

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K14/795

- Applicant** : CLP Power Hong Kong Limited (CLP)
- Site** : Government land in Anderson Road Quarry Development (ARQD), Kowloon
- Site Area** : About 11.97m²
- Lease** : Government Land
- Plan** : Approved Kwun Tong (North) Outline Zoning Plan (OZP) No. S/K14N/15
- Zoning** : Area shown as ‘Road’
- Application** : Proposed Public Utility Installation (Package Substation)

1. The Proposal

- 1.1 The applicant seeks planning permission for a proposed package substation at the application site (the Site) at a proposed amenity area abutting a bicycle parking area on the footpath of a public road to be constructed at ARQD ^[1], which falls within an area shown as ‘Road’ on the approved Kwun Tong (North) OZP No. S/K14N/15 (**Plans A-1** and **A-2**). According to the Notes of the OZP, the proposed package substation, being a ‘Public Utility Installation’ is a use that requires planning permission from the Town Planning Board (the Board) in an area shown as ‘Road’.
- 1.2 The proposed package substation is a single storey structure ^[2] (about 2.992m in height) with an area of about 11.97m² (4.96m (length) x 2.414m (width)) (**Drawings A-2** and **A-3**). According to the applicant, the proposed package substation is planned to supply electricity to the planned public utilities services and pedestrian connectivity facilities at ARQD. Target completion of the proposed package substation is by Q2-Q3 2021.
- 1.3 A location plan, detailed design drawing and reference photos of proposed typical package substation as submitted by the applicant are at **Drawings A-1** to **A-3** respectively.

^[1] The ARQD is planned for residential developments with supporting commercial and other government, institution and community (G/IC) facilities with target population intake tentatively from 2023/24 to 2025/26.

^[2] The proposed package substation will house one 1,000kVA transformer, one 11kV switchboard, one low voltage (380v or 220v) distribution board and associated accessories.

- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application form with supporting plans/drawings (**Appendix Ia**) received on 25.9.2020; and
 - (b) Further information via email dated 10.11.2020 providing (**Appendix Ib**) clarification on site selection consideration and reference photos of typical package substation.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application as set out in **Appendices Ia** and **Ib** are summarized as follows:

- (a) To provide reliable electricity supply to the planned public utility services at ARQD and the proposed pedestrian connectivity facilities with lift towers.
- (b) Apart from being located in the middle portion of ARQD that would facilitate the distribution of electricity to the public utilities in need effectively, a number of factors have been taken into account in the course of site selection for the proposed package substation, which include avoidance of obstruction to the future pedestrian and traffic flow as well as cycling activities, and minimising impacts on the planned roadside plantings and underground utilities installations. Upon liaising with the concerned government departments, the Site is identified as the most suitable location for the proposed package substation.
- (c) The proposed package substation is a specially designed electrical equipment that occupies an area of less than 12m² and has been widely adopted in different areas. It is of prefabricated design and totally enclosed to accommodate the required equipment (**Drawings A-2** and **A-3**). It is of unmanned design, easy to install, maintenance free and made of fireproof materials. The impact to the nearby areas and local traffic is minimal.
- (d) The proposed package substation will be pre-assembled to reduce noisy site works during the construction. The construction works will be conducted during a day time in compliance with the relevant legislations/Regulations and will be completed before population intake of the ARQD. Impact to the nearby residents is not expected.

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

As the Site involves government land only, the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) is not applicable to the application.

4. **Previous Application**

There is no previous application in respect of the Site.

5. **Similar Applications**

There is no similar application within area shown as ‘Road’/or any other zones on the OZP.

6. **The Site and Its Surrounding Areas** (Plans A-1 and A-2, aerial photo and site photos on Plans A-3 and A-4)

6.1 The Site is:

- (a) located in the middle portion of the ARQD (**Plan A-1**) and at the peripheral of a proposed amenity area (about 664m²) abutting a bicycle parking area on the 4.6m-wide footpath of the planned Road F (**Plan A-2**); and
- (b) site formation and associated landscape works of the amenity area are being carried out by the Civil Engineering and Development Department (CEDD) and the amenity area will be handed over to Director of Leisure and Cultural Services (DLCS) for management/maintenance upon completion.

6.2 The surrounding areas have the following characteristics (**Plan A-2**):

- (a) areas to its northwest have been reserved for proposed commercial use (zoned “Commercial (1)”) and district open space (zoned “Open Space”); and
- (b) area to its southeast across the proposed Road F is planned for public housing development (zoned “Residential (Group B) 3”).

7. **Planning Intention**

Area shown as ‘Road’ on the OZP is intended for the development of roads and related facility/infrastructure.

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/Sai Kung, Lands Department (DLO/SK, LandsD):

- (a) The Site is currently held by Project Manager (East) (PM(E)), CEDD under a temporary land allocation No. GLA-TSK3479 for the purpose of site formation and infrastructural works for the ARQD until 31.12.2022.
- (b) The availability of the Site is subject to the program of site formation and infrastructural works by CEDD and prior agreement from CEDD should be obtained before commencement of works.

- (c) The Site is within the proposed amenity area and comment from the DLCS should be sought.
- (d) If the application is approved by the Board, the applicant should ensure the works will be carried out in accordance with the Block License ^[3] issued by LandsD.

Environment

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

In view of the small scale and nature of the project, the proposed package substation is unlikely to result in adverse environmental impact. As such, he has no objection to the application.

Landscape and Visual Aspects

8.1.3 Comments of DLCS:

The roadside planting of amenity area at ARQD will be handed over to DLCS for maintenance upon completion by CEDD. In view of the proposed package substation would occupy a small area amongst the roadside planting area and the effect to the landscape is minimal, he has no adverse comment to the application.

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

Visual Aspect

- (a) Given the small scale of the proposed development, he has no specific comment from urban design and visual impact perspectives.

Landscape

- (b) With reference to the aerial photo of 2019, the Site is situated in an area with urban landscape character and no existing vegetation is observed within the Site. The vicinity of the Site would be dominated by planned developments including commercial, residential, G/IC uses, and roads etc. The proposed package substation is not incompatible with the surrounding landscape character.
- (c) In view of the limited site area and that adverse landscape impact caused by the proposed package substation is not anticipated, he has no objection to the application from landscape planning point of view.

8.1.5 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

The proposed package substation with the size of 4.96m (L) x 2.414m (W) x 2.992m (H) seems not incompatible with the surrounding area. As such, he has no comment from visual impact point of view.

^[3] Block License issued by LandsD permits the utility company to install and maintain equipment each occupying an area of less than 12m² within unleased Government land.

Electricity Safety

8.1.6 Comments of Director of Electrical and Mechanical Services (DEMS):

- (a) He has no comment on the application from electricity supply safety and reliability point of view.
- (b) For the design and operation of electricity package substation, the applicant has to comply with the Electricity Ordinance and relevant statutory requirements. As the electricity package substation is to provide electricity supply to future public utility uses/planned future developments in the vicinity, the associated electricity should be provided by the nearby substation as far as possible. The Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation shall be observed by the applicant and his contractors when carrying out works in the vicinity of electricity supply lines.

Fire Safety

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

He has no in-principle objection to the application subject to fire service installations and water supplies for firefighting being provided to the satisfaction of his department. Emergency vehicle access shall comply with Section 6, Part D of “Code of Practice for Fire Safety in Buildings 2011 administered by the Buildings Department.

8.2 The following Government bureaux/departments have no objection/no comments on the application and the FI:

- (a) PM(E), CEDD;
- (b) Commissioner for Transport (C for T);
- (c) Chief Building Survey/New Territories East (2) and Rail Section, Buildings Department;
- (d) Chief Engineer/Construction, Water Supplies Department;
- (e) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (f) Chief Highway Engineer/Kowloon, HyD;
- (g) Chief Engineer/Mainland South, Drainage Services Department;
- (h) District Officer (Sai Kung), Home Affairs Department (HAD);
- (i) District Officer (Kwun Tong), HAD;
- (j) Commissioner of Police; and
- (k) Head of Geotechnical Engineering Office, CEDD

9. Public Comments Received During the Statutory Publication Period

On 6.10.2020, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 27.10.2020, one public comment was received from an individual (**Appendix II**) who indicated no in-principle objection to the application but suggested that the applicant should minimise any noise impact to the nearby residents during the construction/assembly works.

10. Planning Considerations and Assessments

- 10.1 The application is to seek planning permission for installation of a proposed package substation for supplying electricity to the planned public utilities services and pedestrian connectivity facilities with lift towers in ARQD. The Site falls within an area shown as 'Road' on the OZP within which the proposed package substation requires planning permission.
- 10.2 The proposed single storey package substation will only occupy a small area (of about 11.97m²) within a large planned amenity area (664m²) intended for providing road side planting. The site formation and associated landscape works of the amenity area are being carried out by PM(E), CEDD and it will be handed over to DLCS for management/maintenance upon completion. In view of the small site area, the proposed package substation would not affect the overall quality of the amenity planting in ARQD. Both PM(E), CEDD and DLCS has no adverse comment on the proposed package substation from project interface perspectives.
- 10.3 The proposed package substation is an essential utility for the provision of electricity supply in support of the ARQD. In view of the small scale of the installation, it will not obstruct sightline of vehicles nor affect pedestrian circulation. Both C for T and CHE/NTE of HyD has no adverse comment in this regard. Other relevant government departments consulted including DEP, DEMS, CTP/UD&L of PlanD and D of FS have no objection/no adverse comment on the application from environmental impact, electricity safety, landscape and visual, and fire safety aspects.
- 10.4 In respect of the public comment raised by an individual on noise aspect, the Site is at a distance from existing residential buildings (**Plan A-3**). The applicant indicated that the proposed package substation will be pre-assembled to minimize any nuisance and such works would be carried out during daytime in compliance with the relevant legislations/Regulations. It is targeted for completion before population intake in ARQD. Moreover, DEP has no adverse comment from environmental impact perspective.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 above and having taken into account the public comment mentioned 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 the permission shall be valid until 20.11.2024, 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 condition of approval and advisory clauses are suggested for Members' reference:

Approval condition

the provision of fire services installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory clauses

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

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

12. Decision Sought

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

12.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.

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

13. Attachments

Appendix Ia	Application form with supporting plans/drawings received on 25.9.2020
Appendix Ib	Further Information received on 10.11.2020
Appendix II	Public comment received during the statutory publication period
Appendix III	Recommended advisory clauses
Drawing A-1	Location plan submitted by the applicant
Drawing A-2	Detailed design drawing submitted by the applicant
Drawing A-3	Reference photos of typical package substation submitted by the applicant
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos