

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-LFS/580

- Applicant** : CLP Power Hong Kong Limited represented by Kum Shing Civil Engineering Limited
- Site** : Government Land (GL) in D.D. 123, Fung Lok Wai, Yuen Long, New Territories
- Site Area** : About 23.7m²
- Land Status** : GL
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
- Zoning** : “Conservation Area” (“CA”)
- Application** : Proposed Public Utility Installation (Low Voltage Underground Power Cable) and Filling and Excavation of Land

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed public utility installation (low voltage underground power cable) and associated filling and excavation of land at the application site (the Site) (**Plan A-1**) zoned “CA” on the OZP. According to the Notes for the “CA” zone, ‘Public Utility Installation’, which is a Column 2 use, as well as filling and excavation of land require planning permission from the Town Planning Board (the Board). The Site is located on a paved track along a pond bund (**Plans A-2 and A-4**).
- 1.2 As shown on the layout plan at **Drawing A-1**, the proposal involves laying a low voltage (i.e. 380V) underground power cable of 79m long × 0.3m wide. To facilitate the cable laying, the Site (i.e. 23.7m²) would be excavated with a depth of about 0.55m. The Site will be backfilled to the original ground level with soil upon the completion of the cable laying. The electricity supply is to provide power to a village lighting system (i.e. village lights VG5949, VG5950, VG7153 - 7157, and power controller PL94121) implemented by the Highways Department (HyD) under the Village Lighting Programme¹ (**Plans A-2 to A-4**).

¹ The Village Lighting Programme aims at providing public lighting in rural areas upon applications by the villagers. Applications for installation of village lights from various districts are received, coordinated and prioritised by the Home Affairs Department and various District Offices. They will then be incorporated into the Village Lighting Programme for implementation by the HyD.

- 1.3 The Site is accessible from Fuk Shun Street via a local track (**Drawing A-2**). As indicated in the submission, there would be about four trips of medium goods vehicle trips per day during the two-week construction period. The layout plan and vehicular access plan submitted by the applicant are at **Drawings A-1 and A-2** respectively.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application Form with attachments received on 24.10.2025 (**Appendix I**)
 - (b) Supplementary Information (SI) received on 30.10.2025 (**Appendix Ia**)
 - (c) Further Information (FI) received on 23.1.2026* (**Appendix Ib**)
**accepted and not exempted from publication requirements*
- 1.5 On 19.12.2025, the Committee agreed to defer making a decision on the application for two months as requested by the applicant.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form, SI and FI at **Appendices I to Ib**. They can be summarised as follows:

- (a) the proposed power cable is for providing electricity supply to a village lighting system. It is an essential installation in enhancing the safety of the residents to pass through the narrow passage;
- (b) other means of electricity supply (e.g. solar panel, mobile generator) are not as reliable or may cause greater environmental impact;
- (c) according to the ecological impact assessment (EcoIA) submitted, the Site is considered to have a low level of ecological value. No tree felling or pruning will be caused by the project and cable laying work will be constructed section by section. Upon completion of works at each section, the works area will be reinstated. All construction activities will be carried out in daytime hours (i.e. 8:00 a.m. to 5:00 p.m.) only. Relevant statutory requirements for the construction activities will be complied with;
- (d) in order to minimise potential impact on wildlife, the contractors will check the presence of wildlife in open trenches. Good site practices and the measures in accordance with the Practice Notes for Professional Persons on “Construction Site Drainage” (ProPECC PN 1/94) will be applied to control surface runoff and the potential pollution to watercourse. With the implementation of the proposed mitigation measures in the EcoIA, residual ecological impacts of the proposed works will be of low/negligible significance and acceptable; and
- (e) given the small scale of the proposed works, it is anticipated that no significant adverse visual, landscape and environmental impacts would be induced.

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

As the Site involves GL only, the 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 Ordinance (TPB PG-No. 31B) are not applicable.

4. Town Planning Board Guidelines

According to Town Planning Board Guidelines for ‘Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 12C), the Site falls within the Wetland Conservation Area (WCA). The relevant assessment criteria are detailed at **Appendix II**.

5. Background

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

6. Previous Application

The Site is not involved in any previous application.

7. Similar Application

There is no similar application for public utility installation within the subject “CA” zone.

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

8.1 The Site is:

- (a) located on a paved track on a pond bund; and
- (b) accessible from Fuk Shun Street via a local track.

8.2 The surrounding areas are predominated by fish ponds. Other uses such as residential dwellings, cultivated agricultural land and orchard are also found in the vicinity of the Site.

9. Planning Intention

9.1 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 “no-net-loss in wetland” principle² 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.

9.2 As filling of land or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the

² According to the Explanatory Statement of the OZP, “No-net-loss in wetland” can refer to both loss in area and function.

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, LandsD (DLO/YL, LandsD):

- (a) He has no adverse comment on the application.
- (b) No permission is given for occupation of GL included in the Site. Any occupation of GL without Government's prior approval is not allowed.
- (c) The applicant should note his advisory comments in **Appendix IV**.

Nature Conservation

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

- (a) The Site falls within the WCA and an EcoIA has been submitted to support the application.
- (b) He has no comment on the application from nature conservation perspective.

Environment

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

- (a) Based on the applicant's submission that the low voltage underground cable would not be more than 66kV and the proposed construction works will be in minor scale, he has no objection to the planning application from the Environmental Impact Assessment Ordinance and environmental planning perspectives.
- (b) The applicant should note his advisory comments in **Appendix IV**.

Village Lighting

10.1.4 Comments of the Chief Engineer/Lighting, HyD (CE/Ltg, HyD):

- (a) The low voltage underground power cable under application serves as the power supply to the village lighting system (including 7 village lights VG5950, VG5949, VG7153 - VG7157 and power controller PL94121 installed between 2023 and 2024). Those village lights have

been unlit since installation pending power supply from CLP. Thus, he supports the application from public lighting perspective.

- (b) The applicant should note his advisory comments in **Appendix IV**.

Landscaping

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

- (a) She has no adverse comment on the application from landscape planning perspective.
- (b) The Site is situated in an area of rural coastal plains landscape predominated by village houses, ponds and woodland. The Site is concrete-paved without any existing vegetation. According to the aerial photo taken in 2025, the Site is situated in area of rural coastal plains characterised by fish ponds, scattered tree groups and some temporary structures. From the site photos taken in 2026, the Site was largely paved. Existing vegetation/tree(s) was not observed within the Site. As no tree felling is stated in the application form, significant adverse landscape impact within the Site and the surrounding areas arising from the proposed development is not anticipated.

Drainage

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

- (a) He has no objection in principle to the application from the public drainage point of view.
- (b) The applicant should note his advisory comments at **Appendix IV**.

Fire Safety

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

He has no comment on the application and the inclusion of fire service-related approval conditions is deemed not necessary.

Electricity Supply

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

- (a) He has no comment on the application as far as electricity supply safety and reliability are concerned.
- (b) The applicant should note his advisory comments at **Appendix IV**.

District Officer's Comments

10.1.9 Comments of the District Officer/Yuen Long, Home Affairs Department (DO/YL, HAD):

His office has not received any feedback from locals.

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

- (a) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Chief Engineer/Land Works, Civil Engineering and Development Department (CE/LW, CEDD);
- (d) Project Manager (West), CEDD (PM(W), CEDD);
- (e) Chief Highway Engineer/New Territories West, HyD (CHE/NTW, HyD);
- (f) Commissioner for Transport (C for T); and
- (g) Commissioner of Police (C of P).

11. Public Comment Received During Statutory Publication Period

On 31.10.2025, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual (**Appendix III**) was received objecting to the application mainly on grounds that there is no justification for public lighting in an area without houses and lighting would disturb night-time wildlife.

12. Planning Considerations and Assessments

12.1 The application is for proposed public utility installation (low voltage underground power cable) and associated filling and excavation of land within the "CA" zone of the OZP. The planning intention of the "CA" zone is to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem. 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. In this regard, the proposed installation is an extension from the existing power supply network which will provide electricity for a village lighting system implemented by the HyD under the Village Lighting Programme. The proposed installation would be installed on a paved track on pond bund only and would not involve pond filling. Hence, the proposed installation can be considered as essential infrastructure project providing village lighting to local residents, and is therefore considered not in conflict with the planning intention of the "CA" zone.

12.2 To facilitate the cable laying, the applicant seeks to apply for excavating the Site (i.e. about 23.7m²) for a depth of about 0.55m, and upon completion of the cable laying, backfilling the excavated area with soil to the original ground level. Filling and excavation of land within the "CA" zone require planning permission from the Board as they may cause adverse drainage impacts on the adjacent areas and adverse

impacts on the natural environment. In this regard, CE/MN of DSD and DAFC have no adverse comment on the application from drainage and nature conservation perspectives respectively.

- 12.3 The Site is located on a paved track on a pond bund. The proposed installation and associated filling and excavation of land is small in scale. Moreover, the Site would be reinstated upon the completion of the cable laying works. Hence, the proposed installation and associated filling and excavation of land is considered not incompatible with the surrounding areas predominated by ponds with scattered residential dwellings.
- 12.4 While the Site falls within the WCA of TPB PG-No. 12C, the proposed installation would be provided on a pond bund only and would not affect the ponds. According to the EcoIA submitted, the Site, which is part of a hard paved track, is considered to have a low ecological value. No tree felling or pruning will be caused by the proposed works and cable laying work will be constructed sequentially by section. Upon completion of works at each section, the works area will be reinstated. In order to mitigate potential ecological impacts, the proposed works will be conducted in daytime hours only. Good site practices and the measures in accordance with the ProPECC PN 1/94 will also be applied to control surface runoff and the potential pollution to watercourse. With the implementation of the proposed mitigation measures, residual ecological impacts of the proposed works will be of low/negligible significance and acceptable. Given the small scale of works and the mitigation measures proposed in the EcoIA, DAFC has no comment on the application from nature conservation point of view.
- 12.5 Other concerned departments consulted including DEMS, DEP, CTP/UD&L of PlanD, C for T and D of FS have no objection to or no comment on the proposed installation and filling and excavation of land from electricity supply, environmental, landscape planning, traffic and fire safety perspectives respectively.
- 12.6 Regarding the public comment received objecting to the application on grounds as summarised in paragraph 11 above, the planning considerations and assessments in paragraphs 12.1 to 12.5 above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comment mentioned in paragraph 11, 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 **13.3.2030**, 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**.
- 13.3 There is no strong reason to recommend rejection of the application.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant planning 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	Application Form with Attachments received on 24.10.2025
Appendix Ia	SI received on 30.10.2025
Appendix Ib	FI received on 23.1.2026
Appendix II	Extracts of Town Planning Board Guidelines for Application for Development within Deep Bay Area (TPB PG-No. 12C)
Appendix III	Public Comment Received During Statutory Publication Period
Appendix IV	Recommended Advisory Clauses
Drawing A-1	Layout Plan of the Low Voltage Underground Power Cable
Drawing A-2	Vehicular Access Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
MARCH 2026**