

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

**APPLICATION NO. A/SK-HC/295**

- Applicant:** CLP Power Hong Kong Limited
- Site:** Government Land in D.D. 244, Ho Chung Road, Ho Chung, Sai Kung
- Site Area:** About 11.97m<sup>2</sup>
- Land Status:** Government Land
- Plan:** Approved Ho Chung Outline Zoning Plan (OZP) No. S/SK-HC/11
- Zoning:** ‘Road’
- Application:** Proposed Public Utility Installation (Electricity Package Substation (ESS))

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed ESS at the application site (the Site). The Site falls within an area designated as ‘Road’ on the approved Ho Chung OZP No. S/SK-HC/11 (**Plans A-1 and A-2**). According to the Notes of the OZP, the proposed ESS at the Site requires planning permission from the Town Planning Board (the Board).
- 1.2 The proposed ESS has an area of about 11.97m<sup>2</sup> (4.960m x 2.414m) and height of about 2.992m (**Drawing A-2**). It will be sitting on a concrete plinth and cable trench is embedded below ground with depth of about 1.8m.
- 1.3 In support of the application, the applicant has submitted the documents:
- (a) Application form dated 21.5.2018 **(Appendix I)**
  - (b) Further Information (FI) dated 24.7.2018 providing responses to departmental comments (*exempted from publication and recounting requirements*) **(Appendix Ia)**
  - (c) Further Information (FI) dated 11.9.2018 providing clarification on the dimension of proposed ESS (*exempted from publication and recounting requirements*) **(Appendix Ib)**

- 1.4 The location and layout plans submitted by the applicant are shown in **Drawings A-1** and **A-2**.
- 1.5 On 20.7.2018, the Rural and New Town Planning Committee (the Committee) agreed to defer making a decision on the application for two months, as requested by the applicant, to allow time for preparation of FI in response to departmental comments. The applicant submitted FI as detailed in paragraph 1.3 above. The application is scheduled for consideration by the Committee at this meeting.

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

The justifications put forth by the applicant in support of the application are detailed in Part 9 of the application form in **Appendix I** and **Appendix Ia**. They can be summarized as follows:

- (a) the proposed ESS is to enhance the electricity supply reliability in Ho Chung Village area and the nearby area, and to meet demand from new public facilities in the vicinity;
- (b) the package substation is specially designed electrical equipment that occupies an area of less than 12m<sup>2</sup> and is widely adopted in village area. It is of prefabricated design and totally enclosed to accommodate the required equipment. It is of unmanned design, easy to install, maintenance free and made of fireproof materials. Its impact to the nearby areas and local traffic is minimal;
- (c) the proposed location falls within the works area (GLA-SK3424) currently allocated to Highways Department (HyD) and the applicant has obtained HyD's consent of the proposed installation. In addition, the applicant is requesting approval from DLO/SK for permission to install the package substation within HyD's land allocation; and
- (d) the proposed ESS is the only feasible location to provide electricity to Ho Chung Village and nearby development. The location is also supported by the Village Representative.

## **3. Compliance with the "Owner's Consent/Notification" Requirements**

As the Site involves government land only, the "owner's consent/notification" 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" (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 in the vicinity of the Site.

**6. The Site and Its Surrounding Areas (Plans A-1 and A-2, Aerial Photo on Plan A-3 and Site Photos on A-4)**

6.1 The Site is :

- (a) abutting Ho Chung Road; and
- (b) falls within the project boundary of the “Dualling of Hiram’s Highway between Clear Water Bay Road and Marina Cove and Improvement to Local Access to Ho Chung” (**Plan A-2**), which is currently under construction.

6.2 The surrounding areas have following characteristics:

- (a) to its immediate north and northeast is the building of Asia Television Limited;
- (b) to its south across the Ho Chung Road is the Ho Chung Channel; and
- (c) to its west and further south are the “Village Type Development” (“V”) zones of Ho Chung.

**7. Planning Intention**

The area designated as ‘Road’ is to make land reservation for road works.

**8. Comments from Relevant Government Departments**

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

**Land Administration**

8.1.1 Comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD):

- (a) she has no objection to the application;
- (b) the existing Block Licence issued by LandsD allows the applicant to erect and maintain utility installations of less than 12m<sup>2</sup>. The proposed ESS with site area of about 11.97m<sup>2</sup> is permitted under Block Licence;
- (c) as the proposed ESS falls within the works area allocated to the HyD

under GLA-TSK 3423 (**Plan A-2**), consent from HyD is required for the proposed works. Excavation Permit would not be issued by her office;

- (d) the applicant indicates in the application that consent from HyD for using the Site has been obtained. Nevertheless, the applicant is required to approach Chief Estate Surveyor (Estate Management Section), LandsD in accordance with the conditions of the Block Licence for any amendment; and
- (e) the proposed ESS falls on government land. As project limit of PWP Item No. 703TH (“Dualling of Hiram’s Highway between Clear Water Bay Road and Marina Cove and Improvement to local access to Ho Chung”) (**Plan A-2**) and GLA-TSK 3423 are affected, the applicant is required to seek consent from HyD prior to commencement of works.

### **Traffic**

#### 8.1.2 Comments of the Commissioner of Transport (C for T):

- (a) there is no plan/programme for roadworks at or nearby the Site for the development of nearby residential sites zoned “Residential (Group D)” (“R(D)”) and “Residential (Group E)” (“R(E)”) apart from the Hiram’s Highway Improvement Stage 1 project; and
- (b) according to the applicant’s FI (**Appendix Ia**), the proposed ESS location is the only feasible location to provide electricity to the Ho Chung Village and the proposed ESS location will not affect Hiram’s Highway Improvement Stage 1 project. As such, she considers that the application is tolerable from traffic viewpoint.

#### 8.1.3 Comments of the Chief Engineer 3/Major Works, Highways Department (CE3/MW, HyD):

- (a) he has no comment on the application. While the proposed location of the ESS is within HyD’s site boundary (**Plan A-2**), it is outside the permanent road widening works; and
- (b) the applicant is reminded to coordinate with the contractor of contract No. HY/2014/16 to resolve the interface issue within HyD’s site boundary prior to commencement of works.

### **Environment**

#### 8.1.4 Comments of the Director of Environmental Protection (DEP):

in view of the small scale and nature of the proposed development, it will unlikely cause major pollution.

**Drainage**

8.1.5 Comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD):

- (a) he has no in-principle objection to the proposed works from a drainage maintenance viewpoint;
- (b) it is noted that the proposed ESS is in close proximity of sewers being constructed by HyD. The applicant is reminded to coordinate with and obtain consent from HyD prior to carrying out the proposed works, and exercise extreme care when working in the vicinity of any existing drainage works in order not to disturb, interface with or cause damage to the public drainage/sewerage system; and
- (c) adequate stormwater drainage facilities shall also be provided in connection with the proposed development to deal with surface runoff of the Site without causing any adverse drainage impacts or nuisance to the adjoining areas.

**Fire Safety**

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

- (a) he has no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of Fire Service Department;
- (b) Emergency Vehicular Access arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 administered by the Building Department; and
- (c) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plan.

**Risk Aspect**

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

for the design and operation of the ESS, the applicant has to comply with the Electricity Ordinance and relevant statutory requirements. As the ESS is to provide electricity supply to some future developments in the vicinity, the associated electricity demand should be provided by the nearby substation as far as possible. He has no comment on the application as far as electricity supply safety and reliability are concerned. The Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation shall be observed by the applicant and his contractors when carrying out works in the vicinity of the electricity supply lines.

## **Health Aspect**

### 8.1.8 Comments of the Director of Health (D of Health):

- (a) since electrical installations and facilities are not under the purview the D of Health, she is not in a position to comment on the site selection or issues related to the installations or operation of electrical facilities; and
- (b) according to the World Health Organisation (WHO), with compliance with the relevant International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, exposure to extremely low frequency electromagnetic fields, such as those generated by electrical facilities would not pose any significant adverse effects to workers and the public. As such, the project proponent must ensure that the installation complies with the relevant ICNIRP guidelines or other established international standards. WHO also encourages effective and open communication with stakeholders in the planning of new electricity facilities.

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

- (a) Chief Highway Engineer/New Territories East, Highways Department;
- (b) Chief Building Surveyor/NTE2&Rail, Buildings Department;
- (c) Chief Engineer (Works), Home Affairs Department;
- (d) Chief Town Planner/Urban Design & Landscape, Planning Department (CTP/UD&L, PlanD);
- (e) Chief Engineer/Construction, Water Supplies Department; and
- (f) District Officer/Sai Kung, Home Affairs Department.

## **9. Public Comment Received During Statutory Publication Period**

On 29.5.2018, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 19.6.2018, no public comment was received on the application.

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

10.1 The application is to seek planning permission for proposed public utility installation (ESS) at the Site which falls within an area designated as 'Road' on the OZP. The planning intention of the area designated as 'Road' is to make land reservation for road works. While the proposed ESS is within HyD's site boundary of Hiram's Highway Improvement Stage 1 project, CE3/MW of HyD advises that it is outside the permanent road widening works. C for T also advises that there is no plan/programme for other roadworks in the area. In this connection, approval of the application would not frustrate the planning intention of the area designated as 'Road'. The proposed ESS is an essential facility to enhance the electricity supply reliability in the area.

- 10.2 The proposed ESS is small in scale and is not incompatible with the surrounding rural environment mainly occupied by village houses and the building of ATV. In view of the small scale of the ESS, it is not anticipated to have adverse drainage, environmental and landscape impacts on the surrounding areas. Relevant departments consulted including CE/MS of DSD, DEP and CTP/UD &L of PlanD have no adverse comments on/ no objection to the application.
- 10.3 There is no public comment received on the application.

## 11. Planning Department's Views

- 11.1 Based on the assessment made in paragraph 10, the 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 21.9.2022, 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 approval condition and advisory clauses are also suggested for Members' reference:

### Approval Condition

The provision of fire services 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 II**.

- 11.3 There is no strong 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 condition(s) and advisory clause(s), 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**

<b>Appendix I</b>	Application form dated 21.5.2018
<b>Appendix Ia</b>	FI dated 24.7.2018
<b>Appendix Ib</b>	FI dated 11.9.2018
<b>Appendix II</b>	Advisory Clauses
<b>Drawing A-1</b>	Location Plan submitted by the Applicant
<b>Drawing A-2</b>	Layout Plan submitted by the Applicant
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
SEPTEMBER 2018**