

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

**APPLICATION NO. A/NE-TK/794**

- 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 11.85m<sup>2</sup>
- 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 a proposed PUI (HV pillar) at the application site (the Site), which falls within an area shown as 'Road' on the approved Ting Kok OZP (**Plans A-1 and A-2**). According to the covering Notes of the OZP, in any area shown as 'Road', the proposed use requires planning permission from the Town Planning Board (the Board). The Site is currently hard-paved and largely vacant (**Plan A-4**).
- 1.2 According to the applicant, the proposed HV pillar at the Site will have a floor area of about 11.85m<sup>2</sup> (4.96m (L) x 2.39m (W)) and a height of about 2.99m (one storey) (**Drawing A-2**). The associated excavation works would involve the entire site with a depth of about 2m, and will be backfilled to the current site level upon completion of the proposed works. The Site is directly accessible from Ting Kok Road. The site plan and general layout submitted by the applicant are shown in **Drawings A-1 and A-2**.
- 1.3 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on (**Appendix I**) 7.2.2024

- (b) Further Information (FI) received on 18.3.2024\* (Appendix Ia)
- (c) FI received on 25.3.2024\* (Appendix Ib)

*(\*accepted and exempted from publication and recounting requirements)*

## 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 Ib** as summarized below:

- (a) the loading condition of the existing electricity supply facilities in Po Sam Pai Village has almost reached its full capacity. To avoid potential voltage drop/power outage, there is an urgent need to provide a new power supply source at the Site. The proposed development will help alleviate the existing loading condition by reinforcing and transferring the network load, thereby enhancing the security and reliability of the electricity supply system serving the village and its surrounding areas. It will also cater for the anticipated load growth of the existing services/customers and new Small Houses;
- (b) the proposed HV pillar is a specially designed electrical equipment which occupies an area of less than 12m<sup>2</sup> 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. No adverse impacts on the surrounding areas are anticipated;
- (c) the applicant has explored vacant unallocated sites in the nearby “Village Type Development” (“V”) zone in 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, drains, village access and vehicle manoeuvring. In addition, the existing village access is also not wide enough for transporting the proposed HV pillar. The Site, on the other hand, is conveniently located on the roadside of Ting Kok Road and in close proximity to the village. This will facilitate workers’ access as well as installation, transportation and maintenance works of the proposed HV pillar. The village representative of Po Sam Pai supported the proposed development; and
- (d) the applicant reiterates the intention of seeking planning permission on a permanent basis for the proposed prefabricated HV pillar, which would allow easy diversion or relocation. Should the potential road widening works along Ting Kok Road be taken forward, the applicant is committed to relocating and surrendering the Site to the Government for such purpose within 6 to 9 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**

There is no previous application at the Site.

**5. Similar Application**

5.1 There was 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 (**Plan A-1**). The application was approved with condition by the Rural and New Town Planning Committee (the Committee) in 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 summarized at **Appendix II** 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 hard-paved and largely vacant (**Plan A-4**);
- (b) located on the roadside of Ting Kok Road which is on unleased and unallocated GL and does not form part of the existing Ting Kok Road (**Plans A-2 to A-4**); 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 vacant/unused land. About 20m to the northwest across Ting Kok Road is the village proper of Po Sam Pai. 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” (“SSSI”) with mangrove habitat of special landscape and ecological value.

**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 summarized as follows:

**Land Administration**

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

- (a) no objection to the application;
- (b) the Site is on unleased and unallocated GL in D.D. 23;
- (c) should the application be approved, the applicant should apply for installation of the proposed HV pillar from LandsD under the mechanism of the Block Licence covering the occupied area of about 12m<sup>2</sup>; and
- (d) the applicant should also apply for an excavation permit from his office before commencement of works.

**Traffic**

8.1.2 Comment of the Chief Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- the Site is near Ting Kok Road which may affect the planning of road improvement works.

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

- (a) the construction of the HV pillar may cause additional difficulties in planning and executing the potential road improvement works on Ting Kok Road. However, it is noted the applicant has explored the availability of GL in the “V” zone nearby and found that those sites are not feasible due to different reasons (**Appendix Ib**). The applicant also committed to relocating/diverting the proposed development should road works to be taken forward by the Government; and
- (b) she has no objection to approving the application, subject to the inclusion of a suitable clause in the land grant that upon request of the Government, the proposed HV pillar and other associated facilities shall be removed, and the Site shall be reinstated and returned to the Government at the applicant’s own cost for

future road works. Also, having review the FI submitted by the applicant (**Appendix Ib**), she has no objection to the applicant's request for 6 to 9 months to relocate the installation and return the site to the Government.

### **Environment**

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

- no objection to the application from environmental planning perspective.

### **Electrical Safety**

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

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

### **Drainage**

#### 8.1.6 Comment of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- no in-principle objection to the application from public drainage viewpoint.

### **Fire Safety**

#### 8.1.7 Comment of the Director of Fire Services (D of FS):

- no in-principle objection to the application.

### **Building Matters**

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

- he is not in a position to comment as the proposed HV pillar is carried out on GL.

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

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Director of Agriculture, Fisheries and Conservation (DAFC);
- (c) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (d) Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD); and

(e) District Officer/Tai Po, Home Affairs Department (DO/TP, HAD).

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

On 16.2.2024, the application was published for public inspection. During the statutory public inspection period, one comment was received from an individual (**Appendix III**) raising objection to the application mainly for reasons that the PUI required by the village should be confined within the “V” zone; and the proposed use will encourage “destroy-to-build” operations which would affect the adjacent “CPA” zone.

**10. Planning Considerations and Assessment**

- 10.1 The application seeks planning permission for a proposed PUI (HV pillar) within an area shown as ‘Road’ on the OZP (**Plan A-1**). Although the Site falls within an area shown as ‘Road’, it does not form part of the existing Ting Kok Road. C for T has no objection to approving the application, subject to the inclusion of a suitable clause in the land grant that upon request of the Government, the proposed HV pillar and other associated facilities shall be removed, and the Site shall be reinstated and returned to the Government at the applicant’s own cost for future road works.
- 10.2 The Site is located on the roadside of Ting Kok Road at about 20m to the southeast of the village proper of Po Sam Pai (**Plans A-2 and 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 electricity safety and reliability perspective.
- 10.3 The Site is currently hard-paved and largely vacant (**Plan A-4**). The proposed HV pillar is considered not incompatible with the surrounding areas with village houses, tree groups and vacant/unused land. The proposed HV pillar occupies a site area of about 11.85m<sup>2</sup> which is small in scale. It is not anticipated to cause significant adverse sewerage, drainage and environmental impacts on the surrounding areas. Relevant government departments consulted including DEP and CE/MN of DSD have no objection to the application.
- 10.4 There was a similar application (No. A/NE-TK/448) for proposed PUI (electricity package substation) use within the area shown as ‘Road’ on the OZP, which was approved by the Committee in 2013 on a permanent basis, 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. The

planning circumstances of the current application are largely similar to the approved one. As required by the C for T, should the application be approved, it is recommended that a suitable clause under land grant should be imposed to ensure that the Site would be reinstated and returned to the Government upon request, without jeopardizing the potential road improvement works along Ting Kok Road to be taken forward by the Government.

- 10.5 Regarding the public comment on the application as detailed in paragraph 9, government departments' comments and planning assessment 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 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 5.4.2028, 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 recommended advisory clauses are attached at **Appendix IV**.
- 11.3 There is no strong planning reason to recommend rejection to 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 with attachments received on 7.2.2024
<b>Appendix Ia</b>	FI received on 18.3.2024
<b>Appendix Ib</b>	FI received on 25.3.2024
<b>Appendix II</b>	Similar application
<b>Appendix III</b>	Public comment
<b>Appendix IV</b>	Recommended advisory clauses
<b>Drawing A-1</b>	Site plan submitted by the applicant

<b>Drawing A-2</b>	General layout 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**  
**APRIL 2024**