

Previous Planning Applications Covering the Site

<u>Application No.</u>	<u>Location and Development</u>	<u>Date of Consideration and Decision</u>	<u>Main Reasons for Rejection</u>
Y/KC/7	Nos. 24-28, Wing Lap Street, Kwai Chung Rezoning from “Industrial” zone to “Other Specified Uses” annotated “Industrial and Columbarium”	N/A	Withdrawn by the applicant on 14.7.2016
Y/KC/9	Nos. 24-28, Wing Lap Street, Kwai Chung Rezoning from “Industrial” zone to “Other Specified Uses” annotated “Industrial and Columbarium”	17.3.2017 Not agreed by the Metro Planning Committee of the Town Planning Board	(a), (b), (c), (d) and (e)

Rejection Reasons:

- (a) the planning intention of the “Industrial” (“I”) zone is to reserve land primarily for general industrial uses to ensure an adequate supply of industrial floor space. The application site is situated in a major industrial area and is surrounded by industrial buildings which are still in active operation. The proposed columbarium development is considered incompatible with the surrounding developments which are predominately industrial in character.
- (b) the vacancy rate of the industrial buildings of the subject “I” zone is very low. It is the recommendation of the ‘2014 Area Assessment of Industrial Land in the Territory’ to retain the subject “I” zone. Given that there is already a large supply of both public and private columbarium niches in Kwai Chung, there is no strong justification for sacrificing potential industrial floor space for the proposed columbarium use in view of the vibrancy of the industrial activities around the application site.

- (c) the applicant fails to demonstrate that the proposed mixed uses at the application site are feasible and can meet relevant statutory requirements such as the Fire Safety Code under the Buildings Ordinance.
- (d) the applicant fails to demonstrate that the proposed columbarium development would not have adverse traffic and crowd management impact in the area in particular during festive periods.
- (e) the approval of the application will set an undesirable precedent and encourage similar applications falling within the same “I” zone. The cumulative effect of approving such applications would aggravate the adverse traffic impact in the area and affect the supply of industrial floor space in the “I” zone.

Similar s.12A Applications

Partially Approved Application

<u>Application No.</u>	<u>Location and Development</u>	<u>Date of Consideration and Decision</u>	<u>Main Reason for Partially Approval</u>
Y/KC/3	Nos. 2-6 Wing Lap Street, Kwai Chung Rezoning from "Industrial" to "Other Specified Uses" annotated "Columbarium"	13.12.2013 Partially agreed by the Metro Planning Committee (MPC) of the Town Planning Board (TPB)	(a)

Reason:

- (a) The Committee decided to partially agree to the application by rezoning the application site from "I" to "OU(Columbarium)" with 'Columbarium' as a Column 2 use so that appropriate control could be imposed through the planning application mechanism to address the concerns of the relevant Government departments. The Committee did not agree to the scale of the proposed development as submitted by the applicants and requested PlanD to examine a suitable development option for the site with a view to recommending appropriate development restrictions for the "OU(Columbarium)" zone for the consideration of the Committee. Subject to the Committee's agreement of the development restrictions to be imposed on the "OU(Columbarium)" zone, proposed amendments to the draft Kwai Chung OZP No. S/KC/26 in respect of the "OU(Columbarium)" zone would be submitted to the Committee for approval prior to gazetting under the Town Planning Ordinance.

Rejected Applications

<u>Application No.</u>	<u>Location and Development</u>	<u>Date of Consideration and Decision</u>	<u>Main Reasons for Rejection</u>
Y/KC/1	Nos. 14-15, Yip Shing Street, Kwai Chung Rezoning from "Industrial" zone to "Other Specified	26.11.2010 Not agreed by the MPC of the TPB	(1), (2) & (3)

	Uses” annotated ‘Columbarium’		
Y/KC/5	YLK Group Building at Nos. 22-24 Wing Kei Road, Kwai Chung Rezoning from “Industrial” to “Other Specified Uses” annotated “Columbarium”	13.3.2015 Not agreed by the MPC of the TPB	(4), (5), (6) & (7)
Y/KC/14	Nos. 24-28 Wing Lap Street Rezoning from “Industrial” to “Other Specified Uses” annotated “Columbarium (2)”	To be considered by the MPC of the Board on 21.6.2019 tentatively	N/A

Rejection Reasons:

- (1) the proposed development, which was located in the middle of an active industrial area and near to residential developments, was not compatible with the surrounding land uses.
- (2) Yip Shing Street, which was a sloping cul-de-sac with only a narrow pavement on one side of the street, was not suitable as an access road to the proposed columbarium. There was insufficient information/ assessment in the submission to demonstrate that the proposed development arising from the proposed zoning amendment would not result in adverse traffic and environmental impacts on the surrounding areas. Furthermore, the applicant had not provided sufficient information to demonstrate that the special crowd management measures during the Ching Ming and Chung Yeung festival days and the month before and after these festivals to ensure public safety were acceptable.
- (3) the approval of the rezoning proposal would set an undesirable precedent for other similar rezoning applications in the area. The cumulative effect of approving these requests would lead to adverse traffic and environmental impacts on the surrounding area.
- (4) the planning intention of the “I” zone is to reserve land primarily for general industrial uses to ensure an adequate supply of industrial floor space. The site is situated in the inner part of an industrial area and is surrounded by industrial buildings which are still in active operation. The

proposed columbarium development is considered incompatible with the surrounding developments which are predominately industrial in character.

- (5) given there is already a large supply of both public and private columbarium niches in Kwai Chung, there is no strong justification for sacrificing industrial land for columbarium development in view of the vibrancy of the industrial activities around the application site.
- (6) there is a lack of effective enforcement mechanism to safeguard the continuous implementation of the operation arrangement proposed by the applicant. As a result, it cannot be ensured that there will not be adverse traffic impact arising from operation of the proposed columbarium at the site.
- (7) the approval of the application will set an undesirable precedent for similar applications falling within the same “I” zone. The cumulative effect of approving such applications would aggravate the loss of industrial land and adverse traffic impact in the area.
- (8) the planning intention of the “I” zone is to reserve land primarily for general industrial uses to ensure an adequate supply of industrial floor space. The application site is situated in a major industrial area and is surrounded by industrial buildings which are still in active operation. The proposed columbarium development is considered incompatible with the surrounding developments which are predominately industrial in character.
- (9) the vacancy rate of the industrial buildings of the subject “I” zone is very low. It is the recommendation of the ‘2014 Area Assessment of Industrial Land in the Territory’ to retain the subject “I” zone. Given that there is already a large supply of both public and private columbarium niches in Kwai Chung, there is no strong justification for sacrificing potential industrial floor space for the proposed columbarium use in view of the vibrancy of the industrial activities around the application site.
- (10) the applicant fails to demonstrate that the proposed mixed uses at the application site are feasible and can meet relevant statutory requirements such as the Fire Safety Code under the Buildings Ordinance.
- (11) the applicant fails to demonstrate that the proposed columbarium development would not have adverse traffic and crowd management impact in the area in particular during festive periods.
- (12) the approval of the application will set an undesirable precedent and encourage similar applications falling within the same “I” zone. The cumulative effect of approving such applications would aggravate the adverse traffic impact in the area and affect the supply of industrial floor space in the “I” zone.

Detailed Comments of the Commissioner for Transport

- (a) Table 3-2: The applicant shall review whether J4 “Kwai Tsing Road/Kwai Tsing Road” should read as “Kwai Tsing Road/Kwai King Road” and the junction type. The applicant shall review whether J12 “Kwai Tai Road/Container Port Road” should read as “Kwai Tai Road/Container Port Road South”.
- (b) Para 2.2.2: KMB 38S only operates on limited festive days during Ching Ming and Chung Yeung Festival. Appendix A of the FI dated 30.1.2019 (**Appendix Ij**), which shows the detail of route, shall be amended for the route's operating time because the route does not operate in all Saturdays, Sundays and public holidays. For Ching Ming Festival in 2019, it only operates for three days on 31st March, 5th and 7th April 2019.
- (c) Para 3.2.1: Refer to the special traffic and transport arrangements in Kwai Tsing District in 2019, the applicant shall note that Wing Tak Street (southbound) from entrance of City Point to its junction with Wing Shun Street will be closed to all vehicular traffic (except for hearses, franchised buses, green minibuses, taxis and emergency vehicles). Wing Lap Street will also be closed to all vehicular traffic (except for emergency vehicles). The applicant's photo records only show that taxi entered Wing Lap Street for loading/unloading activities which may not comply with the issued traffic notice.
- (d) Para 3.2.2: KMB 38S operates in a headway of 15 minutes before 8am, afterwards the headway is from 3 to 8 minutes. GMB 404M operates in a headway of 8 minutes during Ching Ming Festival. The applicant shall amend.
- (e) Para 3.3.2, Table 3.5, Para 4.1: The survey results in Fig 3.6 show that traffic flows on Saturday and Sunday before Ching Ming Festival is higher than the weekend after the festival. The observed flow data on 1st and 2nd April 2017 should be adopted for Saturday and Sunday assessment.
- (f) Table 3-4: The applicant shall provide the identified traffic peak hour on 1st and 2nd April 2017.
- (g) Fig 3.5: The legend shows that the figures provided are the traffic flow data obtained in 2015. The applicant shall revise.
- (h) Para 4.3: The applicant shall state clearly the trip generation and attraction rates adopted for the proposed development.

- (i) Po Fook Hill Columbarium is an old columbarium. The old columbarium has a much lower trip generation when compared to the new one, which is new. The age factor should be applied for the observed results. The proposed columbarium development would provide not more than 20,000 niches while the Po Fook Hill Columbarium has 100,000 niches. Besides, there is an increasing demand for columbarium facilities. The statement that the take-up rate for the proposed development will be similar to that of Po Fook Hill is not correct. The adoption of trip rates from Po Fook Hill Columbarium will therefore underestimate the trip generation and attraction rates.
- (j) Para 4.4.1 & Fig 4.1: The applicant shall note that the additional 11,500 niches proposed by TWCPD should be located within the existing TWCPD. The applicant shall clarify whether such additional niches proposed has been taken into account in the assessment.
- (k) Para 4.5.2: As Tuen Mun is far away from the proposed development, the opinion survey carried out in Tuen Mun is not related to this submission. The applicant shall provide the statistical explanation on why a rate of 65% of visitors would be adopted to take OAB for the proposed development.
- (l) Para 4.5.2 and 4.5.3: Since franchised buses only operate in a few days excluding Saturdays, the modal split for the Saturdays and other days without franchised buses operating would be different. The applicant shall amend.
- (m) Para 4.5.2 and 4.5.3: As the franchised buses are assumed to take up a significant percentage, the applicant shall state how the visitors would be distributed to other modes in days without franchised buses.
- (n) The applicant has not addressed his previous comment as below:
 “The applicant shall design his own opinion survey questionnaire to include the OAB as the transportation mode according to the nature of the proposed development, the charging method, type, frequency of OAB and conduct his own opinion survey. In addition, the split ratio of the Tsuen Wan OAB and Kwai Chung OAB routes needs to be validate through the opinion survey. Other applicants do carry out such an exercise to validate the modal split adopted. The applicant relies wholly on the results of other reports while determining the modal split involving OAB.”
- (o) Table 4-7: It is stated in Para 4.5.2 that the walking distance from Kwai Fong MTR station is 1.3km long. It cannot preclude the possibility that visitors will arrive the proposed development by walk mode. The applicant shall review the modal split adopted.
- (p) Para 5.1.9: It states that there will be 65 and 57 trips for visitors arriving by private car and taxi respectively and the observed average drop-off time is 24.6 seconds. These visitors should not arrive evenly throughout the peak hour and the provision of 1 private case space for private car and taxi drop-off is not adequate. The applicant shall revise.

- (q) Figure 5.1: As mentioned in (b), Wing Lap Street will be closed to all vehicular traffic (except for emergency vehicles). The applicant shall review the arrangement. The applicant shall explain in detail the arrangement deployed to advise the possible parking locations for private cars. It is anticipated that all private car parking spaces in the vicinity will be fully occupied during the Ching Ming Festival. The applicant shall advise the proposed measures to be deployed to prevent illegal parking and loading/unloading activities in the vicinity of the proposed development.
- (r) Table 5-1: Obstructions were identified at Wing Lap Street and Wing Kei Road. The pedestrian cannot easily passing through the concerned footpath sections. The existing obstructions along the public road should be taken into account as the applicant cannot guarantee that the subject public roads will be free from obstacles during Ching Ming and Chung Yeung Festival. The effective widths as stated in the report are not realistic. The applicant shall note that 1.0m shy zone should be adopted for the assessment. The applicant shall review the LOS. The applicant shall also provide photos showing the actual conditions of all subject footpaths. The LOS of Kwai Hei Street shall fail after taking into account of the existing bollard and the queue generated from Y/KC/437. For the LOS calculation along Wing Lap Street, there are lots of existing obstructions along Wing Lap Street. The LOS calculation at Wing Lap Street is not correct.
- (s) Table 5-2: The applicant shall advise the calculation method for the round-trip journey time. The figures are based on 120 passengers capacity per bus. However, it is mentioned that other non-franchised service may also be adopted. The applicant shall show the bus trip generation when vehicles other than double-decker buses are used.
- (t) Para 5.2.4: The location of bus depot for OAB has not been indicated.
- (u) Para 5.2.5: The applicant shall advise in detail for the House Rules arrangement for visitor arriving by walk and by bus. The applicant shall provide a layout showing the numbers and locations of the proposed smart card reading system. The applicant shall also advise the queuing arrangement.
- (v) Para 5.2.6: The applicant shall provide written agreement from Citybus and KMB that the proposed numbers of double decker buses can be provided to cater for the additional visitors of the proposed development. The applicant shall also provide written agreement from GMB that additional services will be provided for the additional visitors.
- (w) Para 5.2.7: The applicant shall advise the difference in capacity for the proposed shuttle vans/coaches with double decker buses. The applicant shall advise the proposed pick-up and drop off points for the proposed shuttle vans/coaches. As there is an increasing demand for columbarium facilities, the assumption that visitors will not reach the critical mass in early years is not agreed.

- (x) Para 5.2.6 and 5.2.7: The OAB should be a kind of non-franchised bus services, which requires the approval from TD for operation. Application will be considered by TD and is subject to the relevant conditions. For instance, for non-franchised private bus for others service (i.e. category B04), the vehicles should be used for the carriage of passengers free of charge.
- (y) Para 5.2.8: The applicant shall advise the queuing arrangement for the idled OAB. The applicant shall provide a layout showing the emergency space to cater for schedule delay. The applicant shall also advise the queuing arrangement for visitor for the OAB.
- (z) Para 5.2.9: The applicant shall clarify whether the traffic impact assessment in Para. 4.6 have taken into account of the rerouted OAB. The applicant shall provide such routing in diverting the OAB.
- (aa) Para 5.2.11: The applicant shall provide the LOS for the footpaths and crossings for the visitors travelling from the PTI at Container Port Road to/from Kwai Fong MTR station. The applicant shall advise how to ensure the actual queuing for OAB service at the PTI at Container Port Road will be the same with the proposed queuing arrangement.
- (bb) Para 5.2.12: The applicant shall provide the written agreement from the land owner of TWTL353 that they have no objection to the proposal on additional layby and queuing arrangement.
- (cc) Fig 5.12: The applicant shall advise how to ensure the actual queuing for OAB service at both options at Tai Ho Road will be the same with the proposed queuing arrangement.
- (dd) Para 5.2.13: It states that all private cars come from Wing Lap Street must turn right. It is not acceptable to restrict the use of public road arising from the proposed private development. The applicant shall revise.
- (ee) The applicant shall advise the number of visitors that will use the cautionary crossing at the junction of Kwai Hei Street/Wing Lap Street. Given the significant number of pedestrian and vehicles in passing through the junction of the subject junction, the applicant shall review the assessment for the subject junction. Besides, the waiting area is limited at the footpaths adjacent to the subject junction, the applicant shall also advise the estimated space and time for pedestrians to wait without encroachment onto the carriageway and without obstructing the movements of other passing pedestrians.
- (ff) Fig 5.13: The applicant shall check whether the proposed carriageway widths comply with the TPDM Vol.2 Cl. 3.4.4 regarding widening on curves. The applicant shall also provide sketch showing the adequacy of sightline in the vicinity of the proposed OAB pick up point in complying with TPDM Vol. 2 Cl. 3.3.5. The applicant shall provide a sketch showing the effective width of footpath along Kwai Hei Street after deducting the area for pick-up/drop-off points for A/KC/437. The applicant shall provide sketches showing how passengers can queue up between bollards.

- (gg) Fig 5.15: The existing directional sign near the junction of Kwai Fuk Road / Hing Fong Street is essential to confirm the destination that can be reached. The applicant shall advise whether the proposed scheme will allow adequate space for the footings of the directional sign. The applicant shall also indicate the width of the carriageway lanes and the distances from the revised kerb and existing footbridge pier.
- (hh) Para 5.3.1: The applicant shall provide written agreement from LandsD and LCSD regarding the proposed encroachment of land GLA-TKT1704.
- (ii) Para 5.3.2: The applicant shall advise the peak hour performance for the junction of Kwai Fuk Road/ Hing Fong Street during the Ching Ming Festival after the implementation of the improvement scheme.
- (jj) Fig. 6.1.4: The proposed backup arrangement in the scenario that the turntable breaks down will involve road closure of Wing Kei Road northbound. The applicant shall provide the v/c ratio under this scenario. The applicant shall advise the location of queuing spaces for the waiting OAB such that the traffic on Wing Kei Road will not be disrupted.
- (kk) Para 6.1.5: There are only 2 nos. of PC and 1 no. of LGV parking space provided under the proposed development. As 20,000 nos. of niches will be provided under the development, the car parking spaces in the vicinity is considered not adequate to meet the parking demand by the development. The applicant shall review. Besides, according to the general design principle of parking space, the proposed development shall provide the adequate no. of loading/ unloading/ parking spaces to cope with its own parking demand. Relying on the surplus spaces of other existing buildings violates the general principle.
- (ll) Appendix I, Drawing No. 02: The new buses used by bus companies are 12.8m long. The bus parking spaces provided by the proposed development should also cater for such new buses. There is also no room for passengers after dropping off. The applicant shall revise. The applicant shall review the parking arrangement of the PC and LGV parking as the current LGV parking will block the PC parking access. The applicant shall also advise how vehicles can access the proposed PV and LGV parking spaces as there is a continuous pedestrian flow blocking the access.
- (mm) Para 6.1.6: GV parking spaces should only be used for the respective GV parking only under the assessment. The applicant shall revise.