

**Extract of Town Planning Board Guidelines
for Application for Development within the Green Belt Zone
under Section 16 of the Town Planning Ordinance**

(TPB PG-No. 10)

The main planning criteria for assessing applications for development within the “Green Belt” zone under s.16 of the Town Planning Ordinance are:

- (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.

Previous s.16 Applications associated with the Provision of Access for 17 Bowen Road

Rejected Applications

	<u>Applications No.</u>	<u>Applied Use(s)/ Development(s)</u>	<u>Zoning</u>	<u>Site Area (m²)</u>	<u>Date of Consideration (MPC/TPB/ TPAB)</u>	<u>Rejection Reasons</u>
1	A/H12/3	An Inclined Passenger Elevator	“Green Belt” (“GB”)	73	29.6.1993 (Appeal Dismissed)	(1)
2	A/H12/14	Vehicular Access and Car Parking Spaces Ancillary to Residential Use	“GB”	2,200	15.11.2002 (on Review)	(2) to (4)
3	A/H12/18	Access Road Ancillary to Residential Use	“GB”	176	13.5.2005	(3) to (5)
4	A/H12/28	Proposed Vehicular Access for Residential Development	“GB”	1,700	10.4.2015 (on Review)	(3), (4), (6), (7)

Rejection Reasons

- (1) No benefit to the public at large and should not be allowed in order to enhance the amenity of one house.
- (2) Involve massive tree felling in a landscape sensitive area and would result in adverse landscape and visual impacts on the surrounding area.
- (3) No strong justification for a departure from the planning intention of “GB” zone / intended solely for the convenience of a single house at the expense of public interest did not warrant departure from current policy of discouraging development within “GB” zone.
- (4) Setting an undesirable precedent.
- (5) Insufficient information to demonstrate that the proposed development would not generate adverse landscape and visual impacts.
- (6) Insufficient information to demonstrate that the proposed development would not generate interface issue with pedestrians and with the declared monument.
- (7) Not in line with the Town Planning Board Guidelines on Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10).

**Similar Planning Applications within “Green Belt” (“GB”) Zone
of the Approved Mid-Levels East Outline Zoning Plan No. S/H12/14**

Approved Applications

	<u>Application No.</u>	<u>Applied Use(s)/Development(s)</u>	<u>Date of Consideration TPB</u>	<u>Approval Conditions</u>
1	A/H12/21	Proposed ‘House’ development in “GB” zone	18.7.2008	(a) to (d)
2	A/H12/29	Proposed ‘House’ development in “GB” zone	3.1.2014	(e) to (j)

Approval Conditions

- (a) The setting back of the existing retaining wall to improve the sightline of the proposed vehicular access as proposed under the Traffic Impact Assessment to the satisfaction of the Commissioner for Transport (C for T) or of the Town Planning Board (TPB).
- (b) The submission of a ‘Geotechnical Planning Review Report’ to assess the geotechnical feasibility of the proposed development to the satisfaction of the Director of Civil Engineering and Development (DCED) or of TPB.
- (c) The provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services (DFS) or of TPB.
- (d) The submission and implementation of a tree preservation scheme and a landscape proposal, including the submission of quarterly tree monitoring reports during the implementation stage, to the satisfaction of the Director of Planning (DoP) or of TPB.
- (e) The implementation of the loading/unloading arrangement as proposed by the applicant to the satisfaction of the C for T or of TPB.
- (f) The provision of fire service installations and water supplies for firefighting to the satisfaction of the DFS or of TPB.
- (g) The submission and implementation of a Drainage Impact Assessment to the satisfaction of the Director Drainage Services (DDS) or of TPB.
- (h) The submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of TPB.
- (i) The implementation of a Sewerage Impact Assessment to the satisfaction of the DDS or of TPB.
- (j) The submission and implementation of tree preservation and landscape proposals to the satisfaction of the DoP or of TPB.

Rejected Application

	<u>Application No.</u>	<u>Location</u>	<u>Proposed Use / Development</u>	<u>Date of Consideration by TPB</u>	<u>Rejection Reasons</u>
1	A/H12/16	Government land adjoining 15 Bowen Road	Proposed vehicular ramp and ancillary car park to residential development	24.1.2003	(1) to (3)

Rejection Reasons

- (1) The proposal would involve tree felling in a landscape sensitive area and result in adverse landscape and visual impacts on the surrounding areas.
- (2) There was a general presumption against development in “GB” zone. The proposal which was intended solely for the convenience of one single house at the expense of public interest would not warrant any departure from the current policy of discouraging development within “GB” zone.
- (3) The approval of the application would set an undesirable precedent for similar developments in “GB” zone and the cumulative effects of such developments would result in irreversible damage to the existing natural landscape, and would have adverse traffic and road safety implications.

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy ☐Confidential /

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年04月08日星期三 2:55
收件者: tpbpd/PLAND
主旨: A/H12/30 17 Bowen Road GB

類別: Internet Email

A/H12/30

17 Bowen Road, Mid-Levels, Hong Kong

Site area: About 69.7sq.m Government Land

Zoning: "Green Belt"

Applied development: Access (Inclined Lift)

Dear TPB Members,

Strongest Objections.

This application is mind boggling. If every dwelling on the slopes with footpath access was to be approved a similar service the Mid-Levels slopes would be profoundly impacted.

Members should refer to a similar application A/H12/18

May 2005: there was a general presumption against development in "Green Belt" ("GB") zone. The proposal which was **intended solely for the convenience of one single house at the expense of public interest** did not warrant any departure from the current policy of discouraging development within "GB" zone;

Indeed. Approval would set a most undesirable precedent and encourage appeals to rejection of other applications over 'GB', like that of a vehicular access on Tai Hang Road, A/H6/96.

If the residents cannot handle the current access they can always sell up and move to a more convenient location.

Mary Mulvihill

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年04月10日星期五 10:38
收件者: tpbpd/PLAND
主旨: A/H12/30 - Application to Construct an Inclined Lift on Green Belt Land at 17 Bowen Road

類別: Internet Email

Dear Town Planning Board,

Please reject this application for an inclined lift on Green Belt (GB) zone along the historic Bowen Road hiking trail. The audacity of the applicant in continually requesting access to this GB zone for construction of lifts, roads, and vehicular access to a single residential house is shocking. Each previous application has been rejected for good reason. There is a general presumption against development in "Green Belt" ("GB") zoning. The applicant's proposal is **intended solely for the convenience of access to one single house at the expense of the public interest** and accordingly does not warrant any departure from the current policy of discouraging development within GB zoning.

Approval of this application would set an undesirable precedent and encourage applicants to continually appeal rejections of similar applications, such as the case of application A/H6/96 pertaining to vehicular access on Tai Hang Road.

Sincerely,

Melanie Moore

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號
Reference Number: 260410-163357-43522

提交限期
Deadline for submission: 10/04/2026

提交日期及時間
Date and time of submission: 10/04/2026 16:33:57

有關的規劃申請編號
The application no. to which the comment relates: A/H12/30

「提意見人」姓名/名稱
Name of person making this comment: 先生 Mr. John Moore

意見詳情
Details of the Comment :

Please reject this application for an inclined lift on Green Belt (GB) zone along the historic Bowen Road hiking trail. Each previous application by this applicant to construct lift or road access to this its private residential building has been rejected for good reason. There is a general presumption against development in "Green Belt" ("GB") zoning. The applicant's proposal is intended solely for the convenience of access to one single house at the expense of the public interest and accordingly does not warrant any departure from the current policy of discouraging development within GB zoning.

Approval of this application would set an undesirable precedent and encourage applicants to continually appeal rejections of similar applications, such as the case of application A/H6/96 pertaining to vehicular access on Tai Hang Road.

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**參考編號**

260410-163538-61571

Reference Number:**提交限期**

10/04/2026

Deadline for submission:**提交日期及時間**

10/04/2026 16:35:38

Date and time of submission:**有關的規劃申請編號**

A/H5/423

The application no. to which the comment relates:**「提意見人」姓名/名稱**

女士 Ms. Wilhelmina Evelyn Moore

Name of person making this comment:**意見詳情****Details of the Comment :**

Please reject this application for an inclined lift on Green Belt (GB) zone along the historic Bowen Road hiking trail. Each previous application by this applicant to construct lift or road access to this its private residential building has been rejected for good reason. There is a general presumption against development in "Green Belt" ("GB") zoning. The applicant's proposal is intended solely for the convenience of access to one single house at the expense of the public interest and accordingly does not warrant any departure from the current policy of discouraging development within GB zoning.

Approval of this application would set an undesirable precedent and encourage applicants to continually appeal rejections of similar applications, such as the case of application A/H6/96 pertaining to vehicular access on Tai Hang Road.

就規劃申請/覆核提出意見 Making Comment on Planning Application / Review**參考編號****Reference Number:**

260410-163638-82062

提交限期**Deadline for submission:**

10/04/2026

提交日期及時間**Date and time of submission:**

10/04/2026 16:36:38

有關的規劃申請編號**The application no. to which the comment relates:**

A/H5/423

「提意見人」姓名/名稱**Name of person making this comment:**

女士 Ms. Genevieve Moore

意見詳情**Details of the Comment :**

Please reject this application for an inclined lift on Green Belt (GB) zone along the historic Bowen Road hiking trail. Each previous application by this applicant to construct lift or road access to this its private residential building has been rejected for good reason. There is a general presumption against development in "Green Belt" ("GB") zoning. The applicant's proposal is intended solely for the convenience of access to one single house at the expense of the public interest and accordingly does not warrant any departure from the current policy of discouraging development within GB zoning.

Approval of this application would set an undesirable precedent and encourage applicants to continually appeal rejections of similar applications, such as the case of application A/H6/96 pertaining to vehicular access on Tai Hang Road.

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Hong Kong East, Lands Department (DLO/HKE, LandsD) that:
 - (i) the applicant is required to rectify the unauthorised occupation of unleased and unallocated government land (UUGL). The land application related to the planning application will not be processed until the abovementioned illegal occupation of UUGL is rectified;
 - (ii) the applicant should seek expert advice from Geotechnical Engineering Office, Civil Engineering and Development Department and Slope Maintenance Section of LandsD as to whether the proposed inclined lift would adversely affect the stability of slope Feature No. 11SW-D/1400 maintained by the owner of IL2460;
 - (iii) subject to the advice of relevant Bureaux/Departments, the Roads (Works, Use and Compensation) Ordinance (Cap. 370) may need to be invoked in order to effect the proposed inclined lift. In this connection, subject to para. (iv) below, the applicant has to bear all relevant costs (e.g. government administrative costs and compensation) for processing the proposed inclined lift, under Cap. 370;
 - (iv) the applicant should take up the responsibilities of maintenance and management of the proposed inclined lift including the portion / area falling within Government land; and
 - (v) the applicant should apply for a lease modification and/or other appropriate land documentation to implement the proposed inclined lift. However, there is no guarantee that such application will be approved, and if such application is approved by the LandsD, acting in its capacity as the landlord, at its discretion, it will be subject to such terms and conditions, including payment of premium and fees as imposed by the LandsD.
- (b) to note the comments of the Chief Highway Engineer/Hong Kong, Highways Department (CHE/HK, HyD) that:
 - (i) the current vehicle weight restriction (i.e. Bowen Drive will be designated as prohibition zone for vehicles exceeding 4 tonnes in gross weight (except buses) 24 hours daily) should be maintained during the construction and operation stage;
 - (ii) the loading and unloading of materials and machinery, the access path of the construction details should be provided to HyD especially structural maintenance team for comment as highways structure No. HF10 (Bowen Road) is located at the vicinity of the construction site;
 - (iii) the proposed method statement including the foundation plan, hoarding and drainage plan should be provided to HyD to ensure the minimum disturbance to existing carriageway and footpath; and

- (iv) the proposed construction works should minimize the effect to the pedestrian and traffic flow to Bowen Road, which is currently a major jogging path.
- (c) to note the comments of the Chief Building Surveyor/Hong Kong East and Heritage, Buildings Department that:

detailed comments on compliance with the Buildings Ordinance and allied regulations will be given upon formal building plans submission.
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that:

the applicant should be advised that approval of the application does not imply approval of tree works such as crown and root pruning, transplanting, felling and compensatory/new tree planting. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works.
- (e) to note the comments of the Antiquities and Monuments Office that:

the applicant should be explicitly reminded that any interference with the Declared Monument should be avoided. Should the proposed works affect the Declared Monument, full compliance with the Antiquities and Monuments Ordinance (Cap.53) is required.
- (f) to note the comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department that:
 - (i) according to our drainage record, there are existing Ø150 sewer on the west of the proposed inclined lift from sewerage manhole FMH7054882 to FMH7054881. The Authorized Person (AP) shall exercise extreme care when working near the existing public drainage facilities, in order not to disturb, interfere with or cause damage to them. Should any undue settlement or damage of the existing public drainage installations be detected, the works should be stopped immediately and the developer shall report the matter to the Building Authority and Drainage Services Department (DSD) as soon as possible. In the event of any damage caused to the existing public drainage installations by the above works, the developer shall make good the damage at his own cost and to our satisfaction;
 - (ii) it is the developer's responsibility to identify/locate the existing government sewers and stormwater drains to which drainage connections from his site are to be proposed. The AP should verify the existence of any drains/sewers/utilities and also their exact locations, levels and alignments on site in order to ascertain the positions and levels of the proposed manholes and the associated connection works. The AP should also verify that the existing government drains/sewer, to which connections are proposed, are in normal working conditions and capable of taking the discharge from the site. Besides, for any excavation works over or in close vicinity to existing government drains/sewers, the AP should notify DSD in writing at least 14 working days before backfilling the excavation works and arrange joint site inspection with DSD prior to covering up;

- (iii) the AP is also reminded that any person willfully, except with the permission in writing of the Authority, or negligently damages, alters, disconnects or otherwise interferes with any public sewer or drain or any connection therewith, shall be guilty of an offence under Section 6 of Public Health and Municipal Services Ordinance (Cap 132);
 - (iv) DSD will only take over those public drainage facilities constructed on government land (except for right of way) with proper access, located downstream of the terminal manholes and falling outside the boundary of private lots / other facilities owned by other parties;
 - (v) the AP is required to liaise with relevant utility undertakers to obtain the latest records, plans and alignments of their utilities in order to ensure the feasibility of the proposed drainage works. The AP is also required to excavate inspection pits and conduct utility detection to verify the alignments of utilities shown in such utility records if considered necessary;
 - (vi) should any undue settlement or damage of the existing public drainage installations be detected, the piling/foundation/excavation works should be stopped immediately by the developer who shall report the matter to the Building Authority and DSD as soon as possible. In the event of any damage caused to the existing public drainage installations by the above works, the developer should be responsible for making good the damage at his own cost and to our satisfaction; and
 - (vii) under the Water Pollution Control Ordinance (Cap 358), discharge of wastewater into stormwater drains is not permitted. The AP shall ensure that the proposed sewerage works shall convey all wastewater, including but not limited to those wastes generated by the domestic use of toilets, water closets, baths, showers, sinks, basins and other sanitary and kitchen fitments, through the sewage terminal manhole(s) to the public sewers. Besides, to ensure the sustainability of the public sewerage network, the AP shall ensure that the surface runoff within the development site will be collected and discharged via a stormwater drainage system and not be drained to the public sewerage network.
- (g) to note the comments of the Chief Engineer/Construction, Water Services Department that:
- (i) there are some existing fresh water mains within the Site and are affected by the proposed development. Free access should be allowed for Water Services Department (WSD) at any time to carry out operation and maintenance of these water mains. In case the project proponent considers that diversion of these water mains is required, they should study the feasibility of diverting these water mains. If diversion is considered feasible, the project proponent should submit their proposal for WSD's consideration and approval. The water mains diversion work shall be carried out by the project proponent at their own cost to the satisfaction of WSD. WSD will only carry out the connection works to the existing network and the associated connection cost should be borne by the project proponent; and
 - (ii) the alignments of the water mains are indicative only. The exact lines and levels of the water mains should be established by hand dug trial pits on site if they are of

significance to your works. Some changes might have been made to the information shown on the drawings in the course of time and that digging of trial holes to ascertain the exact alignment and depth of water mains would still be necessary before any road excavation.

- (h) to note the comments of the Director of Fire Services that:
 - (i) detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans;
 - (ii) the provision of emergency vehicular access in the subject work shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings;
 - (iii) any construction works should under no circumstances cause obstruction to the nearby fire hydrants and ground valves. All ground pits should be unobstructed and a clearance of 1.5m around all street fire hydrant should be maintained at all time. Should any relocation/blanking-off of fire hydrants be necessary, prior consent from Fire Services Department (FSD) has to be sought; and
 - (iv) should the proposed work affect any provision of emergency vehicular access to nearby buildings, the consultant should make a separate enquiry to FSD to ensure the feasibility of the work.
- (i) to note the comments of the Director of Electrical and Mechanical Services that:
 - (i) in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable under the mentioned document should approach the electricity supplier (i.e. HK Electric) for the requisition of cable plans to find out whether there is any underground cable within and/or in the vicinity of the concerned site;
 - (ii) the applicant should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the "Code of Practice on Working near Electricity Supply Lines" established under the Regulation when carrying out works in the vicinity of the electricity supply lines; and
 - (iii) the design and construction of the lifts should be complied with (a) Lifts and Escalators Ordinance, Cap.618 and (b) Code of Practice on the Design and Construction of Lifts and Escalators. A registered lift contractor or registered lift engineer should be appointed to provide expertise advices and technical supports on the design of lift at the Site.