

TPB PG-NO. 10

**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.

**TOWN PLANNING BOARD
JULY 1991**

Advisory Clauses

- (a) to note the comment of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD) that if the planning application be approved by the Board, the applicant should apply to LandsD for approval for the proposed public utility installation. Such application will be processed by LandsD in the capacity of a Landlord and approval, if granted, will be subject to such terms and conditions, including payment of fees, as may be imposed by LandsD. Please note that there is no guarantee that such application will be approved;
- (b) to note the comment of the Head of Sustainable Lantau Office, Civil Engineering and Development Department (H(SLO), CEDD) that the applicant should carry out proper disposal of Construction and Demolition (C&D) wastes during the construction works in view that there has been frequent complaints of disposal of construction wastes in South Lantau resulting in damage to the natural environment;
- (c) to note the comment of the Commissioner for Transport that the access roads in the vicinity of the Site are not managed by the Transport Department;
- (d) to note the comment of Chief Building Surveyor/New Territories East(1) & Licence, BD (CBS/NTE1&L, BD) that if the Site becomes a leased land and the development is not a New Territories Exempted House (NTEH) under Buildings Ordinance (Application to the New Territories) Ordinance, applicant's attention is drawn to the following:
 - (i) for any existing structures erected on leased land without approval of BD (not being a NTEH), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;
 - (ii) before any new building works (including containers/open sheds as temporary buildings) are to be carried out at the Site, the prior approval and consent of BD should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person (AP) should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (iii) for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW at the Site under the BO; and
 - (iv) if the proposed use under application is subject to the issue of a licence, please be reminded that any existing structures at the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.
- (e) to note the comment of the Director of Agriculture, Fisheries and Conservation that the applicant should avoid/minimize any potential impacts to the existing trees nearby and properly reinstate the area after works completion;
- (f) to note the comment of the Director of Fire Services that emergency vehicular access (EVA) arrangement shall comply with Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 administered by BD. Detailed fire safety requirements will be formulated upon receipt formal submission of general building plans;

- (g) to note the comment of the Chief Engineer/Construction, Water Supplies Department (CE/C of WSD) that the Site is outside WSD's water supply zone, and there will be no water supply available to the Site;
- (h) to note the comment of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the applicant is advised to consider adopting subdued colouring to help the proposed development blend in with the surrounding environment;
- (i) to note the comment of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) that the proposed installation is located at the crest of two registered man-made slopes (Feature No. 13NW-B/F181 and 13NW-B/F182) which are maintained by LandsD, the applicant should seek comment from LandsD; and
- (j) to note the comment of the Controller, Government Flying Service that the applicant should install an omni-directional red obstacle light near the apex of the pole to enhance the safety factor.