

**Relevant Extracts of Town Planning Board Guidelines for
Application for Development within Green Belt Zone
under Section 16 of the Town Planning Ordinance
(TPB PG-No. 10)**

1. In assessing applications for development within “Green Belt” (“GB”) zone, the relevant planning criteria are summarised as follows:
 - (a) there is a general presumption against development (other than redevelopment) in a “GB” zone;
 - (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;
 - (c) passive recreational uses which are compatible with the character of surrounding areas may be given sympathetic consideration;
 - (d) 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;
 - (e) 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;
 - (f) 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;
 - (g) the proposed development must comply with the development controls and restrictions of areas designated as water gathering grounds;
 - (h) the proposed development should not overstrain the overall provision of government/institution/community facilities in the general area;
 - (i) 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; and
 - (j) any proposed development on a slope or hillside should not adversely affect slope stability.

Government Departments' General Comments

1. Nature Conservation

Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- according to aerial photos, the Site is largely vacant with temporary structures. He has no strong view on the planning application from nature conservation perspective; and
- his advisory comments are at **Appendix IV**.

2. Traffic

Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

- no comment on the application from highways maintenance point of view;
- the proposed local access road connecting the Site to Shan Tsui Village Road is not under the maintenance of HyD; and
- his advisory comments are at **Appendix IV**.

3. Drainage

Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- no objection to the application from public drainage viewpoint and no adverse comment on the land filling plan;
- should the application be approved, approval conditions to request the applicant to submit and implement a drainage proposal should be included to ensure that the proposed use will not cause adverse drainage impact on the adjacent areas, and the implemented drainage facilities should be properly maintained at all times during the planning approval period;
- the Site is in an area where public sewerage connection is not available; and
- her advisory comments are at **Appendix IV**.

4. Fire Safety

Comments of the Director of Fire Services (D of FS):

- no in-principle objection to the proposal subject to fire service installations and water supplies for firefighting being provided to his satisfaction; and
- his advisory comments are at **Appendix IV**.

5. **Environmental**

Comments of the Director of Environmental Protection (DEP):

- no objection to the planning application;
- no environmental complaint against the Site was received in the past three years; and
- his advisory comments are at **Appendix IV**.

6. **Landscape**

Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

- no adverse comments in principle on the application from landscape planning perspective;
- based on the aerial photo taken in 2025, the Site is located in an area of rural coastal plain landscape character comprising woodland, tree clusters, public housing and village houses. Approval of the application may alter the landscape character of the areas;
- with reference to the site photos taken on 17.4.2026, majority of the Site was fenced-off and formed. Some self-seeded vegetation was found on it. According to the photo records, vegetation clearance was taken place from 2021 to 2023. As stated by the applicant, tree felling is not involved and land filling and excavation are proposed;
- in view of the above, significant adverse landscape impact arising from the application is not anticipated; and
- his advisory comments are at **Appendix IV**.

7. **Water Supplies**

Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- no objection to the application; and
- his advisory comments are at **Appendix IV**.

8. **Building Matters**

Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- no objection to the application;
- it is noted that a structure and land filling are proposed on the Site. Before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, otherwise they are unauthorized building works under the Buildings Ordinance (BO). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and
- his advisory comments are at **Appendix IV**.

9. Other Departments

The following government departments have no objection to/no comments on the application:

- (a) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (b) Project Manager (North), CEDD (PM(N), CEDD);
- (c) Commissioner of Police (C of P); and
- (d) District Officer (North), Home Affairs Department (DO(N), HAD).

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the development with the concerned owner(s) of the application site (the Site);
- (b) failure to reinstate the “Green Belt” (“GB”) portion of the Site as required under the relevant approval condition upon expiry of the planning permission might constitute an unauthorized development under the Town Planning Ordinance and be subject to enforcement and prosecution actions;
- (c) to note the comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. The proposed ingress/egress points of the Site are required to pass through Government land (GL) but no right of access via GL is granted to the Site;
 - (ii) no consent is given for inclusion of GL (about 212m²) for the proposed use/access road. Any occupation of GL without Government’s prior approval is an offence. There is no guarantee that the GL within the Site shall be allowed for the proposed use/ingress or egress points. The GL adjoining Lots 3 S.A, 3 S.B ss.1 and 3 S.B RP in D.D. 40 is included in the Site which is not acceptable;
 - (iii) the following irregularities covered by the subject planning application have been detected by his office:

unauthorised structure within the said private lot covered by the planning application

there is unauthorised structure on the said private lot. The lot owner should immediately rectify/regularise the lease breaches and his office reserves the rights to take necessary enforcement action against the breaches without further notice;
 - (iv) the following irregularities not covered by the planning application have been detected by his office:

unlawful occupation of GL not covered by the planning application

the GL adjoining the said private lot has been fenced off and illegally occupied with and without unauthorised structure without permission. The GL being illegally occupied is not included in the application. The applicant should clarify the extent of the Site. Any occupation of GL without Government’s prior approval is an offence under the Cap. 28. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;
 - (v) the lot owner/applicant shall remove the unauthorised structure and cease the illegal occupation of the GL not covered by the subject planning application immediately, subject to the approval of the Town Planning Board to the planning application which shall have reflected the rectification or amendment as aforesaid required, apply to his office for a Short Term Waiver (STW) (on whole lot basis) to permit the structure(s) erected/to be erected. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be subject to such terms and conditions including the payment of waiver fee and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owner(s)/applicant for any breach of the lease conditions, including the breach(es) already

in existence or to be detected at any point of time in future and land control action for any unlawful occupation of GL; and

- (vi) the applicant should comply with all the land filling requirements imposed by relevant Government departments. GL should not be disturbed unless with prior approval;
- (d) to note the comments of the Commissioner for Transport (C for T) that sufficient manoeuvring space shall be provided within the Site. No vehicle is allowed to queue back to or reverse onto/ from public road at any time during the planning approval period;
- (e) to note the comments of the Director of Agriculture, Fisheries and Conservation (DAFC) that the applicant should implement good site practices to avoid adverse impacts on the nearby environment, such as trees located in the nearby “GB” zone;
- (f) to note the comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD) that:
 - (i) the proposed access arrangement should be commented by the Transport Department;
 - (ii) HyD is not/shall not be responsible for the maintenance of any access connecting the Site and Shan Tsui Village Road;
 - (iii) adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains; and
 - (iv) the applicant should take adequate precautionary measures to avoid damaging roads, street furniture, drainage and slopes etc. maintained by his office. Damage caused to roads, street furniture, drainage and slopes etc. maintained by his office due to the proposed work shall be repaired to his satisfaction at the applicant’s own costs;
- (g) to note the comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that:
 - (i) the drainage facilities should be rectified if they are found inadequate/ineffective during operation;
 - (ii) the applicant should properly maintain the implemented drainage works whether within or outside the Site at his own expense; and
 - (iii) the Site is in an area where public sewerage connection is not available. The Environmental Protection Department should be consulted regarding the sewage impact assessment and sewage treatment/disposal facilities for the proposed use;
- (h) to note the comments of the Director of Fire Services (D of FS) that:
 - (i) in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to his department for approval. In addition, the applicant should note that:
 - the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy;
 - the location of where the proposed FSI to be installed should be clearly marked on the layout plans; and
 - (ii) the applicant is reminded that if the proposed structures are required to comply with the Buildings Ordinance (BO) (Cap. 123), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans;

- (i) to note the comments of the Director of Environmental Protection (DEP) that:
 - (i) the applicant should follow the relevant mitigation measures and requirements in 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites' and to meet the statutory requirements under relevant pollution control ordinances; and
 - (ii) the design, construction, operation and maintenance of septic tank and soakaway system should meet the Professional Persons Environmental Consultative Committee Practice Note (ProPECC PN) 1/23 requirements. In particular, applicant's attention is drawn to the Percolation Test and Minimum Clearance requirements stated in ProPECC PN 1/23, which should be fully complied with before being signed off by the Consulting Engineer and certified by the Authorized Person;
- (j) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the approval of the application does not imply the approval of tree works such as pruning, transplanting and felling. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works;
- (k) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that for provision of water supply to the proposed use, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. 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 standard; and
- (l) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
 - (i) it is noted that a structure and land filling are proposed at the Site. Before any new building works are to be carried out at the Site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works or commenced under the simplified requirement under the Minor Works Control System, otherwise they are unauthorized building works (UBW) under the BO. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (ii) the applicant's attention is drawn to the followings:
 - the Site shall be provided with emergency vehicular access in accordance with Regulation 41D of the (Building (Planning) Regulations) (B(P)R);
 - the Site does not abut on a specified street of not less than 4.5m wide and its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at building plan submission stage;
 - if any existing structure is erected on leased land without the approval of the BA, they are UBW under the BO and should not be designated for any proposed use under the subject application;
 - for UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing 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 on the Site under the BO;

- before any new building works (including containers/ open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW under the BO. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
- any temporary shelters or converted containers for office, storage, washroom or other uses are considered as temporary buildings are subject to the control of Part VII of the B(P)R;
- in general there is no requirement under the BO in respect of provision of car parking spaces for a proposed use. However, the applicant's attention is drawn to the provision of accessible car parking spaces designated for the use of persons with a disability as per the requirements under Regulation 72 of the B(P)R and Division 3 of Design Manual: Barrier Free Access 2008;
- the applicant's attention is drawn to the provision under regulations 40 and 41 of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulation in respect of disposal of foul water and surface water respectively;
- the 6m high staff office and restroom for guests is considered excessive. It should be justified upon formal plan submission to BD; and
- detailed checking under the BO will be carried out at building plan submission stage.

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

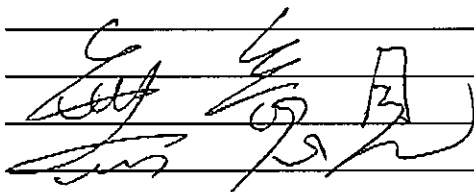
By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates
A/NE-STK/33

意見詳情 (如有需要，請另頁說明)

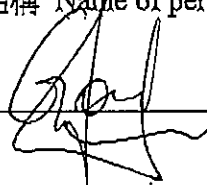
Details of the Comment (use separate sheet if necessary)



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

侯志強議員

簽署 Signature



日期 Date

2026.4.27

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致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

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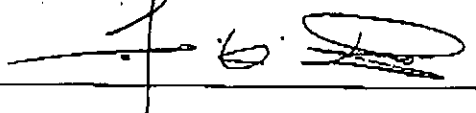
Details of the Comment (use separate sheet if necessary)

沒有意見

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

龍山區議會陳葉英代

簽署 Signature



日期 Date

5-5-2016

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tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年05月08日星期五 1:15
收件者: tpbpd/PLAND
主旨: A/NE-STK/33 DD 40, Sheung Tam Shui Hang, Sha Tau Kok
類別: Internet Email

A/NE-STK/33

Lot 1 in D.D. 40 and Adjoining Government Land, Sheung Tam Shui Hang, Sha Tau Kok

Site area: About 1,550sq.m (Includes Government Land of about 212sq.m)

Zoning: "VTD" and "Green Belt"

Applied use: Hobby Farm / 1 Vehicle Parking / **Filling of Land**

Dear TPB Members,

Strong Objections. 580sq.m Filling of Land, one third of the site, is excessive.

The Applicant mentions having up to 80 persons on site, but no mention of toilet / hand washing facilities. Ditto re Drainage and Fire Service installations.

The true intention is to a step by step approach to an eventual brown field operation.

The application should be rejected.

New members please request data on applications for Hobby Farm.

95% HAVE BEEN REVOKED. This land use has been manipulated for many years and by now members should make a more realistic appraisal of the legitimacy of the application.

The application should be rejected.

Mary Mulvihill