

(7)

Responses to comments from
Planning Department, Lands Department,
Agriculture, Fisheries and Conservation Department
and Highways Department

Comments from Planning Department dated 22.12.2025

Comments		Responses
<u>Planning Statement</u>		
1.	Please define “Peak Grave Sweeping Days” in the planning statement, and advise whether “Festival days” refers to the same period. If affirmative, you may wish to consider to adopt “Peak Grave Sweeping Days” for better consistency.	Peak Grave Sweeping Days refers to Ching Ming Festival, Chung Yeung Festival and 2 weeks before and after the Festivals. Please refer to updated Planning Statement for details.
2.	Please indicate on a plan the extent of the proposed 2.5m high fence wall, the proposed 3.5m high fence wall, and any other kind of fence wall (e.g. mesh fence).	The proposed 2.5m high fence wall, the proposed 3.5m high fence wall and 4.5m high fence wall are indicated on Plan 4a (Please refer to the legend on the plan). No mesh fence is proposed.
3.	Please indicate the opening hour and day, during normal days and Peak Grave Sweeping Days, in the planning statement.	Please refer to para. 4.3 of the updated Planning Statement for details. <i>“4.3 Operation Hours</i> <i>In normal days, the operation hours of the columbarium will be from 9.00 a.m. to 5.00 p.m. (8 hours).</i> <i>In Peak Grave Sweeping Days, the operation hours of the columbarium will be from 8.00 a.m. to 6.00 p.m. (10 hours).”</i>
4.	Paragraph 2.4 – “The site is accessible to Sha Tau Kok Road via a local track (partly existing, partly proposed) of about 7.5m wide” appears to be incorrect. As read from the submitted site boundary, the site abuts Sha Tau Kok Road – Shek Chung Au. Please review.	The statement has been revised. Please refer to updated Planning Statement for details (para. 2.4).
5.	Please further elaborate the operation management of the proposed EVA, including whether all the road within the application site is intended to use as EVA; where does it connect to; whether it is open to the public at all times; and whether	The statement has been revised. Please refer to updated Planning Statement for details (para. 2.4).

Comments		Responses															
	gates will be installed at the entrances at the North and South of the Site.																
6.	According to paragraph 4.3, the Columbarium Area has an area of 5,624m ² , whereas Plan 5 indicates it has an area of 6,037m ² . Please review.	<table><tr><td>Columbarium Area</td><td></td><td>5,624m²</td></tr><tr><td>Open Space (1)</td><td>101m² (Plan 4a)</td><td rowspan="3">413m²</td></tr><tr><td>Open Space (2)</td><td>187m² (Plan 4a)</td></tr><tr><td>Planting Strips (legend)</td><td>125m² (Plan 4a)</td></tr><tr><td colspan="2">Total:</td><td>6,037m²</td></tr></table> Please refer to updated para. 4.4 (previously para 4.3) of Planning Statement for details.			Columbarium Area		5,624m ²	Open Space (1)	101m ² (Plan 4a)	413m ²	Open Space (2)	187m ² (Plan 4a)	Planting Strips (legend)	125m ² (Plan 4a)	Total:		6,037m²
Columbarium Area		5,624m ²															
Open Space (1)	101m ² (Plan 4a)	413m ²															
Open Space (2)	187m ² (Plan 4a)																
Planting Strips (legend)	125m ² (Plan 4a)																
Total:		6,037m²															
7.	Paragraph 8.5 - the distance between the fence wall and the SAI (20m) is inconsistent with that stated under the EA (23.5m). Please review.	The distance between the fence wall and the SAI is 20m. Please refer to updated Environmental Assessment for details.															
8.	Paragraph 11.4 - The application site abuts Sha Tau Kok Road, please review "5-10 minutes walking distance from Sha Tau Kok Road".	It is about 5 minutes walking distance from Sha Tau Kok Road to Columbarium Area. Please refer to updated Planning Statement for details.															
9.	Paragraph 12.2 - Please also indicate their locations on Plan 15.	Please refer to updated Plan 15a for details.															

Comments from Planning Department dated 31.12.2025

Comments	Responses
Please advise whether there are any existing graves or urns within the application site, and what the proposed handling measures are for these graves or urns. Please also specify if different handling measures will be adopted for those located on private lots and on Government land.	Government Land within the application site: The applicant had a joint visit with the staff of DLO/N. The result of the visit was that there was no urn nor graves on the affected GL. One empty structure was found on GL. The urn has been removed. The owner of this empty structure Mr. 蘇志華 (So) was identified. District Office/North (DO/N) has informed So to remove the empty structure. So informed DO/N that as a local practice, the empty structure, although empty, could only be removed after the Ching Ming Festival in 2026. Please refer to the enclosed letter from So of the owner of the empty structure for details. He also promised to remove the empty structure by that time. Private lots within the application site: All the descendants of the deceased have been identified. The applicant has consulted them and they all agree to relocate the graves or urns of their ancestors to the new columbarium when it is completed.

Comments from Planning Department dated 8.1.2026

Comments		Responses
1.	The proposed operation hour under the planning statement (para 4.3) does not tally with that under TIA (para 3.4.2), and did not specify which day the proposed columbarium will be closed. Please revise.	Please refer to para. 4.3 of the updated Planning Statement for details. <i>“4.3 Operation Hours</i> <i>In normal days, the operation hours of the columbarium will be from 10.00 a.m. to 5.00 p.m. (7 hours) except New Year Day and the first three days of Lunar New Year.</i> <i>In Peak Grave Sweeping Days (Ching Ming Festival, Chung Yeung Festival, and every Saturday, Sunday and Public Holiday two weeks before and after the Festivals), the operation hours of the columbarium will be from 8.00 a.m. to 6.00 p.m. (10 hours).”</i>
2.	The revised Plan 4a did not indicate the location of the 4.5m high fence wall.	The location of the 4.5m high fence wall is indicated on the updated Plan 4a.
3.	The number of trees to be compensated under the planning statement (para 8.8) does not tally with that under the landscape proposal.	Please refer to para. 8.8 of the updated Planning Statement.
4.	Para 2.4 of planning statement – please indicate the location of the gate of the ingress/egress (to be opened by remote control), and please clarify whether it refers to the same gates as “the gates of the columbarium and the office” which are closed to non-users under the same paragraph.	The locations of the gates are near the guard room and the access at the northern side of the site. Please refer to Plan 4a. “The gates of the columbarium and the office” refer to the gates of the columbarium portion and the door of the office building. Please refer to para. 2.4 of the Planning Statement.
5.	Please advise the number of graves/urns on the private lots within the Site.	There are 27 graves/urns on the private lots within the Site. Previously there were 37 graves/urns. 10 of them have been removed. All the descendants of the 27 deceased have been identified. The applicant has consulted them and they all agree to relocate the graves/urns of their ancestors to the new columbarium when it is completed.
6.	TIA – please define what is a “member”	Please refer to Appendix B of TIA.

Comments from Planning Department dated 15.1.2026

	Comments	Responses
	General comments	-
1.	Please clarify the terms “members” and “patrons” throughout the report. Paragraph 9.2 mentions that “free shuttle services will be provided for members” but does not mention their friends or family members. Please confirm if this is the applicant’s intention.	The purchaser of the niche will be the member of the niche. The member of each niche can register for up to four visitors. Please refer to updated paragraph 9.2.
2.	Regarding the traffic management measures, please clarify the followings for (i) Peak Grave Sweeping Days and (ii) Normal Days separately :	-
2(a).	Who has the eligibility to enter the proposed columbarium? (are non-members are allowed to enter?) Comments 1 above is relevant.	The member can register for up to four visitors to enter the proposed columbarium. Non-members are not allowed to register to enter the proposed columbarium.
2(b).	Whether prior reservation is required for visitors and vehicles?	Prior reservation is required for visitors and vehicles. Please refer to paragraphs 9.2 and 9.3.
2(c).	Without prior reservation, would visitors and vehicles be denied entry?	Without prior reservation, visitors and vehicles would be denied entering. Please refer to paragraphs 9.2 and 9.3.
2(d).	Please elaborate on the reservation system, including but not limit to duration of each session, number of sessions per day, maximum number of visitors per session, minimum time required for prior appointment.	For details, please refer to paragraphs 9.2 and 9.3.
3.	Please provide description for Plans 7 and 8 as appropriate.	The passageways within the columbarium area are 2m wide. The aisles between the at-grade niches are about 1.05m wide. Please refer to updated Plan 8a.
4.	Information provided in the planning statement shall tally with all supporting technical documents.	Noted.

	Comments	Responses
	Specific comments	
5.	Para 2.4 – Please advise whether “columbarium portion” refers to Columbarium Area as defined under para 4.2	“Columbarium portion” is updated to “Columbarium Area”. Please refer to updated para. 2.4.
6.	Paras 9.2 and 9.3 –	-
6(a).	Comments 1 and 3 above is relevant.	Please refer to updated paras 9.2 and 9.3 for details.
6(b).	The headway of the proposed shuttle bus does not tally with the latest draft TIA.	The headway of the proposed shuttle bus is updated to 5 minutes. Please refer to updated para. 9.2.
7.	Para 9.5 – Please define “entry ticket”, and please update this paragraph as per Comments 1 and 2 above.	“Entry ticket” is updated to “entry passes” same as in paras. 9.2 and 9.3.
8.	Para 11.4 – Please note that the proposed vehicular road and footpath form part of the application site. Please revise the wordings.	The wordings in para. 11.4 are updated.
9.	Plan 4a – it shows that the 3.5m wide plantation area is bounded by the fence 2.5m high fence wall, which does not tally with the para 8.3 of EA, which stated that “outside the wall there is as trip of plantation area of about 3.5m wide”. Please clarify.	The 3.5m wide plantation area is outside the 2.5m high fence wall. Please refer to updated Plan 4b.

Comments from Planning Department dated 12.2.2026

	Comments	Responses
	Comments on the PS	-
1.	Unless it is to the applicant's certainty, please consider adopting the term "grave/urn" to represent the structures of such nature within the Site for better consistency within the PS and Plan 23.	"Graves/urns" is adopted in Planning Statement and Plan 23.
2.	Para 2.4 – Please briefly describe where does the local track to the north of the Site connect to.	The local track connects to Tong To Village. Please refer to updated para. 2.4 of Planning Statement.
3.	Plan 7 and Plan 8a – Please annotate on the plan where do these two plans refer to (presumably it refers to a typical interface between at-grade niche blocks rows, and between at-grade niche blocks rows and fence walls?). Please provide annotation of the elements (e.g. at-grade niche blocks, fence wall) as appropriate.	A key plan is added to Plan 7a and Plan 8a to indicate the location of these two plans.
4.	Para 2.4 and 4.4 – As per the submitted TIA, there would be staff on standby 24-hour to open the gates whenever necessary, and there is no mentioning of "telephone hotline". Please clarify if telephone hotline will be provided.	"Telephone hotline" is deleted. Please refer to updated paras. 2.4 and 4.4 of planning statement.
5.	Para 9.2 and Para 9.3 – Please advise if there are any differences between "“on the spot” application arrangement" and "walk-in arrangement". If not, please consider adopting the term "walk-in arrangement" for better consistency within the PS and the TIA.	"On the spot" application arrangement is updated to "walk-in arrangement". Please refer to updated paras. 9.2 and 9.3 of planning statement.
6.	Para 11.8(b) – Please clarify (i) whether the 3.5m wide plantation area is outside or within the proposed fence wall; (ii) the distance between the Site and the SAI; and (iii) the distance between the boundary wall and the SAI	The 3.5m wide plantation area is outside the proposed fence wall. The distance between the Site and the SAI is 20m. The distance between the boundary wall and the SAI is 23.5m. Para 11.8(b) is updated.

Comments from District Lands Office/North, Lands Department dated 7.1.2026

Comments		Responses
<u>Land Status</u>		
10.	The application site comprises Government land (GL) and 534 Old Schedule Agricultural Lots in D.D. 41 held under Block Government Lease, which contains the restriction that no structure is allowed to be erected unless prior approval of the Government is given.	Noted. The applicant will apply for a land exchange to allow structures to be built if the application is approved.
11.	Submission of land exchange application is required for implementation of this rezoning proposal (if approved). The applicant is reminded that every application submitted to LandsD will be considered on its own merits by LandsD at its absolute discretion acting on the capacity as landlord and there is no guarantee that the land exchange application will eventually be approved by LandsD. If the application 'for land exchange is approved by LandsD, it will be subject to such terms and conditions as may be imposed by LandsD at its absolute discretion, including payment of premium and administrative fee.	Noted.
12.	Presumably, the private lots within the application site are under multiple ownerships. The applicant is advised to note that any land exchange application should be submitted by all owners of the affected lots.	Noted.
<u>Inclusion of Government Land (GL)</u>		
13.	According to the application, GL of about 2,815m ² is included in the application site. The area and extent of the affected Government land has not yet been verified at this stage. Having said that, it is noted some areas of the affected GL, particularly the portions forming the proposed access roads to the proposed development, may not be incapable of reasonable separate alienation or development. Besides, there is / are grave(s) / urn(s) on the	The applicant had a joint visit with the staff of DLO/N. The result of the visit was that there was no urn nor graves on the affected GL. One empty structure was found on GL. The urn has been removed. The owner of this empty structure Mr. 蘇志華 (So) was identified. District Office/North (DO/N) has informed So to remove the empty structure. So informed

Comments		Responses
	concerned GL which will involve clearance action. In view of the aforesaid, the GL included in the application site may not be available / able to be granted for the subject proposal (if applied).	DO/N that as a local practice, the empty structure, although empty, could only be removed after the Ching Ming Festival in 2026. Please refer to the enclosed letter from So of the owner of the empty structure for details. He also promised to remove the empty structure by that time.
<u>Boundary of the Application Site</u>		
14.	The boundary of the application site does not align with the boundaries of some affected private lots. This would render the remaining portion(s) of those affected private lots fragmented in an odd-shape. The applicant should confirm it is their intention.	Noted.
<u>Proposed Access Roads</u>		
15.	Instead of a short direct access from Sha Tau Kok Road, a winding vehicular access road with diverted footpath is proposed. The applicant should justify the alignment of the proposed access roads, particularly when additional GL is required and several private lots will be involved.	The short direct access from Sha Tau Kok Road to the columbarium area will cross some government allocation land and private structures. The proposed road will avoid these disturbances to the residents.
<u>Access to adjoining Private Lots</u>		
16.	It is noted that portions of existing village roads / tracks / footpaths have been included in the application site. The applicant should clarify the access arrangement of adjoining lots upon implementation of the proposal. The applicant should re-divert or re-provide vehicular / pedestrian access for the adjoining private lots / occupiers upon development.	The internal road is open to villagers of Tong To Village and the residents in the vicinity, especially for emergency use. Please refer to para. 2.4 of the Planning Statement.
<u>Proposed Multi-function Rooms</u>		
17.	The proposed development includes a three-storey multi-function room of about 1,110m ² . According to the application document, the multi-function rooms would serve as a buffer waiting area to accommodate grave sweeper upon festival days. The applicant should elaborate and clarify the actual use of these	The multi-function room will provide a space for waiting and ceremonies immediately before the ashes are placed into the urns. The main ceremonies have been performed in the funeral parlours. No loud speaker is allowed in the ceremony function.

Comments		Responses
	proposed multi-function rooms, particularly on non-festival days.	
<u>Illegal Occupation of GL</u>		
18.	Portion of the GL near the entrance of the site has been illegally occupied without permission. Any occupation of GL without Government's prior approval is an offence under Cap. 28. The applicant / adjoining lot owners should immediately cease any occupation of GL. This office reserves the rights to take necessary land control action against the irregularities as appropriate without further notice.	The illegal occupation of GL has been rectified.
19.	The applicant is reminded that no tree growing on GL should be interfered with without prior approval is obtain from the Government.	Noted.

地段: 政府土地 NK/8 葬區外

金塔屋編號: NDO – 2780- 99

興建年份: 1999

日期: 18/12/2025

敬啟者:

北區民政署通知本村，然知本人祖先金塔屋超越 NK/8 葬區，本人配合民政署要求將金塔屋搬遷至指定葬區，以在 10/2025 以將先人金塔遷移到親戚合法金塔屋。

清拆金塔屋一事，未能在年前清拆乃是風土習俗，不能重新興建金塔及拆墓，只能在 2026 年清明節後處理。

敬希能體諒。

A handwritten signature in black ink, followed by the date '18/12/2025' written in a similar cursive style.

Your Ref.: Y/NE-STK/7

Our Ref.: P17106/TL26015

9 January 2026

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

By Email:
tpbpd@pland.gov.hk

Dear Sir,

Submission of Further Information

**S. 12A Application for
Rezoning Application from "AGR" and "GB" to "OU (Columbarium)"
Various Lots in D.D. 41
and Adjoining Government Land, Tong To, Sha Tau Kok, N.T.**

Structures on Government Land

The applicant had a phone conversation with Senior Land Executive DLO/N Mr. CHOW Wai Choi on 8.1.2026. As a result of the discussion, the applicant removed the structures on G.L. and agreed to handle the empty structure according to the discussion:

- a. the gate A near the entrance of the site (Photo A and Marked "A" on Plan) has been removed,
- b. the gate B near Lot 447 S.B RP in D.D. 41 (Photo B and Marked "B" on Plan) has been removed,
- c. the gate C near Lot 1323 RP in D.D. 41 (Photo C and Marked "C" on Plan) has been removed,
- d. hoarding near Lot 1151 in D.D. 41 (Photo D and Marked "D" on Plan) has been removed, and
- e. It is agreed that the small empty structure on GL of which the owner undertakes to remove after the Ching Ming Festival 2026 (Photo E and Marked "E" on Plan).

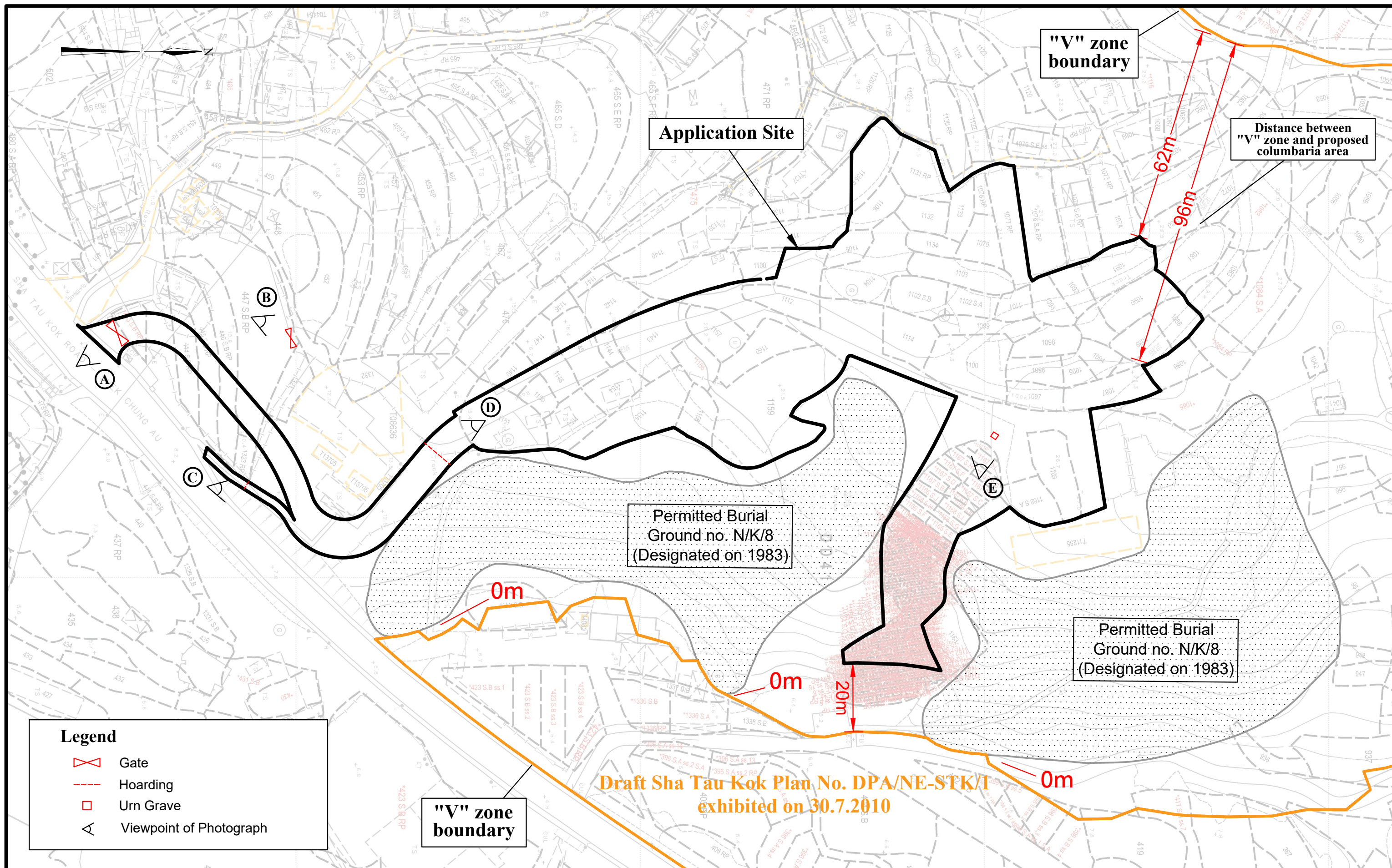
The structures on Government Land have been removed, and the remaining one will be removed after the Ching Ming Festival 2026. For your information, please.

Yours faithfully,
For and on behalf of
Goldrich Planners & Surveyors Ltd.



Francis Lau
Encl.

c.c. applicant
Mr. CHOW Wai Choi (SLE DLO/N) by email



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January 2026

Plan Showing the Viewpoints of Photographs
Structure on Government Land Has been Removed

Rezoning Application from "AGR" and "GB" to "OU (Columbarium)"
on various Lots in D. D. 41
and Adjoining Government Land, Tong To, Sha Tau Kok, N.T.

Goldrich Planners
& Surveyors Ltd.

DLON Plan1
(P 17106)

Photo A



Photo B



Photo C



Photo D



Photo E



Comments from District Lands Office/North, Lands Department dated 16.1.2026

Comments	Responses
<u>Inclusion of Government Land (GL)</u>	
For point 14 of the Response-to-comment to LandsD (“the R-to-C”), it was observed during our re-inspection on 12.1.2026 that an empty urn shelter bearing number “NDO-2780-99” was found on GL within the application site. You may seek DO(N)’s comment in this regard. In particular, (i) whether approval has been given by DO(N) for the burial thereat; (ii) presumably there is no human remains buried underground. You may further clarify with DO(N); (iii) whether there is any record of urn removal according to DO(N)’s record, and (iv) whether DO(N) has any comment on the proposed removal and the removal arrangement of the urn shelter. The applicant focused on the arrangement of the urn shelter but had not responded to our previous comment (paragraph 5 of our previous memo of 7.1.2026) that “...it is noted some areas of the affected GL, particularly the portions forming the proposed access roads to the proposed development, may not be incapable of reasonable separate alienation or development... the GL included in the application site may not be available/able to be granted for the subject proposal (if applied).”, which remains valid.	The empty urn shelter has been removed. Please find attached letter from the owner of the empty urn shelter and four photographs for details.
<u>Boundary of the Application Site</u>	
Comments given in paragraph 6 of our previous memo of 7.1.2026 is still valid.	The applicant is aware that the boundary of the application site may not be in a regular shape.
<u>Proposed Access Roads</u>	
In point 16 of the R-to-C, the applicant alleged that a short direct access from Sha Tau Kok Road to the columbarium area would cross some GL and private structures. However, subject to HyD’s view on necessary slope modification works (for Slope No. 3/NE-C/C45), the applicant may in fact provide a short direct access to Sha Tau Kok Road over GL. In any event, a diverted footpath from the proposed main road lacks strong justifications since no particular analysis of alternative options is seen. The applicant should therefore further review and justify the access road proposal.	The proposed footpath is diverted from the main road to avoid an existing electricity pole. Please refer to updated Lot Index Plan (Plan 2a) and attached photograph showing the existing electricity pole.

Comments	Responses
<u>Access to adjoining Private Lots</u>	
In point 17 of the R-to-C, the applicant advised that the internal road would be open to the villagers of Tong To Village and the residents in the vicinity. As there are no clear definitions of “villagers of Tong To Village” and “residents in the vicinity” , it would be difficult to enforce the implementation of such proposal. For this sake, the applicant should instead consider providing 24-hour free and uninterrupted access for the public.	The internal vehicular road and pedestrian walkway within the site will be a private road. Only members of the columbarium and their family members with reservations can enter the site through the access road. The internal vehicular road also serves as Emergency Vehicular Access (EVA). There would be staff on standby 24-hour to open the gates when necessary. The local villagers have their own vehicular access road. They do not need the proposed internal vehicular road except in emergency case.
<u>Other Technical Documents</u>	
The revised DIA, VIA, Tree Preservation and Landscape Proposal provided in the Further Information are technical in nature and/or out of the purview of this office. We are therefore not in the position to offer comment on these technical documents.	Noted.

地段: 政府土地 NK/8 葬區外

金塔屋編號: NDO – 2780-99

興建年份:1999

日期:17/01/2026

敬啟者:

北區政署通知本村，然知本祖先金塔屋超越 NK/8 葬區，本人配合民政署要求金塔屋搬遷至指定葬區，以在 10/2025 以將先人金塔遷移到親戚合法金塔屋。

清拆金塔屋一事，未能在年前清拆乃是風土習俗，融重新興建金塔及柩墓，只能在 2026 年清明節後處理。

上周本人家庭會議後，因風水及其它特殊原因，家庭成員決定在 19/01/2026 完成清拆及安墓，亦配合政府要求。

敬希能體諒。

蕭保義

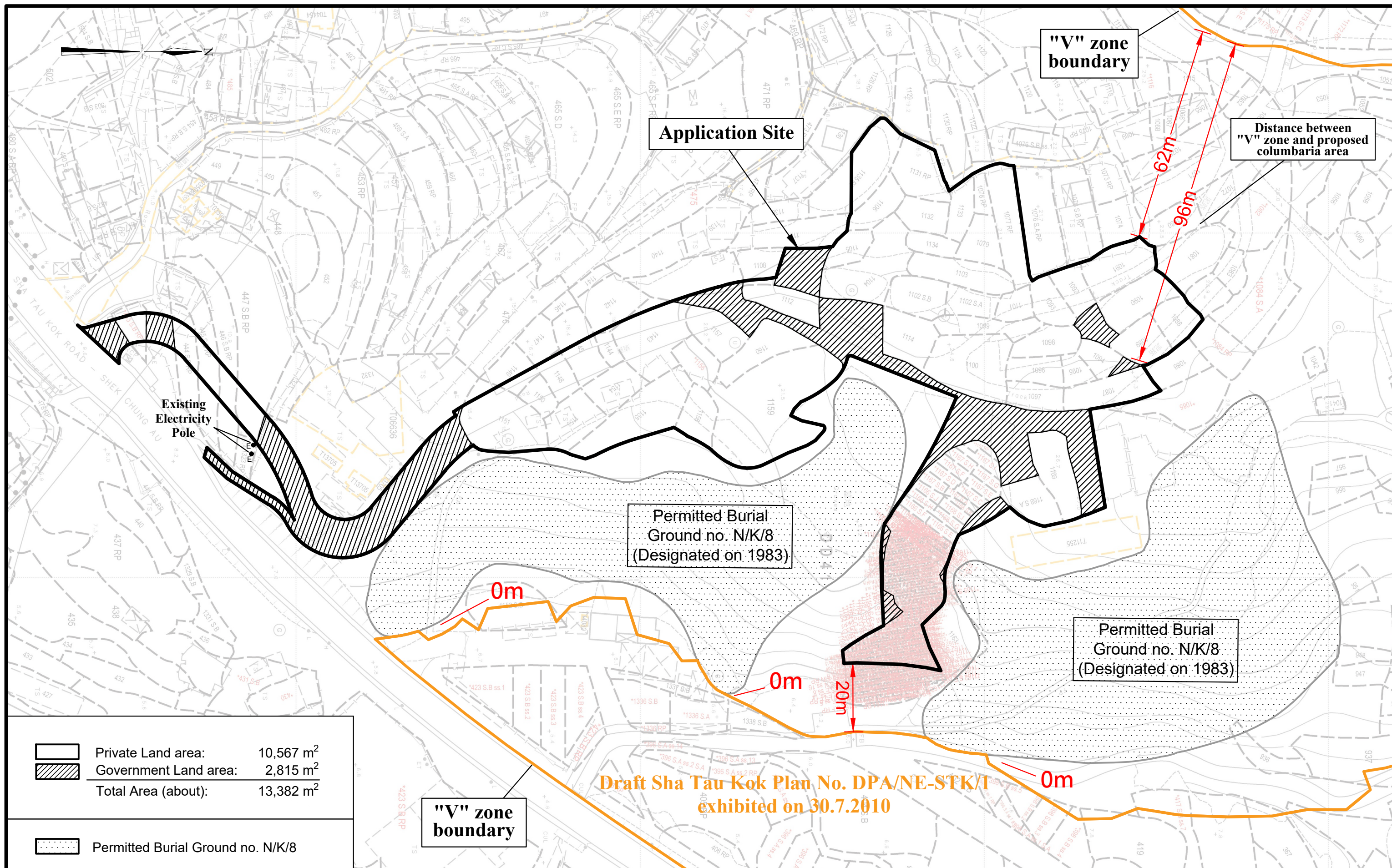
2026-1-19
C 414346 CP





Existing electricity pole on
Lot 1323 RP in D.D. 41





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January 2026

Lot Index Plan

Rezoning Application from "AGR" and "GB" to "OU (Columbarium)"
on various Lots in D. D. 41
and Adjoining Government Land, Tong To, Sha Tau Kok, N.T.

Goldrich Planners
& Surveyors Ltd.

Plan 2a
(P 17106)

Comments from Agriculture, Fisheries and Conservation Department dated 7.1.2026

Comments	Responses
<u>From agricultural perspective</u>	
The subject site falls within the "AGR" and "GB" zones. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The subject site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. As the subject site possesses potential for agricultural rehabilitation, the proposed rezoning is not supported from agricultural perspective.	Noted.
<u>From nature conservation perspective</u>	
We had a site visit on 17.12.2025. A paved vehicular track was found in the middle of the site. The tree recorded within the site were common species and some of them were cultivated and exotic. There were also paved roads and graves in the surrounding environment. In addition, to compensate the trees to be felled, native trees are proposed to be planted. In this regard, I have no strong view on the application from nature conservation perspective.	Noted. Detailed design will be carried out in design stage.
- To minimise potential ecological impacts, the applicant should consider preserving more larger native trees, such as TE1B, TE32 and T53 indicated in the Tree Preservation and Landscaping Proposal (TPLP). In addition, for compensatory planting, the applicant should consider proposing a native tree species to replace the proposed Syzygium jambos (While the TPLP indicates it is a native species, it is considered exotic in Hong Kong) and proposing more native shrub species.	Noted. Detailed design will be carried out in design stage.

Comment from Highways Department dated 16.1.2026

Comments	Response
As the proposed road works along Sha Tau Kok Road near the application site affects a section of existing 225 u-channel along slope toe and a tree on the slope No. 3NE-C/C45 maintained by HyD, please remind the applicant to circulate the design submission to HyD for comment.	Noted.