

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/TP/685**

- Applicant** : The Kowloon Motor Bus Co. (1933) Ltd. (KMB)
- Site** : Government Land (GL) at the junction of Dai Fuk Street and Dai Wah Street, Tai Po
- Site Area** : About 14,600m<sup>2</sup>
- Land Status** : GL
- Plan** : Approved Tai Po Outline Zoning Plan (OZP) No. S/TP/30
- Zoning** : “Other Specified Uses” annotated “Bus Depot” (“OU(Bus Depot)”) [restricted to a maximum building height (BH) of 2 storeys]
- Application** : Proposed Minor Relaxation of BH Restriction (BHR) for a Permitted Bus Depot

**1. The Proposal**

- 1.1 The applicant seeks planning permission for minor relaxation of BHR from 2 storeys to 4 storeys (+2 storeys or +100%) for a permitted bus depot at the application site (the Site) (**Plan A-1**). According to the Notes of the OZP, ‘Bus Depot’ is always permitted within the “OU(Bus Depot)” zone and the Site is subject to a BHR of 2 storeys. Based on the individual merits of a development proposal, minor relaxation of the BHR may be considered by the Town Planning Board (the Board) on application under Section 16 of the Town Planning Ordinance. The Site is currently occupied by a temporary bus depot with mainly single-storey structures and open-air bus parking bays operated by the applicant.
- 1.2 According to the applicant, the proposed minor relaxation of BHR from 2 storeys to 4 storeys is to facilitate development of a 4-storey smart green bus depot for electric buses in response to the growing fleet and transition of conventional fuel buses into electric buses. The proposed bus depot comprises about 363 charging-enabling parking bays with 80 maintenance bays, bus washing bays and ancillary workshops.
- 1.3 The major development parameters of the proposed bus depot provided by the applicant are as follows:

<b>Site Area</b>	14,600m <sup>2</sup>
<b>No. of Storeys</b>	4
<b>BH</b>	about 35.74mPD/ 30.5m
<b>Site Coverage (SC)</b>	about 77% (above 15m) about 95% (under 15m)
<b>Total Gross Floor Area (GFA) (Non-domestic)</b>	about 52,360m <sup>2</sup>
<b>Total Plot Ratio (PR) (Non-domestic)</b>	about 3.5
<b>Proposed Floor Use</b>	<p><b>G/F:</b> lobby, maintenance bays, bus washing facility, workshop, power supply room, wastewater treatment plant room, electrical and mechanical (E&amp;M) facilities, greenery area</p> <p><b>1/F:</b> maintenance bays, bus parking bays, workshop, power supply room, E&amp;M facilities, greenery area</p> <p><b>2/F:</b> bus parking bays, workshop, greenery area</p> <p><b>3/F:</b> bus parking bays, workshop, E&amp;M facilities</p> <p><b>R/F:</b> bus parking bays, E&amp;M facilities</p>

- 1.4 According to the applicant, special design considerations have been given to the proposed 4-storey bus depot. Permeable building design with a minimum of 15m wide north-south aligned opening and a 6m headroom is adopted on G/F. A setback with a maximum of 10m wide from Dai Fuk Street, and vast openings at northern, eastern, and southern building façades on G/F to 4/F are proposed. A minimum of 20% greenery coverage by means of planting and vertical greening on G/F to 2/F of the building is also proposed (**Drawings A-1 to A-11**). The applicant has submitted relevant technical assessment reports including Air Quality Impact Assessment, Air Ventilation Assessment – Expert Evaluation, Drainage and Sewerage Impact Assessment, Site Appraisal Report, Landscape and Visual Impact Assessment (LVIA), Landscape Master Plan, Noise Impact Assessment, Quantitative Risk Assessment (QRA), and Traffic Impact Assessment (TIA) to demonstrate that the proposed development would not pose significant adverse impacts on the surrounding environment.
- 1.5 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 6.10.2022 **(Appendix I)**
  - (b) Further Information (FI) received on 13.2.2023 **(Appendix Ia)**  
[accepted and exempted from the publication and recounting requirements.]
- 1.6 On 25.11.2022, the Rural and New Town Planning Committee (the Committee) of the Board agreed to defer making a decision on the application.

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the FI (**Appendix Ia**). They can be summarized as follows:

- (a) The proposed minor relaxation of BHR is to facilitate development of a smart green bus depot for electric buses, which is to support the “Roadmap on Popularization of Electric Vehicles” released by the then Environment Bureau (ENB) (now as Environment and Ecology Bureau (EEB)) in March 2021.
- (b) Enhancement of current facilities in the existing bus depots is restricted by limited power capacity and spatial constraints. Thus, development of a modernized multi-storey bus depot with tailor-designed charging facilities and abundant power supply would facilitate electrification of the bus fleet as well as training of engineers and technicians for electric vehicles in Hong Kong.
- (c) The proposed bus depot could consolidate a total of 183 buses which are overparked or parked overnight at bus terminus in the Tai Po and Sha Tin districts, which could then free up land resources for other beneficial uses. The bus parking site on Dai Wah Street under short term tenancy (STT) (**Plan A-1**) could be returned to the Government upon completion of the proposed bus depot. It could also enhance security of buses by avoiding them being vandalized or stolen.
- (d) The proposed development would only generate minimal environmental impact on the surroundings as electric buses would not generate toxic gases or particulates. There is no need to change engine oil, conduct engine and gearbox overhaul for electric buses. Only replacement of battery, motors and associated electronics would be required in daily operation with rare onsite repair. In general, the operation of electric bus depot is environmentally superior as compared to conventional fuel bus depot.
- (e) The TIA demonstrates that the traffic impact induced by the proposed development on the surrounding road network and junctions is negligible. Possible vehicle tail back is eliminated since electric buses are not required to queue up for refuelling which occur commonly at conventional diesel bus depot entrances, and they are only required to stay at the charging-enabling parking bays for overnight charging. In addition, buses are expected to leave the depot in early morning and return at late night which would not crash with the normal commuting peak hours.

## **3. Compliance with the “Owner’s Consent/Notification” Requirements**

As the Site involves GL only, the requirements as set out in the Town Planning Board Guidelines on satisfying the “Owner’s Consent/Notification” requirements under Sections 12A and 16 of the Town Planning Ordinance (the Ordinance) (TPB PG-No. 31A) are not applicable to the application.

## **4. Previous Application**

There is no previous application at the Site.

## **5. Similar Application**

There is no similar application within the same “OU(Bus Depot)” zone on the OZP.

## **6. The Site and Its Surrounding Areas (Plans A-1 to A-4b)**

6.1 The Site is:

- (a) hard-paved and occupied by the existing open temporary bus depot under STT with 115 bus parking spaces;
- (b) accessible via Dai Fuk Street; and
- (c) within the consultation zone of Tai Po Gas Production Plant situated to the southeast of the Site, which is regarded as a potentially hazardous installation (PHI).

6.2 The surrounding areas have the following characteristics:

- (a) to the immediate north of the Site is a piece of land zoned “Government, Institution, or Community” (“G/IC”) reserved for a driving test centre and currently occupied by various temporary uses, including part of the existing bus depot under the same STT;
- (b) to the south of the Site across Dai Fuk Street is the MTR bus maintenance centre of two storeys which falls within an area shown as ‘Road’, and the Construction Industry Council Tai Po Training Ground which is predominantly open-air and with some single-storey structures to its further south within an area zoned “G/IC” with BHR of eight storeys;
- (c) Tai Po InnoPark (formerly known as Tai Po Industrial Estate) is located to the east, which is mainly occupied by industrial developments with building heights ranging from about 10mPD to 70mPD (i.e. 1 to 13 storey(s));
- (d) two schools (i.e. Kau Yan College and Confucian Tai Shing Ho Kwok Pui Chun College) are situated to the southwest of the Site across Yuen Shin Road (about 130m); and
- (e) the nearest residential developments (i.e. Riviera Lodge and Fu Shin Estate) are found to the west/southwest of the Site across Ting Kok Road/Yuen Shin Road (about 130m/200m respectively).

## **7. Planning Intention**

7.1 The planning intention of the “OU(Bus Depot)” zone is primarily to provide land for the use of bus depot.

7.2 According to the Explanatory Statement of the OZP, in general, a minor relaxation clause in respect of BHRs is incorporated into the Notes in order to provide incentive for developments/redevelopments with planning and design merits. Each application for minor relaxation will be considered on its own merits.

## **8. Comments from Relevant Government Bureaux/Departments**

8.1 The following government bureaux/departments have been consulted and their views on the application are summarized as follows:

### **Policy Aspect**

8.1.1 Comments of the Secretary for Transport and Logistics (STL):

- policy support is given to the application since the proposed bus depot would facilitate more efficient bus operation, better land utilization, and also conversion to a more environmentally-friendly bus fleet.

8.1.2 Comments of the Secretary for Environment and Ecology (SEE):

- in-principle support is given to KMB's proposal as it is an important milestone for the electrification of public transport. As electric vehicles have no tailpipe emission and low carbon emissions, the Government has been actively promoting the use of electric vehicles for improving roadside air quality and assisting the community to achieve carbon neutrality. In this regard, the Government is conducting a trial of electric buses with KMB as well as other franchised bus companies. The development of charging infrastructure is pivotal to achieving the Government's ultimate goal to have all franchised buses go electric in future. The proposed bus depot at the Site with charging facilities would support the charging needs of the expanding electric bus fleet, which is in line with the government policy.

### **Land Administration**

8.1.3 Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) the Site is part of STT No. STT1097 granted to KMB commencing in 2000 for the purposes of parking of buses and such other use ancillary to the operation of a temporary bus depot including bus washing and refuelling;
- (b) should the subject planning application be approved by the Board, the applicant is required to apply to LandsD for corresponding amendment to BHR under the proposed STT. However, there is no guarantee that such application will be approved. If it is approved by LandsD acting in its capacity as landlord at its absolute discretion, it will be subject to such terms and conditions, including, amongst others, payment of additional rent and administrative fee as may be imposed by LandsD; and
- (c) the respective tenancies of part of the existing bus depot within the "G/IC" zone (i.e. STT1097) and the bus parking site on Dai Wah Street (i.e. STT1768) could be terminated upon serving a three months' notice of termination at any time if the sites are required for permanent development or other beneficial uses.

### **Drainage**

#### 8.1.4 Comments of the Chief Engineer/Mainland North, DSD (CE/MN, DSD):

- (a) no adverse comment on the application from public drainage viewpoint;
- (b) if the application is approved by the Board, an approval condition on submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services is required to ensure it will not cause adverse drainage impact to the adjacent areas; and
- (c) for works to be undertaken outside the Site, prior consent and agreement from LandsD and/or relevant private lot owners should be sought.

### **Building Matters**

#### 8.1.5 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) no in-principle objection to the application; and
- (b) his advisory comments are at **Appendix III**.

### **Urban Design and Landscape**

#### 8.1.6 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

##### **Urban Design**

- (a) the Site is adjoining the existing Tai Po InnoPark with 1 to 13-storey industrial developments to its east. The proposed development with a BH of 4 storeys is considered not incompatible with the surrounding developments;
- (b) based on the submitted LVIA, no significant adverse visual impacts at the selected viewpoints are anticipated. Potential visual impacts are minimized by incorporation of proposed planting buffers between the proposed development and the streets. Permeable design on ground floor and building setback have also been incorporated to minimize potential impact to the surrounding pedestrian wind environment;

##### **Landscape**

- (c) according to the aerial photo of 2021, the Site is situated in an area of urban fringe landscape character comprising industrial buildings, GIC facilities, residential development, village houses, and scatter tree groups. The proposed development is not incompatible with the surrounding landscape character; and
- (d) with reference to the Planning Statement and site photos on **Plans**

**A-4a** and **A-4b**, the Site is currently an open-air depot and no existing tree is observed within the Site. According to the Landscape Master Plan submitted by the applicant (**Drawings A9 to A11**), new tree planting, shrubs, groundcover, and vertical greening are proposed on G/F to , 1/F and 2/F of the proposed bus depot; and

- (e) since significant adverse landscape impact caused by the proposed development is not anticipated and adequate landscape provisions are proposed to improve the landscape quality, she has no objection to the application from landscape planning perspective.

8.1.7 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

- (a) based on the information provided, it is noted that the proposed bus depot consists of one block with BH of four storeys (about 35.74mPD). Since a BHR of eight-storey is permitted within the “G/IC” zone to the south of the Site across Dai Fuk Street in the OZP, he has no comment from architectural and visual impact point of view; and
- (b) his advisory comments are at **Appendix III**.

**Fire Safety**

8.1.8 Comments of the Director of Fire Services (D of FS):

- (a) no objection in principle to the proposal subject to fire service installations (FSIs) and water supplies for fire fighting being provided to his satisfaction; and
- (b) his advisory comments are at **Appendix III**.

**Others**

8.1.9 Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) no objection on the proposed application;
- (b) if the application be approved by the Board, an approval condition on submission of revised QRA to his satisfaction is required to assess the risks posed by the PHI on the new overall population and hence to identify any appropriate mitigation measures to lower the risk levels; and
- (c) his advisory comments are at **Appendix III**.

8.2 The following government departments have no objection to/no adverse comment on the application:

- (a) Commissioner for Transport (C for T);
- (b) Director of Environmental Protection (DEP);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Head of the Geotechnical Engineering Office, CEDD (H(GEO), CEDD);

- (e) Project Manager (North), CEDD (PM(N), CEDD);
- (f) Director of Agriculture, Fisheries and Conservation (DAFC);
- (g) Director of Health (D of Health);
- (h) Commissioner of Police (C of P);
- (i) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD); and
- (j) District Officer (Tai Po), Home Affairs Department (DO(TP), HAD).

## **9. Public Comment Received During Statutory Publication Period (Appendix II)**

On 14.10.2022 and 17.1.2023, the application and FI were published for public inspection. During the statutory public inspection period, one public comment was received expressing concern on the application for reason that the Site can be used for other alternative uses including public housing and other beneficial public uses.

## **10. Planning Considerations and Assessments**

### **Planning Intention**

- 10.1 The application is for proposed minor relaxation of BHR from 2 storeys to 4 storeys for the development of a smart green bus depot. The Site is zoned “OU(Bus Depot)” on the OZP, which is intended primarily to provide land for the use of bus depot. According to the applicant, the proposed minor relaxation of BHR is to facilitate development of a 4-storey bus depot (about 35.74mPD) with tailor-designed charging facilities to provide 363 electric bus parking bays and 80 maintenance bays to facilitate electrification of the bus fleet. The proposed minor relaxation of BHR for the proposed bus depot is considered a beneficial use to the community and could help optimizing the use of the piece of land intended for bus depot development.

### **Policy Support**

- 10.2 Transport and Logistics Bureau (TLB) and EEB render policy support to the application as the proposed bus depot would facilitate more efficient bus operation, better land utilization, and also conversion to a more environmentally-friendly bus fleet. The proposed bus depot at the Site with charging facilities would support the charging needs of the expanding electric bus fleet, which is in line with the government policy.

### **Compatibility with the Surrounding Areas**

- 10.3 The Site is adjoining the existing Tai Po InnoPark to its east, which is mainly occupied by industrial developments with building heights ranging from about 10mPD to 70mPD (i.e. 1 to 13 storeys). A “G/IC” zone with a BHR of eight storeys is located to its south. Based on the LVIA submitted by the applicant, no significant adverse visual impacts at the selected viewpoints are anticipated. CTP/UD&L, PlanD considers that the proposed development with a BH of 4 storeys is not incompatible with the surrounding developments.



### Planning and Design Merits

- 10.4 The proposed bus depot could consolidate a total of 183 buses currently overparked or parked overnight in other locations (e.g. the bus parking site on Dai Wah Street under STT (**Plan A-1**)) which could then be released for other beneficial uses. Design merits have been incorporated in the proposed bus depot with adoption of design measures including planting buffers between the proposed development and the streets, permeable design with a minimum of 15m wide north-south aligned opening and a 6m headroom adopted on G/F, and a setback with a maximum of 10m wide from Dai Fuk Street, and vast openings at northern, eastern, and southern building façades on G/F to 4/F. The visual, landscape and pedestrian wind environment will be improved. CTP/UD&L has no objection to the application from urban design and landscape planning perspective. CA/CMD2, ArchSD also has no comment on the proposal from architectural perspective and visual impact point of view.

### Technical Aspects

- 10.5 The TIA demonstrates that the proposed development would not induce adverse traffic impact on the surrounding road network. C for T have no in-principle objection to the application. On the environmental aspect, the relevant assessments have confirmed that the proposed development have minimal potential environmental nuisance to the surrounding areas, and DEP has no adverse comments on the application. DEMS has no objection to the application subject to the submission of revised QRA to his satisfaction to assess the risks posed by the PHI on the new overall population and hence to identify any appropriate mitigation measures to lower the risk levels.
- 10.6 All in all, significant adverse traffic, environmental, drainage, sewerage and landscape impacts on the surrounding areas are not envisaged. The technical concerns of relevant departments could be addressed by the imposition of approval conditions recommended in paragraph 11.2.

### Public Comment

- 10.7 Regarding the public comment expressing concern on the application on the grounds as detailed in paragraph 9, government bureaux/departments' comments and the planning assessments above are relevant.

## **11. Planning Department's Views**

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the public comment mentioned in paragraph 9, Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 3.3.2027, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval conditions

- (a) the submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (b) the submission of revised quantitative risk assessment to the satisfaction of the Director of Electrical and Mechanical Services or of the Town Planning Board; and
- (c) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

### Advisory Clauses

The recommended advisory clauses are attached at **Appendix III**.

11.3 There is no strong planning reason to recommend rejection of the application.

## **12. Decision Sought**

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to approve the application, Members are invited to consider the approval conditions and advisory clauses, if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 12.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

## **13. Attachments**

Appendix I	Application Form received on 6.10.2022
Appendix Ia	FI received on 13.2.2023
Appendix II	Public Comment
Appendix III	Recommended Advisory Clauses
Drawings A-1 to A-6	Floor Plans and Section
Drawings A-7 and A-8	Elevation
Drawings A-9 to A-11	Landscape Master Plan (G/F, 1/F and 2/F)
Drawings A-12 to A-15	Photomontages
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos