

TOWN PLANNING BOARD GUIDELINES FOR  
APPLICATION FOR DEVELOPMENT WITHIN GREEN BELT ZONE  
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

(Important Note :

The guidelines are intended for general reference only. The decision to approve or reject an application rests entirely with the Town Planning Board and will be based on individual merits and other specific considerations of each case.

Any enquiry on this pamphlet should be directed to the Planning Information and Technical Administration Unit of the Planning Department, 17th Floor, North Point Government Offices, 333 Java Road, Hong Kong - Tel. No. 2231 5000.

These guidelines are liable to revision without prior notice. The Town Planning Board will only make reference to the guidelines current at the date on which it considers an application.)

## 1. Introduction

- 1.1 The planning intention of the "Green Belt" ("GB") zone is primarily to promote the conservation of the natural environment and to safeguard it from encroachment by urban-type developments.
- 1.2 The "GB" zone covers mainly slopes and hillsides, most of which is naturally vegetated. Some "GB" areas are also designated as Country Parks. Most of the land within the "GB" zone is Government land, although there are also small pockets of private land, generally near built-up areas.
- 1.3 The main purposes of the "GB" zone include the following :
  - a. to conserve existing landscape features, areas of scenic value and areas of recognised "fung shui" importance;
  - b. to define the outer limits of urbanized districts and to serve as a buffer between and within urban areas; and
  - c. to provide additional outlets for passive recreational uses.
- 1.4 To preserve the character and nature of the "GB" zone, the only uses which will always be permitted by the Town Planning Board (the Board) are compatible uses which are essential and for public purpose such as waterworks, water catchment areas, nature reserves, agriculture, forestry and certain passive recreational uses. Other uses, including government/institution/community (G/IC), residential development and public utility installations will require planning permission from the Board and each proposal will be assessed on its individual merits. Applications for development will be considered by the Board according to the criteria set out below.

## 2. Main Planning Criteria

- a. There is a general presumption against development (other than redevelopment) in a "GB" zone. In general the Board will only be prepared to approve applications for development in the context of requests to rezone to an appropriate use.
- b. 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. The scale and intensity of the proposed development including the plot ratio, site coverage and building height should be compatible with the character of surrounding areas. With the exception of New Territories Exempted Houses, a plot ratio up to 0.4 for residential development may be permitted.
- c. Applications for New Territories Exempted Houses with satisfactory sewage disposal

**Advisory Clauses**

- (a) prior planning permission should have been obtained before commencing the applied use at the application site;
- (b) shorter compliance periods are allowed to monitor the progress on compliance with approval conditions and sympathetic consideration may not be given to any further application if the planning permission is revoked again due to non-compliance of approval conditions;
- (c) to note the comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) that the lot owners will need to apply to her office for a short term waiver (STW) in respect of the lots and a short term tenancy (STT) of the concerned government land to effect the subject proposal. However, there is no guarantee that such STW and STT applications will be approved by the Government. If such applications are approved, they will be subject to such terms and conditions including payment of administrative fees, waiver fee and rent as the Government considers appropriate;
- (d) to note the comments of the Director of Environmental Protection (DEP) that in view of the nature of the development, septic tank and soakaway system is considered an acceptable means for collection, treatment and disposal of the sewage provided that its design and construction follow the requirements in EPD's Practice Note for Professional Person (ProPECC) PN 5/93 "Drainage Plans subject to Comment by the Environmental Protection Department" and are duly certified by an Authorized Person;
- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that it is noted that landscape enhancement includes potted plants, planting in movable/removable pots and artificial plants (as display in nature). All planting should be in the ground or fixed planters with an open-bottom. Planting in movable containers/pots/artificial plants is not considered as permanent/proper landscape treatment;
- (f) to note comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD) that adequate stormwater drainage collection and disposal facilities should be provided in connection with the development to deal with the surface runoff of the Site or the same flowing on to the Site from the adjacent areas without causing any adverse drainage impacts or nuisance to the adjoining areas;
- (g) to note the following comments of the Chief Building Surveyor/New Territories East 2 and Rail, Buildings Department (CBS/NTE2 & Rail, BD):
  - (i) all unauthorized building works/structures, if any, should be removed according to the provisions of the Building Ordinance (BO);
  - (ii) the granting of the planning approval should not be construed as an acceptance of the unauthorized structures on the Site under the BO. Enforcement action may be taken to the removal of all unauthorized works in the future.
- (h) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD) that the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection for provision of water supply to the development. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be

responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards;

- (i) to note the comments of the Director of Fire Services (D of FS) that detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. The arrangement of Emergency Vehicular Access shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 whenever the building works fall within the admit of the Buildings Department;
- (j) to note the comments of the Commissioner of Police (C of P) that the applicant should comply with Cap. 400 'Noise Control Ordinance' and impose noise control measures to minimize disturbance to residences in the vicinity and to provide sufficient parking spaces; and
- (k) to note the comments of the Director of Food and Environmental Hygiene (DFEH) for any events, activities and other things referred to in the definition of "entertainment" in section 2 of Places of Public Entertainment Ordinance (Cap. 172), separate application for Places of Public Entertainment/Temporary Places of Public Entertainment Licence should be made to Food and Environmental Hygiene Department.