

**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 in TPB PG-No. 10 relevant to this application are:

- (a) There is a general presumption against development 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) Applications for G/IC uses and public utility installations must demonstrate that the proposed development is essential and that no alternative sites are available;
- (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 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
- (h) Any proposed development on a slope or hillside should not adversely affect slope stability.

**Advisory Clauses**

- (a) prior planning permission should have been obtained before commencing the applied use at the site;
- (b) the permission is given to the use(s) and development under application. It does not condone any other use(s) and development which currently exist on the Site but not covered by the application. The applicant shall be requested to take immediate action to discontinue such use(s) and development not covered by the permission;
- (c) to note the comments of the District Lands Officer/Islands, Lands Department (LandsD) that if the planning application is approved and the applicant subsequently submits application for Short Term Waiver (STW) to cover the Meter Room, LandsD would process the application in the capacity of a landlord and the approval, if granted, will be subject to such terms and conditions including payment of fees as appropriate. There is no guarantee that such STW application would be approved. If the planning application is not approved and the meter room is not demolished, appropriate lease enforcement action would be taken by LandsD in accordance with the established practice;
- (d) to note the comments of the Commissioner for Transport that the existing access roads in the vicinity of the Site are not managed by the Transport Department;
- (e) to note the comments of the Director of Electrical and Mechanical Services that 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 or overhead line under the mentioned application 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 concerned 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;
- (f) to note the comments of the Chief Building Surveyor/New Territories East 1 and Licensing, Buildings Department (BD) that for any existing structures erected on leased land without approval of the BD (not being a New Territories Exempted House), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the captioned application. Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of the 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. For UBW erected on lease 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 on the Site

under the BO. If the proposed use under application is subject to the issue of a licence, please be reminded that any existing structures on 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. 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)Rs) respectively. As the site does not abut on a specified street of not less than 4.5 wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage;

- (g) to note the comments of the Director of Fire Services that detailed fire services requirements will be formulated upon receipt of formal submission of general building plans. As no details of the emergency vehicular access (EVA) have been provided, comments could not be offered by Fire Services Department at the present stage. The applicant is advised to observe the requirements of EVA as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Building 2011 which is administered by the Building Authority; and
- (h) to note the comments of the Chief Engineer/Construction, Water Supplies Department that the proposed works should not affect the existing fresh water distribution system.