbarium Merchants Association, said the Ma Shi Chau developer, which was not a member, had never sought help from his group.

**\$90,000**  
Starting price, in HK dollars, for an urn at the site on Ma Shi Chau  
• The most expensive cost  
HK\$200,000