

RNTPC Paper No. A/YL-ST/612A
For Consideration by
the Rural and New Town
Planning Committee
on 10.6.2022

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-ST/612

<u>Applicant</u>	: CLP Power Hong Kong Limited represented by ERM-Hong Kong Limited
<u>Site</u>	: Government Land in D.D. 96 and D.D. 99, Ha Wan Tsuen East Road, Lok Ma Chau Road and Tun Yu Road, San Tin, Yuen Long
<u>Site Area</u>	: About 25,340 m ²
<u>Land Status</u>	: Government Land (GL)
<u>Plan</u>	: Approved San Tin Outline Zoning Plan (OZP) No. S/YL-ST/8 and Approved Lok Ma Chau Loop Outline Zoning Plan No. S/LMCL/2
<u>Zoning</u>	: “Conservation Area” (“CA”) (about 98.7% of the Site) ‘Road’ (about 1.3% of the Site)
<u>Application</u>	: Proposed Public Utility Installation (Underground Cables) and associated Filling and Excavation of Land

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed public utility installation (underground cables) and associated excavation and filling of land at the application site (the Site) which falls within an area partly zoned “CA” (about 25,010m² / 98.7%) and partly shown as ‘Road’ (about 330m² / 1.3%) on the approved San Tin OZP No. S/YL-ST/8 and approved Lok Ma Chau OZP No. S/LMCL/2 (**Plan A-1**). The proposed underground cables will be laid under the existing concrete carriageways or footpaths of Ha Wan Tsuen East Road, Lok Ma Chau Road, Tun Yu Road, local tracks and existing bridge crossing the Old Shenzhen River Meander. According to the Notes of the respective OZPs, ‘public utility installation’ and excavation and filling of land within the “CA” zone require planning permission from the Town Planning Board (the Board), whereas provision of public utility pipeline is always permitted within area shown as ‘Road’.

- 1.2 According to the applicant, the proposal is for connection with the planned Ho To West Substation in Lok Ma Chau Loop (**Drawing A-2**) to provide new power supply for the development of the Hong Kong-Shenzhen Innovation and Technology Park (IT Park) at Lok Ma Chau Loop. The proposal includes laying of underground cables and associated cable duct blocks (i.e. excavation areas), the associated works areas (i.e. 0.5m-wide area from each side of the cable trench for erection of fencing during construction) and paved areas (**Drawing A-3**). The proposed underground cables have a total length of about 4.2km and a depth of about 1.9m with an excavation area of 8,280m². The cable duct can be divided into two types of route, i.e. 132kV and 11kV. Prior to the permanent supply, the 11kV Advance Supply Route is necessary to provide electricity supply to the early phase development of the IT Park. The alignment and location of the proposed cables and associated works area are shown in **Drawings A-1 to A-3**:

Proposed Route	Length of Route (m)	Width of Duct Block (m)	Area of Excavation of Land (m ²)
132kV Western Route	2,435	2.0 (1.6 to 2m wide duct block)	4,870
132kV Western Route (overlaps with 11kV Advance Supply Route)	282 (282)	2.0 (1.6 to 2m wide duct block)	564
11kV Advance Supply Route	302	2.2 (2.2 wide duct block)	664
11kV Interconnector Route	992	2.2 (2.2 wide duct block)	2,182
Total	about 4.2 km	---	8,280

- 1.3 According to the applicant, the 132kV Western Route and 11kV Interconnector Route will be laid under the existing concrete carriageways or footpaths of Tun Yu Road, Ha Wan Tsuen Road, Ha Wan Tsuen East Road, Lok Ma Chau Road and local tracks (**Plan A-1a and Plan A-3**), whereas the 11kV Advance Supply Route will be laid along the existing bridge crossing the Old Shenzhen River Meander¹.
- 1.4 According to the latest implementation programme of the Lok Ma Chau Loop Development (**Appendix Id**), the construction of the 132kV Western Route, the 11kV Advance Supply Route and the 11kV Interconnector Route under the current application is tentatively scheduled to commence in the third quarter of 2022 with respective target completion date in the 2024/2025.
- 1.5 In support of the application, the applicant has submitted the following

¹ The electricity supply in support of the development of Lok Ma Chau Loop will include the 132kV Western Route, the 11kV Interconnector Route and the 11kV Advanced Supply Route which are under the current application (**Drawing A-2**) and the 132kV Eastern Route (**Attachment B of Appendix Id**). The excavation works for laying the corresponding section of cable for 132kV Eastern Route falls within the Western Connection Road under Main Works Package 1 of the Lok Ma Chau Loop Development (PWP Item No. 7760CL), which has been gazetted under the Roads (Works, Use and Compensation) Ordinance (Cap. 370). The installation of cables for this section will be carried out by CEDD and tie in with the programme of the Lok Ma Chau Loop Development which does not require planning permission and thus is not subject to the current application.

documents:

- (a) Application Form received on 5.1.2022 (Appendix I)
- (b) Planning Statement (Volume I) (Appendix Ia)
- (c) Planning Statement (Volume II) – Tree Survey Report (TSR) (Appendix Ib)
- (d) Further Information (FI) received on 22.4.2022 providing responses to departmental and public comments, a Geotechnical Planning Review Report (GPRR) and replacement pages of Planning Statement (Appendix Ic)
- (e) FI received on 2.6.2022 providing clarification of the cable laying proposal and latest implementation programme with illustrative drawings # (Appendix Id)

* *not exempted from publication requirement*

exempted from publication requirement

- 1.6 On 4.3.2022, the Rural and New Town Planning Committee (the Committee) of the Board decided to defer a decision on the application for a period of two months as requested by the applicant to allow time for the applicant to address departmental comments. The applicant submitted the FIs as detailed in paragraph 1.5 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 the Planning Statement and FI at **Appendices I to Ic**. They can be summarised as follows:

Essential infrastructure project

- (a) The proposed cable connection to the Ho To West Substation within Lok Ma Chau Loop is essential infrastructure project to support the development of Lok Ma Chau Loop, which is planned to be developed as the Hong Kong-Shenzhen Innovation and Technology Park with a mix of higher education, high-tech research and development/cultural and creative industries uses.

No alternative alignment

- (b) The applicant will carry out excavation and cable-laying works for the respective cable routes as shown in **Drawing A-2**. Some sections of the proposed routes will unavoidably fall within “CA” zone as no other alternative alignment to Lok Ma Chau Loop not involving “CA” can be identified.

No adverse impacts

- (c) All the proposed cables have been sensibly designed to be confined within the developed area (i.e. the existing concrete existing concrete carriageways or footpaths) to avoid any excavation or filling of pond, tree felling and to minimise the scale of the construction works. Direct habitat loss due to tree felling or pond filling is not anticipated, and tree protection zone will be established to minimise damage to adjacent trees.

- (d) The applicant submitted the Project Profile (PP-625/2021) (**Annex A of Appendix Ia**) and applied for an environmental permit (EP) directly for installation of the 132kV Western Route (**Drawing A-2**). The Project Profile has been approved by the Environmental Protection Department (EPD) on 22.7.2021 with EP (EP-594/2021) (**Annex B of Appendix Ia**) granted for construction of the proposed 132kV Cables on 18.8.2021. While the two 11kV routes are not classified as a Designated Project, the works area are largely within the works area of the Western Connection Road under the approved EIA Report for the Lok Ma Chau Loop Development (Register No. AEIAR-176/2013). The applicant will adopt the environmental mitigation measures as per the approved Project Profile and EP for the 132kV Western Route for the 11kV Advance Supply Route and the 11kV Interconnector Route under the current application. In order to minimise any indirect impact on the adjacent fish ponds, noisy works including the excavation activities and pit construction will be carried out within April to October to avoid the wintering season of migratory birds from November to March. The use of powered mechanical equipment will not be carried out before 7 am or after 7 pm so as to minimise disturbance to the foraging and/or roosting of the birds. Other mitigation measures, including use of temporary movable noise barriers, establishment of high solid opaque barrier, control of construction runoff, avoidance on disturbing stream and banks and etc., will be implemented to reduce the potential disturbance to the adjacent habitats during construction and operational phases. No unacceptable adverse ecological impacts during the construction and operational phase are envisaged.
- (e) Technical assessments have been conducted and they concluded that the overall ecological, air quality, noise, landscape, visual, water quality, waste arising from the 132kV Western Route, 11kV Advance Supply Route and 11kV Interconnector Route are considered to be minor/none with the implementation of appropriate mitigation measures. Excavation permit(s) will be obtained prior to the commencement of works.

Not jeopardising the planning intention of “CA” zone

- (f) Though the proposed cables will involve excavation of land, construction of duct blocks, cable-laying and reinstatement works within the “CA” zone, it is an essential infrastructure project to support the development of Lok Ma Chau Loop, and the works area only involves the existing/planned roads/footpaths/cycle tracks/bridge. No net loss of habitat due to tree felling or excavation and filling of pond will be anticipated. Hence, the proposed works will not jeopardise the planning intention of the “CA” zone.

In line with Town Planning Board Guidelines No. 12C

- (g) The proposed cables are fully in-line with the Guidelines. Whilst the Site is located within the Wetland Conservation Area (WCA), according to the Guidelines, new development within WCA could be allowed if it is a necessary infrastructure project needed for public purpose. The subject application is essential to the development of Lok Ma Chau Loop and no suitable alternative location outside the WCA could be identified. The technical assessments undertaken for the proposed 132kV Western Route demonstrate that it will not cause net increase in pollution loading to Deep Bay Area and it will not result in

a net loss in wetland function and negative disturbance impact. The mitigation measures proposed for the 132kV Western Route will also be adopted for the proposed 11kV Advance Supply Route and 11kV Interconnector Route.

Response to Public Comments

- (h) To address the public concerns on the ecological impacts arising from the proposed underground cables, CLP will undertake the environmental and ecological mitigation measures in accordance with the approved Project Profile PP-625/202 for the 132kV Western Route, including, inter alia, employing an independent environmental checker to audit the implementation of all the proposed measures with submission of monthly audit report, adopting the noise mitigation measures to avoid in paragraph 2(e) above, and reusing the excavated materials onsite as far as practicable with disposal at appropriate waste reception facility to address the off-site environmental impacts (**Appendix Ic**).

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 (TPG PG-No. 31A) are not applicable to the application.

4. Town Planning Board Guidelines

Town Planning Board Guidelines for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-No. 12C)

Majority of the Site (about 23,599.2 m², 93.1% of the site area) falls within the WCA and a small portion in its northeast (about 1,740.8m², 6.9% of the site area) falling upon the Old Shenzhen River meander is outside the WCA of the Deep Bay area under TPB PG-No. 12C (**Plan A-1**). The key assessment criteria are summarised as follows:

WCA

- (a) the WCA comprises the existing and contiguous, active or abandoned fish ponds in the Deep Bay Area, which should all be conserved. The intention of the WCA is to conserve the ecological value of the fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area. The Board may consider development with conservation objectives within the WCA under the “private-public partnership approach”;
- (b) new development within the WCA would not be allowed unless it is required to support the conservation of the ecological value of the area or the development is an essential infrastructural project with overriding public interest. Any such development should be supported by an EcoIA to demonstrate that the development would not result in a net loss in wetland function and negative disturbance impact;

- (c) for any redevelopment which requires planning permission from the Board, an EcoIA would also be required. Wetland compensation is required for any development involving pond filling and mitigation measures against disturbance would be necessary. They would be imposed as part of the planning approval conditions; and
- (d) subject to submission of EcoIAs, the types of activities which may be considered within the WCA must be related to uses concerning (i) conservation of the wetland in Deep Bay Area, (ii) environmental education, or (iii) essential infrastructure projects needed for public purpose for which no suitable alternative locations outside the WCA could be identified; and should not add to the pollution loading of the Deep Bay Area;

5. **Background**

The Site is not subject to any active planning enforcement action.

6. **Previous Applications**

The Site, in part, falls within the site boundary of five previous applications (i.e. No. A/YL-ST/91, 95, 101, 248 and 364) along Tun Yu Road and Ha Wan Tsuen East Road. The first three applications (No. A/YL-ST/91, 95 and 101) were submitted by different applicants for container park and container storage/ container tractor/trailer park, whereas the last two applications (No. A/YL-ST/248 and 364) submitted by different applicants were for proposed widening and strengthening the bund of the ponds and levelling of sites for planting and proposed excavation of land for the construction of a permitted secondary boundary fence. These previous applications are not relevant to the subject application and the details are summarised at **Appendix II**.

7. **Similar Application**

There is no similar application for public utility installation within the “CA” zone or area shown as ‘Road’ on the OZPs.

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

8.1 The Site has an inverted U-shape configuration (**Drawing A-1**) with the following sections:

- (a) the southwestern and northern part of the Site (covering the sections of 132kV Western Route and 11kV Advance Supply Route in **Drawing A-2**) involves the existing concrete carriageways or footpaths along Tun Yu Road and local tracks, Ha Wan Tsuen East Road and Lok Ma Chau Road;
- (b) the eastern part of the Site (covering the section of 11kV Interconnector Route in **Drawing A-2**) involves Ha Wan Tsuen East Road and Lok Ma Chau

Road; and

- (c) a short associate route across the Old Shenzhen River Meander to be constructed along the existing bridge across the meander.

8.2 The surrounding areas are predominantly fish pond areas with government facilities, some residential dwellings and agricultural land (**Plans A-1b and A-2**):

- (a) the area sandwiched between the alignment to the east of Tun Yun Road, south of Border Road and west of Ha Wan Tsuen Road/Lok Ma Chau Road are the San Tin Eastern Main Drainage (“STEMD”) Channel within the ‘Drainage Reserve’ in the “CA” zone and Lok Ma Chau Immigration Control Point within the “Government, Institution or Community” (“G/IC”) zone on the OZP, pond and wood land areas with some residential dwellings;
- (b) to its northeast is Lok Ma Chau Loop which is currently under site formation and infrastructural works associated with the development of the Loop area;
- (c) to its east and further east and southeast across Ha Wan Tsuen Road/Lok Ma Chau Road are pond areas, agricultural fields, wood land, residential dwellings, and to its further southeast are an open storage for vehicle, vehicle parks and storage of construction materials and vehicle repair workshop; and
- (d) to its west across Tun Yu Road are a vast area of ponds and scrubland; and
- (e) to its northwest are ponds, a pumping station and the Lok Ma Chau Station.

9. Planning Intention

9.1 The planning intention of the “CA” zone under the approved San Tin OZP is to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest. Filling of land/pond and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

9.2 The planning intention of the “CA” zone under the approved Lok Ma Chau OZP is to protect and retain the existing natural landscape and ecological features of the Old Shenzhen River Meander and the associated riparian vegetation, which forms an important element of the flight line corridor for birds and is used by the Eurasian Otter, for conservation, educational and research purposes, and to separate sensitive natural environment from the adverse effects of development. There is a

general presumption against development in this zone. In general, only developments that are needed to support the conservation of the ecological integrity of the wetland ecosystem or the existing natural landscape or scenic quality of the Old Shenzhen River Meander or are essential infrastructure projects with overriding public interest may be permitted. Diversion of stream, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

10. Comments from Relevant Government Departments

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

Land Administration

- 10.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) The Site will affect a number projects/land status items including, inter alia, the Northern Link and Kwu Tung Station, Development of Lok Ma Chau Loop – Main Works Package 1, Construction of a Secondary Boundary Fence and New Sections of Primary Boundary Fence and Boundary Patrol Road and Drainage Improvement Works at North District, Phase 1. The applicant should consult the parties concerned on the application.
- (b) Should the Board decide to approve the application, the applicant has to apply for excavation permit(s) before commencement of works. The application for excavation permit(s) in respect of the unleased land other than streets maintained by Highways Department (HyD) will be processed by LandsD. However, there is no guarantee at this stage that the excavation permit(s) will be approved. Such application will be dealt with by LandsD acting in the capacity of the landlord at his discretion, and if it is approved under such discretion, the approval will be subject to such terms and conditions, including among others, the payment of administrative fee as may be imposed by LandsD.

Traffic

- 10.1.2 Comments of the Commissioner for Transport (C for T):

- (a) He has no comment from traffic engineering point of view.

- (b) Should the application be approved, the applicant should be advised that no vehicle is allowed to queue back to or reverse onto/from public road at any time during the construction period.

10.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) The West Development Office of Civil Engineering and Development Department (CEDD) is currently implementing the project “Development of Lok Ma Chau Loop – Main Works Package 1” which involves road modification works at Ha Wan Tsuen East Road. The applicant should closely liaise with CEDD to resolve any interface issues and observe the road opening restriction. Excavation on newly constructed road should be avoided.
- (b) It is noted that part of the Site falls within the boundary of railway influence area, existing railway protection zone and railway route protection zone. The applicant should consult the Railway Development Office (RDO) of CEDD on the application.
- (c) If there is any part of the proposed ducting that will be laid underneath public road maintained by HyD, excavation permit should be obtained from his Department prior to the commencement of the installation. The applicant should observe the minimum depth requirement for underground services as described in HyD standard drawing no. H6170.
- (d) It is noted that part of the proposed ducting will be laid by trenchless method. Submissions and construction control for trenchless excavation shall be in accordance with the guidelines, namely, “Control of Trenchless Works by Non-government Proponents to Avoid Subsidence and Damage to Public Roads” published by HyD.
- (e) The applicant shall at his own cost and to the satisfaction of HyD make good of any damage to the public carriageway, footpaths and other street furniture arising from the proposed works.
- (f) Adequate drainage measures should be provided at the Site to prevent surface water running from the Site to nearby public roads and drains.

10.1.4 Comments of the Chief Engineer/Railway Development 2-2, Railway Development Office, Highways Department (CE/RD2-2, RDO, HyD):

The location of the proposed works falls within the railway protection zone of the existing Lok Ma Chau Spur Line of East Rail Line. As the operation of existing railway network is not under the jurisdiction of his

Office, the applicant should consult the railway protection team of MTRCL with respect to operation, maintenance and safety of the existing railway network.

Project Interface

10.1.5 Comments of the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD):

The applicant should closely liaise with this Office regarding the interfacing works at Ha Wan Tsuen Road, Lok Ma Chau Road and roads within Lok Ma Chau Loop.

Environment

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

- (a) The applicant submitted the Environmental Assessment (EA) as part of the Planning Statement to support the application (**Appendix Ia**), which has addressed the environmental issues on air quality, noise, water quality and waste management. It is expected that with implementation of good site practices and mitigation measures (such as provision and maintenance of silt removal facilities, provision of sand bag barriers at trenches/launching pits, reuse of drilling fluid, provision of chemical toilets for the construction workers, etc.) as detailed in section 5.1.3 of the EA to control short-term environmental impacts during construction, no adverse environmental impact is anticipated.
- (b) The proposed installation of 132kV cable circuits with earthworks within the conservation area is a designated protect under the EIA Ordinance and an EP (No. EP-594/2021) was issued by EPD on 18.8.2021 for the cable installation works.
- (c) Based on the above, he has no objection to the application.

Nature Conservation

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

- (a) The Site is largely located within the “CA” zone on the approved San Tin OZP and approved Lok Ma Chau OZP as well as the WCA. Besides, the Site is surrounded by fish ponds within the WCA, the STEM Channel and Shenzhen River.

- (b) Having considered the applicant's submission including the FI (**Appendix Ic**), he has no further comment on the application.

Landscape

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

- (a) Based on the aerial photo of 2020, the Site is situated in an area of rural fringe landscape character comprising of river channel, ponds, farmlands, village houses, temporary structures, construction sites and scatter tree groups. Lok Ma Chau Control Point and Lok Ma Chau Loop Development are located in the vicinity of the Site. With reference to the TSR (Annex C of **Appendix Ib**), 946 trees of common or invasive species in fair to poor conditions are identified along the existing roads near the site boundary. According to Figure 1.1 to 1.6 of the Tree Survey Report, the proposed cable works would be carried out along existing roads and pathways, and no tree is directly in conflict with the proposed works. Given the nature of works, significant adverse impact on the surrounding landscape resources and character arising from the proposed development is not anticipated. Hence, she has no objection to the application from landscape planning perspective.
- (b) In view that significant adverse landscape impact within the Site arising from the proposed installation of cables is not anticipated and the Site is surrounded by existing trees, it is considered not necessary to impose a landscape-related condition should the Board approve the application.
- (c) Her detailed comments are at **Appendix IV**.

Geotechnical Aspect

10.1.9 Comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) Several man-made slopes are found adjacent to the Site and may affect or to be affected by the proposed development. The applicant has submitted a GPRR (**Appendix Ic**) in accordance with the GEO Advice Note to support the application.
- (b) The applicant has committed in Section 4.4 of the GPRR to carry out further geotechnical assessment on the effect of the proposed tunnelling works and excavation works on the existing railway

and related structures. As such, he has no adverse comment on the GPRR.

- (c) The applicant is advised to refer to the latest specification and standard given in Section 6 of the General Specifications for Civil Engineering Works (2020 Edition) for backfilling of trench/pit with fine fill material, and to refer to the Guide to Trench Excavation (Shoring Support and Drainage Measures) jointly published by HyD and CEDD which provides good technical guidelines on trench excavation.

Drainage

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

- (a) He has no objection in principle to the application from drainage operation and maintenance point of view.
- (b) There are existing public drainage facilities in the vicinity of the Site. The applicant is required to obtain the relevant drainage records and verify the existence of any drains and also their exact locations, levels and alignments on site in order to minimize the conflict between the proposed works and the existing drains.
- (c) The above works should not affect/damage DSD's assets in the vicinity. Should such damage occur, the applicant is requested to inform DSD immediately and carry out remedial works so required to DSD's satisfaction.
- (d) The applicant is required to ensure that no construction debris, silt and sediments, or cementitious materials will be discharged to or deposited inside the public drains from the Site. The applicant shall monitor the internal conditions of the existing public drains running adjacent to the site with CCTV surveys (or other agreed alternatives) prior to commencement and upon completion of the works to DSD's satisfaction.
- (e) Since the applicant proposes filling and excavation of land on the site, the applicant shall ensure that there will be no adverse drainage impact to the adjoining areas and drainage facilities in the vicinity.

Water Supplies

10.1.11 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) He has no objection to the application.
- (b) No cable or duct shall be laid in parallel and directly on top of any existing water mains.
- (c) A minimum clearance of 450mm shall be maintained between the new cable or duct and any adjoining water mains.
- (d) Where cross-over of any water mains is inevitable, the minimum clearance requirement stated in paragraph 10.2.10(c) shall also apply.

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

- (a) Commissioner of Police;
- (b) Director of Fire Services;
- (c) Director of Electrical and Mechanical Services;
- (d) Chief Building Surveyor/New Territories West, Buildings Department;
and
- (e) District Officer (Yuen Long).

11. Public Comments Received During Statutory Publication Periods

On 14.1.2022 and 3.5.2022, the application was published for public comments. During the statutory publication periods, a total of three public comments were received from two individuals and the Hong Kong Bird Watching Society (HKBWS). While one of the individuals has no comment on the application, the other one and HKBWS have raised concerns on the potential adverse ecological impacts of the proposed works to the nearby habitats and how to enforce the implementation of the proposed mitigation measures (**Appendix III**).

12. Planning Considerations and Assessments

12.1 The applicant proposes to install underground cables and associated duct blocks on the existing concrete carriageways or footpaths along Tun Yu Road and local tracks, Ha Wan Tsuen East Road and Lok Ma Chau Road, local tracks and existing bridge across Old Shenzhen River Meander. The proposed installation works is partly zoned “CA” (98.7%) and partly within area shown as ‘Road’ (1.3%). Planning permission is required for the portion of the underground cables and duct blocks and the associated excavation and filling of land within “CA” zone, whereas provision of public utility pipeline is always permitted within area shown as ‘Road’. The proposed underground cables have a total length of about 4.2km and a depth of about 1.9m with an excavation area of 8,280m², which will be carried out along the existing concrete carriageways, footpaths or local tracks and existing bridge, no other land within the “CA” zone or the river course of the

Old Shenzhen River Meander will be affected or traversed.

Planning Intention

- 12.2 The planning intention of “CA” zone is to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest.
- 12.3 According to the applicant, the proposed underground cables are for connection to the Ho To West Substation in Lok Ma Chau Loop to provide new electricity supply to support the future development of the IT Park in Lok Ma Chau Loop. As such utility installation is to facilitate the future development of Lok Ma Chau Loop, the proposed development is considered in line with the planning intention of the “CA” zone being an essential infrastructure with overriding public interest. Moreover, provision of public utility pipeline is always permitted within area shown as ‘Road’. As such, the installation proposal overall is considered not incompatible with the planning intention of the area.

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- 12.4 According to the applicant, the scale and extent of the excavation works is minimized with its alignment provided along existing concrete carriageways or footpaths of Ha Wan Tsuen East Road, Lok Ma Chau Road, Tun Yu Road, local tracks and existing bridge crossing Old Shenzhen River Meander. The proposed installation work for the 132kV Western Route within the “CA” zone is a designated project under the EIA Ordinance and an EP was already issued. In this regard, DEP has no objection to the application given that the cable installation works is implemented in accordance with the EP. While the 11kV Advance Supply Route and the 11kV Interconnector Route are not designated project under the requirement of the EIA Ordinance, the applicant has clarified that the works area involved for these two 11kV routes are largely within the works area of the Western Connection Road under the approved EIA Report for the Lok Ma Chau Loop Development, and that the mitigation measures and relevant requirements pertinent to the approved Project Profile and EP for the 132kV Western Route will be adopted for the 11kV routes. In this connection, DAFC has no further comment on the application.

Other Technical Consideration

- 12.5 The Site is along existing concrete carriageways or footpaths and local tracks in the San Tin area. According to the applicant, further liaison will be made with CEDD on the detailed works programme and sequence to avoid repeated excavation and backfilling works required for the proposed underground cables. Being essentially an underground installation, the proposed underground cables and associate route will not cause visual impact and no existing vegetation/landscape will be affected as provided in the tree survey in the TSR. In this regard, CTP/UD&L of PlanD has no objection to the application. Other

concerned government departments including TD, CEDD and DSD have no objection to or no adverse comments on the application.

- 12.6 Regarding the public comments raising concerns on the proposed development as detailed in paragraph 11 above, the planning considerations and departmental comments above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessment made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11 above, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 10.6.2026, 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 suggested for Members' reference:

Advisory clauses

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

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applicant fails to demonstrate that the proposed development would not cause adverse ecological impact on the surrounding area.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 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.
- 14.3 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.

15. Attachments

Appendix I
Appendix Ia
Appendix Ib

Application Form received on 5.1.2022
Planning Statement (Volume 1)
Planning Statement (Volume 2) – Tree Survey Report

Appendix Ic	FI received on 22.4.2022
Appendix Id	FI received on 2.6.2022
Appendix II	Previous s.16 applications
Appendix III	Public comments
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Location of Proposed Public Underground Utility Pipeline
Drawing A-2	Alignment of Proposed Cable Routes
Drawing A-3	Works Area for Development of Lok Ma Chau Loop
Plan A-1a	Location Plan
Plan A-1b	Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

PLANNING DEPARTMENT
JUNE 2022