

**Similar s. 16 Application in relation to Excavation and/or Filling of Land for Public Works by Government and/or Public Utility Installation within the same “CPA” zone**

**Approved Application**

<b>Application No.</b>	<b>Proposed Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/SLC/87	Proposed Public Utility Installation (Submarine Telecommunication Cable)	1.2.2008	A1 – A2
A/SLC/109	Proposed Public Utility Installation (Irrigation Pipeline)	23.4.2010	-
A/SLC/141	Proposed Public Utility Installation (Irrigation Pipeline) with Excavation of Land	3.7.2015	A3
A/SLC/145	Proposed Public Utility Installation (Sewage Pumping Station and Underground Sewers) and Excavation of Land	14.7.2017	A3 – A4
A/SLC/154	Proposed Public Utility Installation (Sewage Pumping Station, Underground Sewers and Underground Effluent Pipe) and Excavation of Land for Underground Sewers (about 1.5m to 4m in depth)	31.5.2019	A4
A/SLC/160	Proposed Public Utility Installation (Public Utility Pipeline) and Filling and Excavation of Land	9.10.2020	-

**Approval Conditions**

- A1. The submission and implementation of a land transport proposal for accessing the application site at Segment 1 to the satisfaction of the Commissioner for Transport or of the Town Planning Board.
- A2. The submission and implementation of marine impact assessment and mitigation measures to address any potential impacts on the marine traffic at the waterways to the northeast of the Soko Islands to the satisfaction of the Director of Marine or of the Town Planning Board.
- A3. The submission and implementation of landscape proposal and/or tree preservation proposal and/or tree preservation and reinstatement landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board.
- A4. The provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

## Rejected Applications

Application No.	Proposed Development	Date of Consideration	Rejection Reasons
A/SLC/162	Proposed Public Utility Installation (Underground Cable) and Excavation and Filling of Land	6.11.2020	R1 –R2
A/SLC/167	Proposed Public Utility Installation (Underground Power Cable) and Excavation and Filling of Land	22.1.2021	R1 – R2 <i>(To be confirmed)</i>

- R1. The proposed installation was not in line with the planning intention of the “CPA” zone which was to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It was also intended to safeguard the beaches and their immediate hinterland and to prevent haphazard ribbon development along the South Lantau Coast. There was a general presumption against development in this zone. The proposed installation was to provide electricity for a storage use which was not a permitted use within the “CPA” zone. The applicant failed to demonstrate that the proposed installation was to support the conservation of the existing natural landscape or scenic quality of the area or is essential infrastructure project with overriding public interest.
- R2. Approval of the application would set an undesirable precedent for similar applications to provide utility installation for uses not permitted within the “CPA” zone and the cumulative effect of approving such applications would result in a general degradation of the natural environment and landscape of the area.

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD) that:
- (i) the applicant is advised to resolve all interface issues with Drainage Services Department. The Site also affects the waterworks tunnel (No. ER 123/CGS/59) for which Water Supplies Department is responsible;
  - (ii) if the application be approved, the applicant shall apply to his office for approval for the proposed works. There is no guarantee that the application processed by his office will be approved;
  - (iii) the launching/receiving pit situated to the north of South Lantau Road (outside the Site) is in close proximity of some private lots. The applicant is advised to carry site survey to confirm the land status of the concerned area to avoid encroaching onto or affecting the private land;
  - (iv) the two access roads proposed by the applicant are on unleased Government land. Notwithstanding that the applicant confirms that 'no formation of temporary access road is required', the applicant is advised to seek comment from District Officer (Islands) (DO(Is)) to see if the access road(s) are maintained by DO(Is); and
  - (v) it is noted that one tree within the Site is to be felled and compensatory tree planting of a ratio of 1:1 will be implemented in accordance with Development Bureau Technical Circular (Works) No. 4/2020 (DevB TC(W) No. 4/20). The applicant is advised to follow up the Tree Preservation and Removal Proposal according to and DevB TC(W) No. 4/20 and maintain the compensatory tree until the maintenance/management of the tree concerned is taken by another appropriate Government department. In case some tree plantation may / will fall on Government land without designated management party, it does not imply that LandsD will become tree maintenance department;
- (b) to note the comments of the Head of Sustainable Lantau Office, Civil Engineering and Development Department (H(SLO), CEDD) that:
- (i) the applicant may wish to minimise the interface with the Ecologically Important Stream (EIS) and consider appropriate monitoring measures to prevent potential adverse impact to the EIS and the Pui O wetland stream course; and
  - (ii) in view that there are frequent incidents of dumping or landfilling of C&D waste in Lantau, causing environmental nuisance and damage to areas of ecological value, and close proximity to the Pui O wetland and EIS, the applicant should make the best effort to minimise the affected area and to ensure the C&D waste generated from the project would be properly handled. The applicant should consider requiring the construction vehicles involved in the project to be equipped with Global Positioning System (GPS) or equivalent system for real time tracking and monitoring the movement of the vehicles, with the view to enhancing protection to the ecologically sensitive area.

- (c) to note the comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) that:
  - (i) the applicant should follow the requirements of the preventive measures to reduce the impact of leakage of water-carrying services on the stability of geotechnical features in accordance with the 'Code of Practice on Monitoring and Maintenance of Water-carrying Services Affecting Slopes'; and
  - (ii) the study and design of all permanent geotechnical works should be submitted to his office for checking in accordance with Environment, Transport and Works Bureau Technical Circular (Works) No. 29/2002 (ETWB TC(W) No. 29/2002). The submission should usually include the design of all new man-made slopes / retaining walls and investigations and studies of existing man-made slopes and retaining walls within or in the vicinity of the Site, if such slopes or retaining walls could affect or be affected by the development under the project. Resulting from the study or design and if found necessary, all upgrading works to existing man-made slopes and retaining walls or construction of new man-made and retaining wall should meet the current safety standards. A list of constituents of geotechnical submission is given in Appendix 4.8 of the Project Administration Handbook;
- (d) to note the comments of the Director of Agriculture, Fisheries and Conservation to implement the ecological mitigation measures recommended in the approved Environmental Impact Assessment Report and observe the relevant Environmental Permit;
- (e) to note the comments of the Director of Fire Services that any nearby means of escapes, the operation of fire service installations, emergency vehicular access, the operation of fire hydrants and their ground valves shall not be obstructed at all time during the work period; and
- (f) to note the comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD) that:
  - (i) no existing DSD facilities would be affected by the application based on the latest record; and
  - (ii) the proposed waterworks would have interface with his sewerage project under Consultancy Agreement No. 17/2012(DS) – 'Outlying Islands Sewerage Stage 2 – South Lantau Sewerage Works and Other Works – Design and Construction'. Comments should be sought from the project office (Special Duty Division) of his department in future in order to identify / resolve any interface issues during the ground investigation works and water mains laying works.