

Facilitation Measures on the Installation of Solar Photovoltaic Systems in Open Car Parks by the Private Sector

OBJECTIVE

The Chief Executive announced in her 2020 Policy Address that Hong Kong would strive to achieve carbon neutrality before 2050. In October 2021, the Environment Bureau (ENB) published the Hong Kong's Climate Action Plan 2050, with "net-zero electricity generation" as one of the major decarbonisation strategies. To decarbonise our electricity generation, the Government will strive to drive the development of renewable energy (RE) through taking the lead in developing RE at Government's premises and facilitating the private sector in installing RE systems on their land and properties. ENB and the Development Bureau hereby introduced a set of measures to facilitate the installation of solar photovoltaic (PV) systems in open car parks (viz. those that are not enclosed) by the private sector (the Facilitation Measures) under the building regime.

FACILITATION MEASURES

2. Subject to policy support of ENB for individual proposals, the Buildings Department (BD) will facilitate the private sector in installing solar PV system(s) in open car parks. Key features are set out below:

Fast-track Mechanism

3. The erection of supporting structure(s) for a solar PV system is building works subject to control under the Buildings Ordinance (BO) (Cap. 123). It may be carried out under the simplified requirements of the Minor Works (MW) Control System provided that the supporting structure is not higher than 1.5m (MW items 3.50 and 1.50). Otherwise, BD's prior approval of plans for such building works and consent for the commencement of such works are required.

4. For non-MW supporting structure(s), as a facilitation measure, BD will offer a fast-track processing service for first submission and major revision of building plans to erect supporting structure(s) for a solar PV system not exceeding 3m in height in

open car parks located on-grade or on a main roof of an existing building. The processing time for approval of such plans will be reduced from the current 60 days to 30 days. Certification by the Authorized Person(s) (AP) and Registered Structural Engineer(s) (RSE) on compliance with the provisions of the BO and the requirements at **Annex** should be submitted to BD together with the building plans. To further streamline the process, an application for consent to the commencement of the works may also be submitted together with the plan submission for concurrent processing.

Gross Floor Area (GFA) Concession

5. At present, above-ground car parks covered by solar PV system(s) are accountable for GFA calculation. As a facilitation measure, BD will grant 100% GFA concession to car parking spaces (excluding driveways) on-grade or at the main roof of an existing non-domestic building that are covered by solar PV system(s) not exceeding 3m in height. There is no need for the project proponent to first exhaust the remaining GFA of the existing development before obtaining such GFA concession. For the avoidance of doubt, any driveways covered by the solar PV system(s) are GFA accountable and no GFA concession will be granted.

Site Coverage (SC) and Plot Ratio (PR) Calculation

6. The permitted SC and PR of a building under the Building (Planning) Regulations (Cap. 123F) depend on the height of the building. As a facilitation measure, BD will accept mean height of the roof over the highest usable floor space¹ of the existing building in determining the height of the building for the purposes of SC and PR calculations notwithstanding that the car parking spaces at the main roof are covered by solar PV system(s) not exceeding 3m in height.

OBTAINING POLICY SUPPORT OF ENB

7. The Facilitation Measures are only applicable to those projects which have obtained the policy support of ENB.

¹ Regulation 23(1) of the Building (Planning) Regulations refers.

General Requirements

8. ENB will consider granting policy support to a proposal to install solar PV system(s) in an open car park if the following requirements are met:

- (a) The project proponent should be an owner or the owner's authorised agent of the open car park where he/she proposes to install solar PV system(s);
- (b) The open car park where the project proponent proposes to install solar PV system(s) should meet the following requirements:
 - (i) It must have 10 or more eligible parking spaces²;
 - (ii) The eligible parking spaces must be at a vacant site, in an on-grade open area of an existing non-domestic development or on the main roof of an existing non-domestic building;
 - (iii) It should be centrally managed, such as under single ownership or located in an area designated as common parts in a Deed of Mutual Covenant; and
- (c) The solar PV system(s) must be installed over the eligible parking spaces of the open car park.

9. In considering whether to grant policy support to individual proposals, ENB may consult other bureaux/departments and the power companies on the proposals received and take into account relevant factors other than those specified in paragraph 8 above.

Documents Required

10. Project proponents should submit their proposals on the installation of solar PV system(s) in open car parks with the following supporting documents to ENB:

- (a) floor and layout plan(s) of the car park indicating the parking spaces (both open and covered ones), parking spaces to be installed with solar PV system(s)

² Eligible parking space means a parking space which is designated for parking use other than for loading and unloading of motor vehicles in the building plans approved by BD.

and number of parking spaces to be reduced as a result of the proposal to install solar PV system(s) (if any). For the avoidance of doubt, installation of solar PV system(s) on unauthorised building works (UBWs) would not be approved;

- (b) drawings and diagrams demonstrating the design of the solar PV system(s) in legible size (preferably in 1:100 or above for scaled drawings);
- (c) supporting documents demonstrating the methodology and technical feasibility of the solar PV system(s) to be installed;
- (d) written advice from the power company on the assessment of the feasibility of connecting the proposed solar PV system(s) to the grid;
- (e) documentary evidence showing that a project co-ordinator has been engaged to implement the project proposal; and
- (f) documentary evidence showing that the person(s) submitting the project proposal has/have the authority to submit it for and on behalf of the project proponent.

11. ENB may seek additional information from project proponents whenever necessary. It shall also have the right to disclose, without further consultation with or notification to the project proponents, whenever appropriate, any information in relation to the project proposals to relevant bureaux/departments and the power companies for assessing the proposals.

Granting of Policy Support

12. If ENB considers that policy support should be given to a project proposal, it will issue a letter to the project proponent indicating its support. ENB reserves the right to impose conditions when providing support to the project proposal.

SEEKING NECESSARY APPROVALS TO TAKE FORWARD THE PROJECTS

13. After obtaining the policy support of ENB, project proponents are required to approach other relevant bureaux/departments as appropriate for obtaining all

necessary approvals to take forward the project. The responsibility to make statutory applications for permits, licenses or approvals about the site, building works, the proposed use and the operation of the solar PV system(s), as well as to ensure the project's compliance with statutory and non-statutory requirements rests entirely with the project proponents.

ENQUIRIES

14. For enquiries on the Facilitation Measures, please contact –

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Environment Bureau
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**Fast-track Processing of Building Plans Relating to
Erection of Supporting Structure for Solar PV System for Open Car Park
Located On-Grade or on a Main Roof of an Existing Non-domestic Building**

Concurrent application for fast track approval and consent to erect supporting structures for a solar PV system over car parking spaces on-grade or on a main roof of an existing non-domestic building will be processed within 30 days if the application is accompanied with a letter issued by the Environment Bureau confirming its policy support and the following criteria are met:

- (a) The supporting structure for the system should be installed over car parking spaces located at a vacant site, in an on-grade open area of an existing non-domestic development or on the main roof of an existing non-domestic building;
- (b) The system including its supporting structure should not be higher than 3m measured from the ground/main roof level;
- (c) The works should not result in any additional load to any cantilevered slab and should not involve the alteration of any structural elements;
- (d) The space underneath the system should not be enclosed;
- (e) The system including its supporting structures should not adversely affect the means of escape, fire separation, means of access, emergency vehicular access and the drainage system nor obstruct any required prescribed windows/open air for offices, lavatory, etc. of any building;
- (f) A separation distance of not less than 900mm between the system including its supporting structure and the site boundary of the adjoining site or adjoining building should be maintained;
- (g) Where located on the main roof, the system should not project beyond the edge of the main roof; and
- (h) There should be adequate drainage provision for the disposal of rainwater collected by the system and its supporting structure.