

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TK/822

Applicant : CLP Power Hong Kong Limited represented by Kum Shing (K.F.) Construction Company Limited

Site : Government Land (GL) in D.D. 23, Ting Kok, Tai Po, New Territories

Site Area : About 44m²

Land Status : GL

Plan : Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19

Zoning : Area shown as 'Road'

Application : Proposed Public Utility Installation (PUI) (High Voltage (HV) Pillar)

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed PUI (HV pillar) at the application site (the Site) falling within an area shown as 'Road' on the OZP (**Plan A-1**). According to the covering Notes of the OZP, all uses or developments within an area shown as 'Road' require planning permission from the Town Planning Board (the Board). The Site is currently vacant and hard-paved (**Plan A-4**).
- 1.2 The Site is directly accessible from Ting Kok Road (**Plans A-1 and A-2**). According to the applicant, the proposed HV pillar at the Site will have a total floor area of about 11.85m² (4.96m (L) x 2.39m (W)) and a height of about 2.99m (one storey) (**Drawings A-1 and A-2**). It also involves associated excavation works at the entire Site of about 44m² with a depth of about 2m, and will be backfilled to the current site level with concrete upon completion of the proposed works (**Drawing A-1**). A buffer distance of about 1.2m will be reserved between the proposed HV pillar and an existing cylindrical underground septic tank adjoining the Site at its northeast (**Drawing A-3**). The site layout plan, section plan and site survey plan submitted by the applicant are shown in **Drawings A-1 to A-3** respectively.
- 1.3 Part of the Site is the subject of a previous application No. A/NE-TK/794 submitted by the same applicant for the same use, which was approved by the Rural and New Town Planning Committee (the Committee) of the Board in April 2024 on (**Plans A-1 and A-2**). Compared with the previous application,

the site location under the current application has shifted towards southwest by about 2m to avoid encroaching upon the existing septic tank, and the total site area has increased from about 11.85m² to about 44m² to cover the extent of associated excavation and backfilling works¹ (**Plan A-2**). Details of the previous application are set out in paragraph 5 below.

- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 2.10.2024 (**Appendix I**)
 - (b) Further Information (FI) received on 16.1.2025 and 17.1.2025* (**Appendix Ia**)
 - (c) FI received on 26.3.2025* (**Appendix Ib**)
 - (d) FI received on 9.5.2025* (**Appendix Ic**)

**accepted and exempted from publication and recounting requirements*

- 1.5 On 22.11.2024 and 14.3.2025, the Committee of the Board agreed to the applicant's requests to defer making a decision on the application for a period of two months each.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FIs at **Appendices I to Ic**, as summarised below:

- (a) the loading condition of the existing electricity supply facilities in Po Sam Pai village (**Plan A-1**) has almost reached its full capacity. The proposed HV pillar will help alleviate the existing loading condition and enhancing the security and reliability of the electricity supply system serving the village and its surrounding areas;
- (b) upon approval of the previous application No. A/NE-TK/794 in 2024, the site survey and investigation conducted by the applicant have identified a cylindrical underground septic tank on site (**Drawing A-3**). The applicant has proposed alternative site under the current application to avoid affecting the existing septic tank and to conduct the electricity reinforcement works as early as possible (i.e. within 2025) to address the high demand from Po Sam Pai village;
- (c) the proposed HV pillar is a specially designed electrical equipment which occupies an area of less than 12m² and has been widely adopted in the village setting. It is prefabricated and totally enclosed to accommodate the required equipment. It is an unmanned equipment which is easy to install, maintenance-free and made of fireproof materials. Its impact on the nearby areas is minimal;

¹ As compared with the previous application No. A/NE-TK/794, the current application involves an increase of the gross site area of about 271% (i.e. about 32.15m²). According to the Town Planning Board Guidelines for 'Class A and Class B Amendments to Approved Development Proposals' (TPB-PG No. 36C), since the change exceeding 10% of the gross site area is beyond the Class A and B amendments, a fresh section 16 planning application is required.

- (d) the applicant has explored vacant unallocated sites within the “Village Type Development” (“V”) zone at Po Sam Pai (**Plan A-1**). However, most of those sites are either private land or not feasible due to possible impacts on existing trees and drains. In addition, the existing local tracks within the village are also not wide enough for transporting the proposed HV pillar. On the other hand, the Site is conveniently located on the roadside of Ting Kok Road and in close proximity to the village, which would facilitate transportation of pillar and provide wayleave for underground cable laying for the proposed HV pillar. The village representative of Po Sam Pai supports the proposed use; and
- (e) the applicant reiterates the intention of seeking planning permission on a permanent basis for the proposed HV pillar. However, should the potential road widening works along Ting Kok Road be taken forward, the applicant is committed to relocate and surrender the Site to the Government for such purpose within six to nine months upon request, subject to relevant approvals to be obtained from the Government and the availability of an alternative site.

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

As the Site involves GL 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. 31B) are not applicable to the application.

4. Previous Application

- 4.1 Part of the Site is the subject of a previous application No. A/NE-TK/794 submitted by the same applicant for the same use (**Plans A-1** and **A-2**), which was approved by the Committee on 5.4.2024, mainly on considerations of being small in scale; not being incompatible with the surrounding environment; not causing significant adverse sewerage, drainage and environmental impacts on the surrounding areas; no adverse comment/objection from the relevant government departments; and similar planning circumstances with the approved similar application No. A/NE-TK/448.
- 4.2 Details of the previous application are summarised at **Appendix II** and its location is shown on **Plans A-1** and **A-2**.

5. Similar Application

- 5.1 There is a similar application No. A/NE-TK/448 for proposed PUI (electrical package substation) use straddling an area shown as ‘Road’ and “Green Belt” (“GB”) zone on the OZP (**Plan A-1**). The application was approved with condition by the Committee on 21.6.2013, mainly on considerations of being small in scale; not incompatible with the surrounding environment; not causing significant adverse environmental impacts on the surrounding areas; and no implementation programme of planned road widening works that would be affected by the proposed use.

- 5.2 Details of the similar application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

6. The Site and its Surrounding Areas (Plans A-1 to A-4)

6.1 The Site is:

- (a) currently vacant and hard-paved (**Plan A-4**);
- (b) located on the roadside of Ting Kok Road, which does not form part of the existing Ting Kok Road (**Plans A-1** and **A-2**); and
- (c) situated to the immediate southwest of several public facilities/utility installations including Po Sam Pai Public Toilet, Po Sam Pai Village Refuse Collection Point and a number of electrical transformers (**Plans A-2** and **A-4**).

- 6.2 The surrounding areas are predominantly rural in character with village houses, tree groups and unused land (**Plans A-2** and **A-3**). About 20m to the northwest across Ting Kok Road is the village proper of Po Sam Pai (**Plans A-1** to **A-3**). To its east is an area zoned “Coastal Protection Area” (“CPA”), and to its further east is the Ting Kok Site of Special Scientific Interest with mangrove habitat of special landscape and ecological value (**Plan A-1**).

7. Planning Intention

The Site falls within an area shown as ‘Road’ on the OZP and forms part of the area reserved for future road use.

8. Comments from Relevant Government Departments

- 8.1 The following government departments have been consulted and their views on the application are summarised as follows:

Land Administration

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

- (a) he has no objection to the application;
- (b) the Site is on unleased and unallocated GL in D.D. 23;
- (c) the applicant shall ensure that the proposed works will cause no impact on the local utilities. In the view of the Site being in close proximity with the nearby septic tank, preventive measures should be taken in order to avoid any disturbance or nuisance to the septic tank; and
- (d) his advisory comments are at **Appendix IV**.

Traffic

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

- (a) the construction of the proposed HV pillar may cause additional difficulties in planning and executing the potential road improvement works at Ting Kok Road. The applicant should consider relocating the installation away from the potential road widening works. However, it is noted that the applicant has explored nearby available GL in “V” zone and found that those sites are not feasible due to different reasons. The applicant shall commit to relocate/divert the proposed use should road works to be taken forward by the Government. Upon request by the Government, the applicant shall remove the HV Pillar and other associated facilities, reinstate and return the land to the Government for future road works within the Site;
- (b) it is noted that the applicant’s intention is seeking approval to establish the proposed use on a permanent basis. Considering the applicant has committed to divert/relocate such installation within six to nine months upon Government’s request, she has no objection to the application on a permanent basis. However, the applicant shall be reminded that alternative site shall be available in time to meet the commitment of relocation/diversion within six to nine months in case of Government’s request so that any future road widening works shall not be jeopardised by the installation; and
- (c) her advisory comments are at **Appendix IV**.

8.1.3 Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- (a) he has no adverse comment on the application; and
- (b) his advisory comments are at **Appendix IV**.

Environment

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

- (a) he has no adverse comment on the application from environmental planning perspective;
- (b) he has no adverse comment in relation to the existing septic tank, provided that the proposed PUI (HV pillar) would not encroach onto the existing septic tank;
- (c) there is no environmental complaint in relation to the Site was received in the past three years; and
- (d) his advisory comments are at **Appendix IV**.

Landscape

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

- (a) she has no adverse comment on the application from landscape planning perspective;
- (b) based on the aerial photo of 2024, the Site is situated in an area of rural coastal plains landscape character surrounded by roads, vegetated area and village houses at the northwest within the “V” zone. The proposed use is considered not incompatible with the landscape character of its surroundings; and
- (c) according to the site photo taken in April 2025, the Site is vacant, hard-paved with no significant landscape resource observed. Significant adverse impact on the existing landscape resources arising from the proposed use is not anticipated.

Electricity Safety

8.1.6 Comment of the Director of Electrical and Mechanical Services (DEMS):

- he has no comment on the application from electricity supply safety aspect.

Environmental Hygiene

8.1.7 Comment of the Director of Food and Environmental Hygiene (DFEH):

- he has no adverse comment on the application, provided that the proposed PUI (HV pillar) would not encroach onto the existing septic tank.

Drainage

8.1.8 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- (a) she has no in-principle objection to the application from public drainage viewpoint; and
- (b) her advisory comments are at **Appendix IV**.

Fire Safety

8.1.9 Comment of the Director of Fire Services (D of FS):

- he has no specific comment on the application.

Building Matters

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

- (a) he has no objection to the application; and
- (b) his advisory comments are at **Appendix IV**.

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

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Director of Agriculture, Fisheries and Conservation (DAFC);
- (c) Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD);
- (d) Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD); and
- (e) District Officer/Tai Po, Home Affairs Department (DO/TP, HAD).

9. Public Comment Received During Statutory Publication Period

On 15.10.2024, the application was published for public inspection. During the statutory public inspection period, one comment received from an individual (**Appendix V**) objects to the application mainly for reasons that there is query why the proposed use for electricity supply to village houses is not confined within the “V” zone but encroaches onto the GL near the “CPA” zone; and additional development at the coastal side will gradually chip away the integrity of the “CPA” zone.

10. Planning Considerations and Assessments

10.1 The application seeks planning permission for proposed PUI (HV pillar) at the Site falling within an area shown as ‘Road’ on the OZP (**Plan A-1**). While the Site does not form part of the existing Ting Kok Road, the area shown as ‘Road’ is designated for future road improvement/widening works. Considering that the applicant has committed to divert/relocate such installation within six to nine months upon Government’s request and return the land to the Government for future road works, C for T has no objection to the application.

10.2 The Site is located at the southeast of the village proper of Po Sam Pai (**Plans A-1 to A-3**). According to the applicant, the loading condition of the existing electricity supply facilities serving the village has almost reached its full capacity. The proposed HV pillar is essential to alleviate the existing loading condition and enhance the security and reliability of the electricity supply system. The applicant has explored vacant unallocated sites within the nearby “V” zone but no other suitable sites could be identified for the proposed HV pillar. The Site is conveniently located on roadside and will facilitate the installation, transportation and maintenance works of the proposed HV pillar.

DEMS has no comment on the application from regulatory services perspective. Po Sam Pai Public Toilet is about 4m away to the northeast of the Site, which will not be affected by the proposed use. In addition, to avoid affecting the existing underground septic tank to the northeast of the Site, the applicant has provided a buffer distance of about 1.2m between the proposed HV pillar and the septic tank (**Drawing A-3**). Given that the proposed use would not encroach onto/cause disturbance or nuisance to the existing underground septic tank, DLO/TP, LandsD, DEP and DFEH have no objection to or no adverse comment on the application.

- 10.3 The Site is currently vacant and hard-paved (**Plan A-4**). The surrounding areas are predominantly rural in character comprising village houses, tree groups and unused land (**Plans A-2 and A-3**). CTP/UD&L, PlanD considers that the proposed use is not incompatible with the landscape character of its surroundings and significant adverse impact on the existing landscape resources arising from the proposed use is not anticipated. Given that the proposed high HV pillar is small in scale, involving a floor area of about 11.85m² and a height of about 2.99m (**Drawings A-1 and A-2**), as well as associated excavation and backfilling works with a depth of about 2m for the entire Site, the proposed use would not induce significant adverse sewerage, drainage and environmental impacts on the surrounding areas. Relevant government departments consulted including DEP and CE/MN, DSD have no objection to or no adverse comment on the application.
- 10.4 Part of the Site is the subject of a previous application No. A/NE-TK/794 submitted by the same applicant for the same use (**Plans A-1 and A-2**), which was approved by the Committee on 5.4.2024, mainly on the considerations as mentioned in paragraph 4.1 above. Compared with the previous application, except for a slight shift of site location (towards the southwest by about 2m) to avoid encroaching onto the existing septic tank and an increase of site area (from about 11.85m² to about 44m²) to cover the extent of associated excavation and backfilling works, there is no change in the scale and major development parameters of the proposed HV pillar under the current application. The planning considerations of the approved previous application are applicable to the current application. Also, there is a similar application No. A/NE-TK/448 for proposed PUI (electricity package substation) within the area shown as 'Road' and "GB" zone on the OZP (**Plan A-1**), which was approved with condition by the Committee in 2013, mainly on the considerations as mentioned in paragraph 5.1 above. Approval of the current application is in line with the Committee's previous decisions.
- 10.5 Regarding the public comment on the application as detailed in paragraph 9, the government departments' comments and planning assessments above are relevant. For the concern on the integrity of "CPA" zone to the east of the Site, it should be noted that the Site is about 5m away from the "CPA" zone.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the public comment in paragraph 9, the Planning Department has no objection to the application.

11.2 Should the Committee decide to approve the application, it is suggested that that the permission shall be valid until **23.5.2029**, 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 Recommended Advisory Clauses are attached at **Appendix IV**.

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 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

Appendix I	Application Form with attachments received on 2.10.2024
Appendix Ia	FI received on 16.1.2025 and 17.1.2025
Appendix Ib	FI received on 26.3.2025
Appendix Ic	FI received on 9.5.2025
Appendix II	Previous Application
Appendix III	Similar Application
Appendix IV	Recommended Advisory Clauses
Appendix V	Public Comment
Drawing A-1	Site Layout Plan submitted by the Applicant
Drawing A-2	Section Plan submitted by the Applicant
Drawing A-3	Site Survey Plan submitted by the Applicant
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos