

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/H19/86

<u>Applicants</u>	: China Telecom Global Limited and GB21 (Hong Kong) Limited
<u>Site</u>	: Government Land near Rural Building Lot (RBL) 1220 and RBL 1221, Chung Hom Kok, Hong Kong
<u>Site Area</u>	: About 266.17m ²
<u>Land Status</u>	: Government Land
<u>Plan</u>	: Approved Stanley Outline Zoning Plan (OZP) No. S/H19/16
<u>Zoning</u>	: “Coastal Protection Area” (“CPA”)
<u>Application</u>	: Proposed Public Utility Installation (Submarine Cables and Landing Facilities)

1. The Proposal

- 1.1 The applicants seek planning permission for the installation of cable landing ducts, drawpits, beach manholes, and shore-end submarine cables at the application site (the Site), which is zoned “CPA” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “CPA” zone, ‘Public Utility Installation’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board).
- 1.2 The proposal involves land-based cable installation works to enable the landing of a regional submarine cable system, namely the Asia Link Cable¹ (ALC), at the cable landing station at RBL 1220, as well as a future submarine cable at the cable landing station at RBL 1221 (**Drawing A-1**). According to the applicants, the proposal would facilitate the connection of submarine cables from the eastern boundary of HKSAR to the cable landing stations at the Teleport². Once the submarine cables

¹ The ALC is a regional submarine cable system of 6,000 kilometres (km) in length, connecting Hong Kong and Singapore, with branches into Philippines, Brunei Darussalam and Hainan, China.

² The south-eastern headland of Chung Hom Kok was formerly used as British Forces’ Composite Signals Organization Station Complex. The 1998 Policy Address (PA) announced that a teleport would be developed at Chung Hom Kok to provide the best possible global satellite communication links. To further enhance the overall capacity and diversity capability of Hong Kong’s external telecommunications networks, the 2019 PA Supplement further announced that suitable land lots (i.e. RBL 1219, RBL 1220 and RBL 1221) would be provided in Chung Hom Kok Teleport (the Teleport) for external telecommunications infrastructure (see paragraph 4 for further details).

reach the cable landing stations, the stations would provide interfaces to connect to local operators, thereby supplying Hong Kong with international telecommunications services. The two cable landing stations being developed by the applicants and the majority of the proposed cable installation works are situated within an area zoned “Other Specified Uses” annotated “Composite Signals Organization Station Complex” (“OU(CSOSC)”) immediately to the north of the Site, within which these facilities and associated works are always permitted, while the remaining installation works are within the “CPA” zone (**Plan A-2**) bordering the “OU(CSOSC)” zone.

- 1.3 The proposed installation at the Site comprises a pair of above-ground 6-way (2x3) conduits on steel racks (each with a diameter of 107mm) with a length of about 26.6m (excluding the alignment within the “OU(CSOSC)” zone), two semi-buried beach manholes³ and underground shore-end submarine cables⁴ (**Drawings A-1 to A-3**). The photomontage of the proposed installation submitted by the applicants is at **Drawing A-4**.
- 1.4 According to the Tree Survey Report submitted by the applicants, 10 surveyed trees within the Site, which are of common species and in poor form, health and/or structural condition, are proposed to be felled due to direct conflicts with the proposed cable installation works at the Site. The applicants propose to plant seven new trees⁵ within the cable landing station at RBL 1220 to achieve a compensatory ratio of 1:1.
- 1.5 In support of the application, the applicants have submitted the following documents:
 - (a) Application Form received on 21.8.2024 (**Appendix I**)
 - (b) Planning Statement (**Appendix Ia**)
 - (c) Supplementary Information (SI) dated 27.8.2024 (**Appendix Ib**)
 - (d) Further Information (FI) received on 9.10.2024* (**Appendix Ic**)
 - (e) FI received on 23.10.2024* (**Appendix Id**)
*[*exempted from publication and recounting requirements]*
- 1.6 On 4.10.2024, the Metro Planning Committee (the Committee) of the Board agreed to defer making a decision on the application for two months as requested by the applicants.

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are at **Appendices**

³ According to the applicants, the dimensions of the proposed semi-buried beach manholes are 3.5m (length) x 3m (width) x 3m (height), with a height of less than 1.5m above ground.

⁴ According to the applicants, the construction of cable landing ducts and manholes would be carried out as the first phase while laying of underground shore-end cables and off-shore cables would be carried out in the second phase.

⁵ According to the applicants, three surveyed trees within the Site are of invasive weedy species namely *Leucaena leucocephala*, which can be removed without compensation according to the Development Bureau Technical Circular (Works) No. 4/2020.

Ia, Ic and Id, which are summarised as follows:

- (a) The Chief Executive's Policy Address 2023 and 'Hong Kong Innovation and Technology Development Blueprint' (2022) set out the Government's objective to develop Hong Kong into an International Innovation and Technology (I&T) Centre. In particular, the Government is committed to strengthening Hong Kong's role as a Regional Communications Hub and promoting 5G development, with a view to improving the transmission speed of 5G networks.
- (b) Hong Kong is well placed both geographically and strategically to serve as a Regional Communications Hub, particularly in the Asia-Pacific region; the gateway city to the Mainland; and as an International I&T Centre supporting the Belt and Road cooperation on promoting development of I&T.
- (c) To capitalise on Hong Kong's comparative advantages, to meet the exponentially rising demand for data traffic and bandwidth-intensive applications, and to strengthen Hong Kong's status as a Regional Telecommunications Hub in Asia, more external communications capacity and submarine cable systems as basic telecommunications infrastructure are needed. The proposal provides essential land-based infrastructures in supporting Hong Kong's external telecommunications and overall development.
- (d) Given the special site status of the Teleport, cables arriving there must inevitably cross the foreshore and coast to reach the Teleport. The lack of flat surfaces at the beach to the immediate south of RBL 1220 and RBL 1221 compromises its suitability for installing the proposed beach manholes. The proposed landfalls at the Site are the shortest possible route to the cable landing stations at RBL 1220 and RBL 1221 from the coast, thereby minimising its footprint within the "CPA" zone and felling of trees, as well as avoiding encroachment onto other existing utilities in the area. The locations of beach manholes are selected to minimise impacts arising from storm surges and waves.
- (e) The proposal will increase the capacity for cable landing in Hong Kong, which is substantially beneficial to Hong Kong's I&T, Telecoms, and other sectors. It is an essential infrastructure project with overriding public interest, which conforms to the planning intention of "CPA" zone. Besides, there are similar applications for submarine cable and landing systems as well as telecommunication lines and earth electrode systems approved within the areas on the OZP; thus, the proposal will not set an undesirable precedent.
- (f) As demonstrated in the submitted technical assessments, the proposal will not generate adverse impacts on environmental, ecological, visual and landscape impacts to the coastal environment of the Site. Relevant mitigation measures will be adopted to minimise the potential nuisance and pollution during the construction and operation of the proposed utility installation. Given the limited scale of the proposal and the proposed ducts and associated structures will be treated chromatically with dark charcoal colour to minimize their visual prominence, the overall visual impact is considered to be negligible (**Drawing A-4**).

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. 31B) are not applicable to the application.

4. Background

4.1 The south-eastern headland of Chung Hom Kok has been zoned “OU(CSOSC)”, which is primarily intended for providing land for a composite signals organization station complex and its ancillary facilities, since the first statutory plan covering the Stanley area gazetted in May 1988. The coastline area bordering the “OU(CSOSC)” zone was subsequently rezoned to “CPA” which is intended to conserve, protect and retain the natural coastlines and sensitive coastal natural environment, in July 1994 (**Plan A-1**). There has been no change to the zoning boundary of the “CPA” zone since then.

4.2 The area was formerly used as the British Forces’ Composite Signals Organization Station Complex, which was returned to the Government in 1995. In the 1998 PA, the then Chief Executive (CE) announced that a teleport would be developed at Chung Hom Kok to provide the best possible global satellite communication links. Subsequently, two land lots (i.e. RBL 1154 and RBL 1158) were awarded for external telecommunications facilities in 2000 and cable landing stations have been developed at the two lots ⁶. The 2019 PA Supplement further announced that suitable land lots would be provided in the Teleport for external telecommunications infrastructure with a view to further enhancing the overall capacity and diversity capability of Hong Kong’s external telecommunications networks. Subsequently, three land lots (i.e. RBL 1219, RBL 1220 and RBL 1221) were awarded for external telecommunications station purposes through tender exercises from 2022 to 2023 and are being developed as cable landing stations. Besides, a satellite earth station is also being developed in the Teleport.

5. Previous Application

The Site is not the subject of any previous application.

6. Similar Applications

There are two similar planning applications (No. A/H19/65 and 83) for public utility installation within the same “CPA” zone (**Plan A-1**). Application No. A/H19/65 for proposed public utility installation (telecommunication lines and earth electrode system) and Application No. A/H19/83 for proposed public utility installation (submarine cables and landing facilities) were approved by the Committee on 7.10.2011 and 29.10.2021

⁶ A cable landing station has been developed at RBL 1154 with Occupation Permit (OP) issued on 17.8.2001. For RBL 1158, it was developed as an external telecommunications station with OP issued on 31.1.2001 and redeveloped into a cable landing station with OP issued on 24.5.2021.

respectively mainly on the considerations that the proposed installation would form part of an essential infrastructure project to cope with the rising public demand; the proposed works were in small-scale and would not have adverse impacts on the existing landscape and scenic quality of the area; and concerned government departments had no adverse comment. Details of these applications are summarised at **Appendix II**.

7. The Site and Its Surrounding Areas (Plans A-1 and A-2 and Photos on Plans A-3 and A-4)

7.1 The Site is situated on the coastal area of Chung Hom Kok, which is covered by vegetation at its northern portion and on a rocky slope at its southern portion. It is distant from the road without direct access leading to the Site.

7.2 The surrounding areas have the following characteristics:

- (a) to its north and northeast zoned “OU(CSOSC)” are a gentle slope covered by vegetation, and cable landing stations including HKIS-1 Cable Landing Station at RBL 1158 and GB21 Cable STN Chung Hom Kok Teleport Substation at RBL 1154 as well as three cable landing stations under development at RBL 1219, RBL 1220 and RBL 1221 respectively. To the northwest across the access road is a proposed satellite earth station under STT No. SHX-1420;
- (b) to its immediate east and west are the natural rocky coastlines; and
- (c) to its south is the sea.

8. Planning Intention

The planning intention of “CPA” zone is intended to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

9. Comments from Relevant Government Departments

9.1 The following government departments have been consulted and their views on the application and public comments are summarised as follows:

Land Administration

9.1.1 Comments of the District Lands Officer/Hong Kong West & South, Lands Department (LandsD):

- (a) the application site under which the proposed beach manholes and future feed-in telecommunications cables located therein falls within unleased and unallocated government land;
- (b) apart from the application site, it is noted that portion of the Project Site (both Phases 1 and 2) (**Drawing A-1**) partly falls within the slope feature no. 15NE-C/F88(2), 15NE-C/C408 and 15NE-C/C270 and partly falls within the non-exclusive right of way ('the ROW') of Short Term Tenancy ('STT') No. SHX-1420, RBL 1158, RBL 1220 and RBL 1221. Under the existing arrangement, the relevant STT tenant/lot owners of the above STT/private lots are required to uphold, maintain and repair a portion of the ROW in accordance with the respective tenancy agreement or government lease; and
- (c) should the application be approved by the Board, the applicants should be reminded that they should submit a separate detailed proposals to implement the entire works within the Project Site should be submitted to LandsD for consideration and obtain the necessary approval before implementation of the proposal. Upon receipt of detailed application, LandsD will consider the application in accordance with applicable policy and practice and there is no guarantee that the application will be approved. The said application if approved would be subject to such terms and conditions, to be imposed by LandsD in the landlord/lessor capacity at its sole discretion.

Communication Infrastructure

9.1.2 Comments of the Director-General of Communications (Director-General of Com):

- (a) supports the proposal submitted by the applicants;
- (b) the proposed installation will facilitate the landing of ALC and a future feed-in submarine cable at the cable landing stations at RBL 1220 and RBL 1221 respectively. It is understood from the applicants that more new submarine cable systems are under planning for landing at the cable landing stations at RBL 1220 and RBL 1221 in the coming five years. The proposal installation together with the cable landing stations would be crucial for strengthening the role of Hong Kong as a major international telecommunication hub;
- (c) the proposed installation should be carefully designed to prevent any damage to the existing utilities in the area. Prior to implementation of the proposal, the applicants/operators are encouraged to coordinate with other utility operators. Please refer to the following Office of Communications Authority (OFCA)'s web page on the protection of underground telecommunications infrastructure. (https://www.ofca.gov.hk/en/industry_focus/infrastructures/ug_tes_lines_protection/index.html).

Nature Conservation and Environment

9.1.3 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) no comment on the application and the Environmental Assessment (EA) and Ecological Assessment submitted by the applicants; and
- (b) the Site is partially rocky shore and partially covered with common plant species. It is noted from the Ecological Assessment that the potential ecological impact will be minor.

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

- (a) no comment on the application from environmental planning perspective;
- (b) the application does not involve any marine works for the submarine cable. The EA in the application submission has also stated that the construction works will be carried out on land and no marine works will be involved, and that suitable pollution control measures will be implemented to minimise any potential impacts that may arise from the construction works; and
- (c) the applicants have mentioned that there would be submarine cable laying works in the future that are not under the current planning application. Since the coastline along Chung Hom Kok peninsular is zoned “CPA”, the marine works near the coastline may constitute a designated project under the Environmental Impact Assessment Ordinance (Cap. 499) (EIAO) if dredging operation is involved, and an environmental permit may be required for the works. Please advise the applicants to observe the statutory requirement under the EIAO when details of the submarine cable laying works are available in future.

Urban Design and Landscape

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

Urban Design and Visual

- (a) according to the two photomontages in the submitted Visual Impact Assessment (VIA), the proposed installation would be situated under dense vegetation and not visible from the vehicular road at the south of Chung Hom Kok. The applicants have proposed some visual mitigation measures to reduce or eliminate impacts, including minimising the size of all built structures and adopting recessive chromatic treatment of built structures to reduce their visual prominence, etc. Given the limited scale of the proposed installation and with the mitigation measures incorporated, the overall visual impact arising from the proposed installation is considered to be

negligible as rated by the applicants (**Drawing A-4**); and

- (b) in view of the site context and relatively small scale of the proposed installation, significant visual impact on the surroundings is not anticipated. The applicants are also advised to consider providing extra landscape planting around the installation to enhance the screening effect.

Landscape

- (c) no objection to the application;
- (d) based on the aerial photo (**Plan A-3**), the Site is located in an area of coastal upland and hillside landscape character and surrounded by existing vegetation and rocky shores. Cable landing stations (i.e. HKIS-1 and GB21 Cable STN CHK Teleport Substation) are located to the further northeast of the Site. Given the nature (i.e. surface mounted cable landing ducts, draw pits and beach manholes) and scale of the proposed installation, significant impact on the landscape character of surrounding area is not anticipated; and
- (e) the applicants are advised that approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. Tree removal applications should be submitted direct to relevant authority for approval.

9.1.6 Comments of the Chief Architect/Advisory & Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD):

- (a) no comment on the application; and
- (b) according to the VIA, the proposed installation would be mostly screened by vegetation in the surrounding environment and the overall visual impact of the proposal would be negligible.

Traffic

9.1.7 Comments of Commissioner for Transport (C for T):

- (a) no comment on the application; and
- (b) the proposed area is located outside the public road managed by Transport Department.

Other Aspects

9.1.8 Comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department:

- (a) no adverse geotechnical comment on the application; and

- (b) detailed comments are at **Appendix III**.

9.1.9 Comments of the Director of Electrical and Mechanical Services:

- (a) no adverse comment on electricity supply safety aspect; and
- (b) detailed comments are at **Appendix III**.

9.2 The following departments have no comment on/ no objection to the application:

- (a) Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department;
- (b) Chief Engineer/Hong Kong & Islands, Drainage Services Department;
- (c) Chief Highway Engineer/Hong Kong, Highways Department;
- (d) Commissioner of Police;
- (e) Director of Fire Services;
- (f) Director of Marine; and
- (g) District Officer (Southern), Home Affairs Department.

10. Public Comments Received during Statutory Publication Period

On 30.8.2024, the application was published for public inspection. During the statutory public inspection period, two comments were received (**Appendix IV**). Hong Kong Broadband Network (HKBN) Group indicates that there may be potential conflicts between HKBN's existing infrastructure and the alignment of the proposed installation, and the applicants are advised to coordinate further with HKBN to ensure that all necessary precautions are taken prior to the commencement of the proposed cable installation works. For the objecting comment from an individual, she expresses that the loss of trees along the coast is unacceptable. The removal of trees classified as undesirable species without compensation would have visual impact on the area. Planting of saplings will result in reduction in green coverage, and the VIA does not include realistic images of the proposed installation, so there are concerns regarding the aesthetic impact.

11. Planning Considerations and Assessment

11.1 The applicants seek planning permission for the installation of cable landing ducts, drawpits, beach manholes, and shore-end submarine cables at the Site zoned "CPA" on the OZP to connect the off-shore submarine cables with the cable landing stations at RBL 1220 and RBL 1221 at Chung Hom Kok Teleport. Given that the coastal area around the Chung Hom Kok peninsula is zoned "CPA" on the OZP, it is inevitable that the connection of the submarine cables to the cable landing stations at the Chung Hom Kok Teleport would encroach onto the "CPA" zone. As indicated by the applicants, the proposal would help increase the capacity for submarine cables landing in Hong Kong, thereby bringing substantial benefits to Hong Kong's development for I&T and reinforcing its role as a regional communications hub. Also, the Site is the most feasible location taking into account site conditions, operational requirements, minimisation of possible impacts to the surrounding environment, and the shortest route to the cable landing stations at RBL 1220 and

RBL 1221 according to the applicants.

- 11.2 The planning intention of “CPA” zone is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment with a minimum of built development. While there is a general presumption against development within the “CPA” zone, developments that are essential infrastructure projects with overriding public interest may be permitted. The Teleport was first identified in the 1998 PA to provide land for the best possible global satellite communication links, and reaffirmed in 2019 PA for installation of external telecommunications infrastructure with a view to further enhance the overall capacity and diversion capability of Hong Kong’s external telecommunications networks. The Director-General of COM supports the proposed installation and considers that the proposed installation together with the cable landing stations at RBL 1220 and RBL 1221 will be crucial for strengthening the role of Hong Kong as a major international telecommunication hub. Therefore, the proposed installation of cable and landing facilities is considered essential for enhancing Hong Kong’s external telecommunications networks. In this regard, the proposed public utility installation is not incompatible with the planning intention of the “CPA” zone.
- 11.3 The Site is situated in inconspicuous location covered with vegetation and rocky area. The proposal is small in scale and the installation works involved would be confined to the minimum necessary for construction. The applicants propose to plant seven new trees within the cable landing station at RBL 1220 to achieve a compensatory ratio of 1:1. CTP/UD&L, PlanD has no adverse comment on the proposal from landscape planning perspective. It is envisaged that the proposed public utility installation would not have adverse environmental, ecological, visual or landscape impacts and is therefore considered acceptable according to the technical assessments submitted by the applicants. All concerned government departments including DAFC and DEP have no adverse comments on the application.
- 11.4 Regarding the public comments, the planning considerations and assessments above and the departmental comments in paragraph 9 above are relevant. As for the comments on compensation of trees classified as undesirable species, according to Development Bureau Technical Circular (Works) No. 4/2020, implementation of compensatory tree planting should be of a ratio not less than 1:1 in terms of number, but excluding trees of undesirable species.

12. Planning Department’s Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments in paragraph 10 above, PlanD has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 8.11.2028, 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 advisory clauses are also suggested for Members’ reference:

Advisory Clauses

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

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

13. Decision Sought

13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

13.2 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.

13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicants.

14. Attachments

Appendix I	Application Form Received on 21.8.2024
Appendix Ia	Planning Statement
Appendix Ib	Supplementary Information dated 27.8.2024
Appendix Ic	FI dated 9.10.2024
Appendix Id	FI dated 23.10.2024
Appendix II	Similar Applications
Appendix III	Detailed Comments from Government Departments
Appendix IV	Public Comments
Appendix V	Recommended Advisory Clauses
Drawings A-1 to A-3	Site Plan and Layout Plans submitted by the Applicants
Drawing A-4	Photomontage submitted by the Applicants
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photo

**PLANNING DEPARTMENT
NOVEMBER 2024**