

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

**APPLICATION NO. A/SLC/190**

- Applicant** : CLP Power Hong Kong Limited represented by CLPe Solutions Limited
- Site** : Lots 665 S.B (Part), 665 S.C (Part), 665 S.D (Part) and 665 RP (Part) in D.D. 328L and Adjoining Government Land, Tong Fuk, Lantau Island
- Site Area** : About 32m<sup>2</sup> (including about 12m<sup>2</sup> of Government Land (GL) (about 37.5%))
- Lease** : Block Government Lease (demised for agricultural purpose)
- Plan** : Approved South Lantau Coast Outline Zoning Plan (OZP) No. S/SLC/23
- Zoning** : “Green Belt” (“GB”)
- Application** : Proposed Excavation of Land for Permitted Public Utility Pipeline (Underground Cable)

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed excavation of land for permitted public utility pipeline (underground cable) at the application site (the Site) which falls within an area zoned “GB” on the approved South Lantau Coast OZP No. S/SLC/23 (**Plans A-1 and A-2**). According to the Notes of the OZP, while provision of public utility pipeline within the “GB” zone is always permitted, excavation of land requires planning permission from the Town Planning Board (the Board).
- 1.2 The Site is located within a piece of vacant land adjoining South Lantau Road. The proposed excavation area is about 32m<sup>2</sup> with a depth of about 1.2m for laying the new underground power cable. Upon completion of the proposed works, the excavated area will be backfilled and reinstated to its original ground level. According to the applicant, the proposed underground power cable is to provide electricity to two private lots namely Lots 665 S.B and S.C in D.D. 328L (the Lots) to the immediate north of the Site. The Lots are currently hard-paved and fenced off with two roofed domestic structures and one converted container thereon. The layout plan, drawings and cable alignment plan submitted by the applicant are at **Drawings A-1 to A-4**.

1.3 In support of the application, the applicant has submitted the following documents:

- (a) application form with attachments received on 19.2.2025; (Appendix I)
- (b) further information (FI) received on 18.3.2025\*; and (Appendix Ia)
- (c) FI received on 2.4.2025\*. (Appendix Ib)

*\* accepted and exempted from publication and recounting requirement*

## 2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in **Appendices I, Ia and Ib**, and summarised as follows:

- (a) Lot 665 S.B in D.D. 328L was previously supplied with electricity through the existing nearest meter box at Lot 665 S.D in D.D. 328L to its immediate south. However, the owner(s) of Lot 665 S.D refused to continue sharing the meter box since 2023 and declined to permit extension of the existing underground cable from the existing meter box to the Lots despite the applicant's efforts to liaise among the lot owners;
- (b) the proposed alignment is considered the most suitable option with the shortest distance from the existing underground cable network which can minimise the extent of necessary trench work; and
- (c) electricity is needed for household appliances inside the two domestic structures at the Lot 665 S.B, which are used by the lot owners during their agricultural activities. The proposed underground cable will also allow the solar photovoltaic system installed on the rooftop of one of the structures at the Lot 665 S.B to connect to the power system for activation.

## 3. **Compliance with the "Owner's Consent/Notification" Requirements**

The applicant is not the 'current land owners' but has complied with 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 Town Planning Ordinance" (TPB PG-No. 31B) by obtaining consents of the 'current land owners'. Detailed information would be deposited at the meeting for Members' inspection. For the Government land portion, the requirements as set out in TPB PG-No. 31B are not applicable.

## 4. **Background**

- 4.1 The Site and the Lots are within South Lantau Coast Regulated Area. They are not subject to any active planning enforcement action.
- 4.2 According to the aerial photos taken between 1980 and 2025 (**Plans A-3a and A3-b**), two roofed structures were found at Lot 665 S.B at the first publication in the Gazette of the South Lantau Coast OZP in 1980. Over the years, Lot 665 S.B have been hard-

paved with concrete and fenced off, and one of the roofed structures was demolished and replaced by a new structure with different dimensions in around 2023. Moreover, installation of solar photovoltaic system on the rooftop of newly erected structure at the Lot 665 S.B were observed. Significant changes are also observed at Lot 665 S.C where the lot has been hard-paved with concrete and fenced off by corrugated iron sheet, with a converted container deposited on it recently.

## **5. Town Planning Board Guidelines**

The “Town Planning Board Guidelines for Application for Development within Green Belt zone under Section 16 of the Town Planning Ordinance” (TPB PG-No. 10) are relevant to the application. The extracts of relevant assessment criteria are detailed at **Appendix II**.

## **6. Previous Application**

There is no previous application at the Site.

## **7. Similar Application**

There is no similar application for proposed excavation of land for permitted public utility pipeline (power cables related) within the same “GB” zone.

## **8. The Site and Their Surrounding Areas (Plans A-1 to A-3b and site photos on Plans A-4a to A-4c)**

- 8.1 The Site in elongated shape is a piece of vacant private land adjoining South Lantau Road located at the “GB” zone in Tong Fuk.
- 8.2 The surrounding areas consists mainly of village clusters and formed vacant land with structures. To the immediate north of the Site is Lot 665 S.B covered with two roofed structures with hard-paving and Lot 665 S.C which is a fenced off by corrugated iron sheet and hard-paved vacant land with a converted container deposited on it. To the east and southeast across Tong Fuk River, an Ecologically Important Stream (EIS) and South Lantau Road, are the village cluster of Tong Fuk. To the immediate northwest and west is a large piece of formed land with containers, construction materials and vehicles deposited and parked thereon.

## **9. Planning Intention**

- 9.1 The planning intention of “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

- 9.2 According to the Explanatory Statement (ES) of the OZP, as excavation of land may cause adverse drainage and environmental impacts on the adjacent areas and the natural environment, permission from the Board is required for such works and related activities in the “GB” zone.

## **10. Comments from Relevant Government Departments**

- 10.1 Apart from the Government departments as set out in paragraph 10.2 below, other Government bureau/departments (B/Ds) consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided at **Appendices III and IV** respectively.

- 10.2 The following departments have comments on the application:

### **Lands Administration**

- 10.2.1 Comments of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD):

- (a) she has no adverse comment on the planning application from land administration point of view;
- (b) the Lots, together with the adjoining Lots 665 S.D and 665 RP in D.D. 328L are Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without prior approval of the Government. A Letter of Approval (LoA) for erection of pigsties was issued to the then Lot 665 RP in D.D. 328L in May 1979. It appears that the then Lot 665 RP was sub-divided into four sectional lots namely Lots 665 S.B, 665 S.C, 665 S.D and 665 RP;
- (c) according to the site inspection in March 2025, there were two structures associated with existing Lot 665 S.B and Lot 665 S.D. One structure straddles Lot 665 S.B and Lot 665 S.D, while other structure straddles Lot 665 S.B and the adjoining Government land (GL). These structures do not conform to the permissions outlined in the aforesaid LoA. Her office is investigating into the case and reserves the right to take land enforcement actions. In addition, recent inspection revealed that suspected unauthorised structures were found within Lots 665 S.C and 665 RP in D.D. 328L, and suspected illegal occupation of GL was found in the Site. No permission is given for occupation of GL included in the Site. Any occupation of GL without Government’s prior approval is not allowed;
- (d) no enforcement action has been undertaken by her office at the Site and/or the Lots. Her office is investigating into the suspected unauthorised

structures and suspected illegal occupation of GL and reserves the right to take lease enforcement and/or land control actions; and

- (e) other advisory comments are at **Appendix IV**.

### **Nature Conservation**

#### 10.2.2 Comment of the Director of Agriculture, Fisheries and Conservation (DAFC):

given there are physical separation by land features between the proposed works site and Tong Fuk EIS, he has no comment on the application.

### **11. Public Comment Received During Statutory Publication Period**

On 28.2.2025, the application was published for public inspection. During the statutory publication period, one public comment from an individual objecting to the application was received (**Appendix V**) mainly on the ground that approval of the application for excavation of land for providing electricity to development in “GB” zone without approval will encourage further developments in the “GB” zone which is contrary to the policy of “Conservation for South Lantau”.

### **12. Planning Considerations and Assessments**

12.1 The applicant seeks planning permission for proposed excavation of land for permitted public utility pipeline (underground cable) at the Site within an area zoned “GB” on the OZP. According to the Notes of the OZP, while the provision of public utility pipeline within the “GB” zone is always permitted, excavation of land requires planning permission from the Board. According to the applicant, the proposed underground cable is to provide electricity to the Lots within the same “GB” zone which are hard-paved with concrete, fenced off with two roofed domestic structures thereon. The total area for the proposed excavation work is about 32m<sup>2</sup> with a depth of about 1.2m. The excavated area will be backfilled and reinstated to its original ground level after the works is completed. The applicant indicates that the Lot 665 S.B was previously served by electricity through a nearby meter box at the Lot 665 S.D. However, the land owner(s) refused to continue sharing the meter box and declined extension of the cable. The current alignment is considered the most suitable option with the shortest distance from the existing underground cable network which can minimise the extent of necessary trench work.

12.2 The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. Although provision of public utility pipeline within “GB” zone is always permitted, TPB PG-No. 10 stipulates that an application for new development in a “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds.

- 12.3 The proposed underground power cable is to provide electricity to the Lots to the immediate north of the Site within the same “GB” zone. As shown on the aerial photos taken between 1980 and 2025 (**Plans A-3a and A3-b**), while two roofed structures were found at Lot 665 S.B at the first publication in the Gazette of the South Lantau Coast OZP in 1980, one of the roofed structures was demolished and replaced by a new structure with different dimensions in around 2023. According to the applicant, the roofed structures are used for domestic purposes. Over the years, significant changes at the remaining part of the Lots are observed where the Lots are now mainly hard-paved, partly fenced off by corrugated iron sheet with converted container deposited thereon. DLO/Is, LandsD advises that while a LoA for erection of pigsties was issued to the then Lot 665 RP in D.D. 328L in May 1979 (which was sub-divided into four sectional lots including the Lots), she confirms that the two roofed domestic structures on the Lots do not conform to the permissions outlined in the LoA. She also states that suspected unauthorised structures were found at the Lots. While she has no adverse comment on the proposal from land administration point of view, her office is investigating into the suspected unauthorised structures and suspected illegal occupation of GL and reserves the right to take lease enforcement and/or land control actions. To this end, the proposed excavation of land for permitted public utility pipeline serving the Lots is not in line with the planning intention of GB” zone and there is no strong planning justification in the submission for a departure from such planning intention. Should the application be approved, it will set an undesirable precedent of excavation of land for permitted public utility pipeline to serve developments in the surrounding areas also zoned “GB” where there is a general presumption against development.
- 12.4 According to the ES of the OZP, excavation of land within “GB” zone required planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas and the natural environment. In this regard, Chief Engineer/Hong Kong and Islands, Drainage Services Department and Director of Environmental Protection have no adverse comment on/no objection to the application from drainage and environmental planning point of view. Furthermore, Chief Town Planner/Urban Design & Landscape, Planning Department advises that no significant visual and landscape impact is anticipated arising from the works which is considered not incompatible with the landscape character of the surrounding environment. Other relevant B/Ds including Director of Agriculture, Fisheries and Conservation, Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (CEDD) and Head of the Sustainable Lantau Office, CEDD have no adverse comment on/no objection to the proposed installation.
- 12.5 Regarding the concerns raised in the public comment as detailed in paragraph 11 above, the Government departments’ comments in paragraph 10 and planning assessments in paragraphs 12.1 to 12.4 above are relevant.

### **13. Planning Department’s Views**

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department does not support the application for the following reasons:

the proposed excavation of land for permitted public utility pipeline is not in line with the planning intention of “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from such planning intention.

- 13.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until **11.4.2029**, 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 at **Appendix IV** are also suggested Member’s reference.

#### **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 reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant
- 14.3 Alternatively, 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.

#### **15. Attachments**

<b>Appendix I</b>	Application form with attachments received on 19.2.2025
<b>Appendix Ia</b>	FI received on 18.3.2025
<b>Appendix Ib</b>	FI received on 2.4.2025
<b>Appendix II</b>	Relevant Extract of “Town Planning Board Guidelines for Application for Development within Green Belt zone under Section 16 of the Town Planning Ordinance” (TPB PG-No. 10)
<b>Appendix III</b>	Government Departments’ General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comment
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Excavation of Land Drawing
<b>Drawing A-3</b>	Filling of Land Drawing
<b>Drawing A-4</b>	Cable Alignment Plan
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan

**Plans A-3a and A-3b** Aerial Photos  
**Plans A-4a to A-4c** Site Photos

**PLANNING DEPARTMENT**  
**APRIL 2025**