

Extract 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)

The relevant assessment criteria are as follows:

- (a) There is a general presumption against development (other than redevelopment) in a “Green Belt” (“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 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.
- (d) Passive recreational uses which are compatible with the character of surrounding areas may be given sympathetic consideration.
- (e) 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.
- (f) 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.
- (g) 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.

- (h) The proposed development should not overstrain the overall provision of G/IC 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.
- (j) Any proposed development on a slope or hillside should not adversely affect slope stability.

Previous s.16 Applications covering the Application Site

Rejected Applications

<u>Application No.</u>	<u>Development(s)/ Use(s)</u>	<u>Date of Consideration (RNTPC/TPB)</u>	<u>Rejection Reasons</u>
A/DPA/TM-LTTY/71	Residential Development	15.12.1995	(a) to (d)
A/DPA/TM-LTTY/109	Open Storage of Building Material	13.12.1996 (Rejected upon review)	(a), (e) and (f)
A/TM-LTTY/3	Two Houses (Two New Territories Exempted Houses)	9.5.1997 (Rejected upon review)	(a), (g), (h) and (j)
A/TM-LTTY/198	Proposed Temporary Public Vehicle Park (Private Cars) For a Period of 3 Years	7.5.2010	(a), (g), (i) and (j)

Rejection Reasons:

- (a) No strong planning justification for a departure from the planning intention.
- (b) The intensity of the proposed development is not compatible with the surrounding area.
- (c) Adverse traffic, air quality, noise and drainage impacts.
- (d) The proposed emergency vehicular access within the application site is not satisfactory.
- (e) Not in line with the long-term planning intention for the area.
- (f) Insufficient information in the submission to demonstrate that the building materials cannot be stored in industrial premises in the planned industrial areas.
- (g) Not in line with Town Planning Board Guidelines for ‘Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance.
- (h) Insufficient information to demonstrate that appropriate mitigation measures have been provided.
- (i) Insufficient information in the submission to demonstrate that the proposed development would not generate adverse drainage and landscape impact on the surrounding areas.
- (j) Setting an undesirable precedent.

Similar s.16 Application within the subject “GB” zone on the OZP in the past five years

Approved Application

<u>Application No.</u>	<u>Development(s)/ Use(s)</u>	<u>Date of Consideration (RNTPC)</u>
A/TM-LTYT/506	Proposed Temporary Warehouse (Excluding Dangerous Goods Godown) and Associated Filling of Land for a Period of 3 Years	27.2.2026

Government Departments' General Comments

1. Traffic

Comments of the Chief Highway Engineer/New Territories West, HyD (CHE/NTW, HyD):

- No comment on the application from highways maintenance viewpoint.
- Advisory comments as detailed in **Appendix V**.

2. Environment

Comments of the Director of Environmental Protection (DEP):

- No objection to the application from environmental planning perspective.
- Three non-substantiated environmental complaints pertaining to the application site (the Site) related to air and waste aspects were received in the past three years.
- Advisory comments as detailed in **Appendix V**.

3. Drainage

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

- No objection to the application from public drainage viewpoint.
- Should the application be approved, a condition should be included to request the applicant to submit and implement a drainage proposal for the application site (the Site) to ensure that it will not cause adverse drainage impact to the adjacent areas before the commencement of operation. The applicant could make reference to DSD Technical Note No.1 – Technical Note to prepare a “Drainage Submission”.
- Advisory comments as detailed in **Appendix V**.

4. Fire Safety

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

- No objection in-principle to the application subject to fire service installations (FSIs) being provided to the satisfaction of the D of FS.
- The submitted FSIs proposal is considered acceptable.
- Advisory comments as detailed in **Appendix V**.

5. **Building Matters**

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

- No objection to the application.
- There is no record of approval granted by the Building Authority for the existing structures at the Site, BD is not in a position to offer comments on their suitability for the use proposed in the application.
- Advisory comments as detailed in **Appendix V**.

6. **Natural Conservation**

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

He has no comment on the application from nature conservation perspective as the Site is largely disturbed in nature.

7. **Landscape**

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

- No adverse comments on the application from landscape planning perspective.
- Based on the aerial photo, the Site was situated in an area of miscellaneous rural fringe landscapes characterised by temporary structures to the north, burial grounds to the south and tree clusters to the east and west of the Site. The proposed use is considered not entirely incompatible with the landscape character of the area. From the aerial photo and site photos, the Site is vacant with existing trees observed at the eastern portion of the Site. According to the tree survey and landscape proposal submitted by the Applicant, six existing trees of common species (*Ficus microcarpa*) were observed within the Site. No distinctive landscape resources or mature trees were found within the Site. All the six existing trees were proposed to be removed. To mitigate the landscape impacts, six new trees will be planted to achieve a compensatory ratio of 1:1.
- In view of the above, significant adverse landscape impact arising from the proposed use is not anticipated.
- Advisory comments as detailed in **Appendix V**.

8. **District Officer's Comments**

Comment of the District Officer (Tuen Mun), Home Affairs Department (DO(TM), HAD):

His office has not received any public comments on the application.

9. **Other Departments**

The following departments have no objection to/no comment on the application and their advisory comments, if any, are in **Appendix V**.

- Director of Electrical and Mechanical Services (DEMS);
- Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- Chief Engineer/Housing Project Division, CEDD (CE/HPD, CEDD); and
- Commissioner of Police (C of P).

Recommended Advisory Clauses

- (a) failure to reinstate the application site (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;
- (b) to note the comments of the District Lands Officer/Tuen Mun, Lands Department (DLO/TM, LandsD) that:
 - (i) the Site comprises Old Schedule Agricultural Lot 2447 S.A RP (Part) in D.D. 130 (“the Lot”) 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;
 - (ii) the Lot owner/applicant shall remove the unauthorised structures not covered by the application immediately; LandsD reserves the right to take enforcement action against the Lot owner/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;
 - (iii) the Site is now accessible via a local access on Government land (GL) branching off Shun Tat Street. According to the applicant, it is noted that the existing vehicular access point will be closed and the alternative is at the northeast boundary of the Site (i.e. via Shun Tat Street). His office does not carry out maintenance works for the said GL nor guarantee that any right-of-way to the Site will be given. The applicant shall be responsible for his own access arrangement; and
 - (iv) LandsD reserves the right to take lease enforcement actions as considered appropriate against any unauthorised erection/extensions/alterations of the structures erected or to be erected within the Lot or any unauthorised occupation of GL at any time irrespective of whether planning permission will be given or not. Enforcement action will be taken should any structure or structures be found erected without prior approval given by LandsD or be in breach of the approval given;
- (c) to note the comments of the Commissioner for Transport (C for T) that;
 - (i) no queuing and/or waiting of motor vehicles from the Site onto Shun Tat Street would occur and no motor vehicles shall be permitted to reverse into and out of the Site onto Shun Tat Street; and
 - (ii) as the proposed run-in/out is near the future signalised pedestrian crossing, the applicant shall provide appropriate traffic management measure to facilitate motor vehicles entering/leaving the Site for the sake of traffic and pedestrian safety;
- (d) to note the comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD) that:
 - (i) HyD does not and will not maintain any access connecting the Site and Shun Tat

Street; and

- (ii) adequate drainage measures shall be provided to prevent surface water running from the Site to the nearby public roads and drains;
- (e) to note the comments of the Director of Environmental Protection (DEP) that the applicant is advised to follow the relevant mitigation measures and requirements in the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Site' to minimise any potential environmental nuisance and for proper sewage collection and disposal requirement;
- (f) to note the comments of the Chief Engineer/Mainland North, DSD (CE/MN, DSD) that:
- (i) the applicant is required to maintain his drainage facilities/system properly and rectify them if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of any damage and/or nuisance caused by failure of his facilities/system;
 - (ii) the applicant should construct and maintain the proposed drainage facilities whether within or outside the Lot at his own expense;
 - (iii) the Site is in an area Where public sewerage connection is available. Environmental Protection Department (EPD) should be consulted regarding sewerage impact assessment and sewage treatment/disposal facilities for the proposed development; and
 - (iv) regarding the submitted drainage proposal, the applicant should be advised that the limited desktop checking by the Government on the drainage proposal covers only the fundamental aspects of the drainage design which will by no means relieve his obligations to ensure that (i) the proposed drainage works will not cause any adverse drainage or environmental impacts in the vicinity; and (ii) the proposed drainage works and the downstream drainage systems have the adequate capacity and are in good conditions to accommodate all discharge water collected from his lot and all upstream catchments. The applicant shall effect any subsequent upgrading of these proposed works and the downstream drainage systems whenever necessary. In this regard, he has the following general comments on the drainage proposal from public drainage viewpoint:
 - (i) the Site is within an area where connection to existing public stormwater drainage network is available in the vicinity and it is noted that the applicant proposed to connect his proposed drainage facility to DSD's existing catchpit No. SCH1013720 (**Plan A-2**). Please note that the information shown on the record drawings are subject to verification on site and no guarantee can be given that this is a complete record. The lot owner should be asked to verify the actual site conditions by sub-surface explorations. The applicant shall submit a duly completed Form HBP1 with a crossed cheque covering the technical audit fee and a plan showing the details of the proposed drainage connection works to his Division for formal application for the required connection. Upon his acceptance of the connection application, the applicant shall carry out the proposed connection works in accordance with DSD Standard Drawings at the resources of the applicant;

- (ii) the applicant should check and ensure that the existing drainage system to which the proposed connection will be made have adequate capacity and satisfactory condition to cater for the additional discharge from the lot. He should also ensure that the flow from the lot will not overload the existing drainage system;
 - (iii) the development should neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, etc;
 - (iv) the cover levels of proposed U-channels and catch pits should be flush with the adjoining ground level;
 - (v) the applicant should consult DLO/TM, LandsD and seek agreement from relevant owners for any drainage works to be carried out outside his lot boundary before commencement of the drainage works;
 - (vi) the applicant should make good all the adjacent affected areas upon the completion of the drainage works;
 - (vii) the proposed sand-trap/catchpit should be regularly desilted by the applicant to prevent sand and silt from being washed into the existing drainage system/channel at its downstream;
 - (viii) the applicant shall allow all time free access for the Government and its agent to conduct site inspection on his completed drainage works, if necessary; and
 - (ix) the applicant shall resolve any conflict/disagreement with relevant lot owner(s) and seek LandsD's permission for laying new sewers/drains/channels and/or modifying/upgrading existing ones in other private lot(s) or on GL (where required) outside the lot;
- (g) to note the comments of the Director of Fire Services (D of FS) that the applicant is advised to submit a full set of FS 251, incorporating all proposed fire service installations (FSIs), for his further arrangement of the FSIs acceptance inspection. If the proposed structures are required to comply with the Buildings Ordinance (Cap. 123) (BO), detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans;
- (h) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD) that:
- (i) before any new building works are to be carried out on the Site, prior approval and consent of the Building Authority (BA) should be obtained, otherwise they are unauthorised building works (UBWs). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO;
 - (ii) in connection with (i) above, the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively;
 - (iii) if the Site does not abut on a specified street of not less than 4.5m wide, its

permitted development intensity shall be determined under Regulation 19(3) of B(P)R at the building plan submission stage;

- (iv) if any existing structures are erected on lease land without approval of BD (not being a New Territories Exempted House), they are unauthorised under the BO and should not be designated for any proposed use under the application;
 - (v) for UBWs erected on leased land, including the existing structures under the application, enforcement action may be taken by the BA to effect their removal in accordance with BD's enforcement policy against UBWs as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBWs on the Site under the BO; and
 - (vi) detailed comments under the BO to be provided during building plans submission;
- (i) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that:
- (i) it is recommended to further explore tree planting opportunities in the northern portion of the Site where uncovered space is not used for vehicular manoeuvring or occupied by existing water mains, to complement existing natural hedges bounding the northern edge of the Site; and
 - (ii) approval of the application does not imply approval of tree works such as pruning, transplanting and felling. Application for any tree works should be submitted to relevant departments for approval;
- (j) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that:
- (i) in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organising and supervising any activity near the underground cable or overhead line under the mentioned document should approach the electricity supplier (i.e. CLP Power) for the requisition of cable plans (and overhead line alignment drawings, where applicable) to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the Site. They 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;
 - (ii) the applicant shall liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing and planned gas pipes/gas installations in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of the warehouse; and
 - (iii) the applicant is required to observe the following requirements of the Electrical

and Mechanical Services Department's Publications: Guidance Note on Quantitative Risk Assessment Study for High Pressure Town Gas Installations in Hong Kong (https://www.emsd.gov.hk/filemanager/en/content_287/GN_Qntve_Rsk_Asmnt_Study_Hgh_Prsre_Twn_Gas_Instltns_inHK.pdf) and Code of Practice on "Avoidance of Damage to Gas Pipes" 2nd Edition ([https://www.emsd.gov.hk/filemanager/en/content_286/CoP_gas_pipes_2nd_\(Eng\).pdf](https://www.emsd.gov.hk/filemanager/en/content_286/CoP_gas_pipes_2nd_(Eng).pdf)); and

- (k) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD) that:
- (i) existing water mains will be affected (**Plan A-2**). The cost of any necessary diversion shall be borne by the proposed development;
 - (ii) in case it is not feasible to divert the affected water mains, a waterworks reserve within 1.5 metres from the center line of the water main shall be provided to WSD. No structure shall be built or materials stored within this waterworks reserve. Free access shall be made available at all times for staff of the Director of Water Supplies or their contractor to carry out construction, inspection, operation, maintenance and repair works;
 - (iii) no trees or shrubs with penetrating roots may be planted within the Waterworks Reserve or in the vicinity of the water main; and
 - (iv) the Government shall not be liable to any damage whatsoever and howsoever caused arising from burst or leakage of the public water mains within and in close vicinity of the Site.

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

參考編號

260809-140342-47068

Reference Number:

提交限期

28/08/2026

Deadline for submission:

提交日期及時間

09/08/2026 14:03:42

Date and time of submission:

有關的規劃申請編號

A/TM-LTY Y/520

The application no. to which the comment relates:

「提意見人」姓名/名稱

先生 Mr. 順風圍原居民代表劉適時

Name of person making this comment:

意見詳情

Details of the Comment :

有關上述申請的地點位於本村的殯葬區。如果該申請獲批，必然會影響劉氏祖墳的風水及所有子孫！懇請政府尊重民眾的意見，以免對村民的和諧生活造成不良影響。

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年08月27日星期四 23:50
收件者: tpbpd/PLAND
主旨: A/TM-LTYT/520 DD 130 Shun Tat Street, Tuen Mun GB
類別: Internet Email

Dear TPB Members,

509 withdrawn. Previous objections relevant and upheld. Relocation is no justification for brownfield operations on "GB".

Market overview: Prime logistics and industrial vacancies in the New Territories have climbed toward higher double-digit rates, putting downward pressure on average rents (averaging around HK\$10–13 per sq. ft. per month)

There are abundant and affordable premises available.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 19 February 2026 4:16 AM HKT
Subject: A/TM-LTYT/509 DD 130 Shun Tat Street, Tuen Mun GB

A/TM-LTYT/509

Lots 2447 S.A. RP (Part) in D.D. 130, Shun Tat Street, Tuen Mun

Site Area: About:2,287sq.m

Zoning: "Green Belt"

Applied use: Warehouse / 7 Vehicle Parking / **Filling of Land**

Dear TPB Members,

This application should be considered together with 506 on adjacent site.

Another relocation sob story.

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

2

After thorough site searching exercise, the Applicant has identified the Application Site as a possible site for relocation.

But a substantial number of lots have been designated Cat 2 to address the resumption issue.

Reasons for unsuitable for relocation

This includes a gem: *"Site located very **close to existing village settlements and residential development, as well as nearby "GB" cluster***

Umm. These conditions relate to many of the now hundreds of brownfield operations approved for similar relocations. And this application is not even near "GB", it is actually zoned 'GB'.

That part of the site has already been trashed and used for Open Storage is no justification as this was carried out without approval and, apparently, without the authority's intervention.

Moreover: *"While Sites 2 and 3 are within the later Third Phase Development of YLS NDA, the Applicant did not renew their tenancies and decided to terminate their operations at those **sites due to unavailable long-term tenancies with uncertain resumption schedules.**"*

But every site comes with the standard 3-year term so all are inherently 'temporary' in nature.

Note also that the operator proposes to build to 3 Floors while current premises are 1-2 floors.

Instead of approving both plans what members should be concerned with is why the illegal operations carried out were not tackled and the perpetrators required to reinstate and reforest the lots.

The application should be rejected

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Monday, 2 February 2026 3:23 AM HKT
Subject: A/TM-LTTY/506 DD 130 Shun Tat Street, Tuen Mun

A/TM-LTTY/506

Lots 2447 RP (Part) and 2447 S.D RP (Part) in D.D. 130 and Adjoining Government Land, Shun Tat Street, Tuen Mun

About:1,220.5sq.m Includes Government Land of about 11sq.m

Zoning: "Green Belt"

Applied use: Warehouse / 1 Vehicle Parking / Filling of Land

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

Dear TPB Members,

Strong Objections.

There is no history of applications apart from withdrawn applications for NET houses.

However, the site has already been filled in.

But this is no justification to approve the application as it would encourage further abuse of the 'GB' zoning.

The location is not Cat 2. There is no indication of relocation or support from DevB.

The application should be rejected in line with prevailing policy re development on 'GB'..

Mary Mulvihill

tpbpd/PLAND

寄件者: [REDACTED]
寄件日期: 2026年08月28日星期五 13:55
收件者: tpbpd/PLAND
主旨: KFBG's comments on four planning applications
附件: 260828 s17 FTA 278.pdf; 260828 s16 TKL 848.pdf; 260828 s16 LFS 624.pdf; 260828 s16 LTYT 520.pdf

類別: Internet Email

Dear Sir/ Madam,

Attached please see our comments regarding four applications. There are four pdf files attached to this email. If you cannot see/ download/ open these files, please notify us through email.

Please do not disclose our email address.

Thank You and Best Regards,

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

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嘉道理農場暨植物園公司
Kadoorie Farm & Botanic Garden Corporation

The Secretary,
Town Planning Board,
15/F, North Point Government Offices,
333, Java Road, North Point,
Hong Kong.
(Email: tpbpd@pland.gov.hk)

28th August, 2026.

By email only

Dear Sir/ Madam,

**Proposed Temporary Warehouse for Storage of Stage Equipment with
Ancillary Facilities and Associated Filling of Land for a Period of 3 Years
(A/TM-LTTY/520)**

1. We refer to the captioned.
2. The site is within Green Belt (GB) zone and we urge the Board to consider whether the proposed use is in line with the planning intention of this zone. We also urge the Board to consider the potential cumulative impacts of approving this application on this GB zone.
3. We urge the Board to reject this application as it is unlikely to be in line with the planning intention of the GB zone. The Board should also consider whether the site (e.g., filled area) would need to be reinstated upon the expiry of the planning permission, if it is to be approved; if yes, then consider whether this should be set as an approval condition.
4. Thank you for your attention.

Ecological Advisory Programme
Kadoorie Farm and Botanic Garden

