

**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

facilities and access arrangements may be approved if the application sites are in close proximity to existing villages and in keeping with the surrounding uses, and where the development is to meet the demand from indigenous villagers.

- d. Redevelopment of existing residential development will generally be permitted up to the intensity of the existing development.
- e. Applications for G/IC uses and public utility installations must demonstrate that the proposed development is essential and that no alternative sites are available. The plot ratio of the development site may exceed 0.4 so as to minimize the land to be allocated for G/IC uses.
- f. Passive recreational uses which are compatible with the character of surrounding areas may be given sympathetic consideration.
- g. The design and layout of any proposed development should be compatible with the surrounding area. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment.
- h. The vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features. Tree preservation and landscaping proposals should be provided.
- i. The proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, roads and water supply. It should not adversely affect drainage or aggravate flooding in the area.
- j. The proposed development must comply with the development controls and restrictions of areas designated as water gathering grounds.
- k. The proposed development should not overstrain the overall provision of G/IC facilities in the general area.
- l. The proposed development should not be susceptible to adverse environmental effects from pollution sources nearby such as traffic noise, unless adequate mitigating measures are provided, and it should not itself be the source of pollution.
- m. Any proposed development on a slope or hillside should not adversely affect slope stability.

Advisory Clauses

- (a) to note the comments of District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) that the applicant is required to obtain a Short Term Tenancy (STT) for garden use on the Site from his office. Notwithstanding the grant of the planning approval by Town Planning Board, there is no guarantee that his office will grant an STT and, if granted, the STT will be subject to such terms and conditions, as his office considers appropriate;
- (b) to note the comments of Chief Engineer/Mainland South, Drainage Services Department that adequate stormwater drainage collection and disposal facilities should be provided in connection with the proposed development to deal with the surface runoff of the Site or the same flowing onto the Site from the adjacent areas without causing any adverse drainage impacts or nuisance to the adjoining areas;
- (c) to note the following comments of Chief Building Surveyor/ NTE2 & Rail, Buildings Department under the Buildings Ordinance (BO) that:
  - (i) the land status of the subject government land in future should be clarified. Unless an instrument to be granted by LandsD so that land would come under the definition of “leased land” under the Land (Miscellaneous Provisions) Ordinance (Cap. 28), the Building Authority (BA) may not be able to process plans for the works on that land and structure thereon as building works on unleased government land are outside the jurisdiction of the BO by virtue of BO s. 41(1)(ba);
  - (ii) all unauthorised building works/structures, if any, should be removed according to the provisions of the BO;
  - (iii) AP must be appointed to coordinate all non-exempted building works on leased land, which are subject to compliance with the BO;
  - (iv) the granting of the planning approval should not be construed as an acceptance of the unauthorised structures on Site under the BO. Enforcement action may be taken to effect the removal of all authorised works in the future;
- (d) to note the comments of Head/ Geotechnical Engineering Office, Civil Engineering and Development Department (H/GEO, CEDD) that the applicant should demonstrate to DLO/SK, LandsD that the slope stability of slope feature No. 11NE-B/C904 is up to current safety standard in the future land application; and
- (e) to note the comments of Chief Town Planner / Urban Design & Landscape, Planning Department, that the approval of planning application does not imply approval of tree works such as felling, transplanting or pruning under lease. Applicant is reminded to approach relevant authority/government department(s) direct to obtain necessary approval on tree works.