

APPLICATION FOR PERMISSION UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE (CAP. 131)

GUIDANCE NOTES

INTRODUCTION

1. The following notes give information and guidance on how to apply for permission under section 16 of the Town Planning Ordinance (the Ordinance). Please read them carefully. For submission of planning applications via the Electronic Planning Application Submission System (EPASS submission), reference should also be made to the “Guidance Notes on Electronic Submission for Applications for Amendment of Plan, Permission, Amendment to Permission and Review under Sections 12A, 16, 16A(2) and 17 of the Ordinance (Cap.131) respectively and the Submission of Further Information” (“Guidance Notes on EPASS Submission”) for specific requirements on EPASS submission, for example, on the relevant form to be used and how to make EPASS submission.
2. Further information is available on the Town Planning Board (the Board)’s website (<http://www.tpb.gov.hk/>). If any assistance is required, please contact the Secretariat of the Board (by email: tpbpd@pland.gov.hk; by post: 15/F, North Point Government Offices (NPGO), 333 Java Road, North Point, Hong Kong; or by phone: 2231 4810 or 2231 4835) or the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000; email: enquire@pland.gov.hk; or by post: 17/F, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).

WHETHER AN APPLICATION IS REQUIRED

3. Prior to commencement of any use or development, please check the land use zoning of the site/premises on the relevant statutory plan (the Plan), i.e. Outline Zoning Plan (OZP) or Development Permission Area (DPA) Plan and the provisions of the Plan to which the proposed use or development relates.
4. The Plan is available for public inspection at the Planning Enquiry Counters of the Planning Department and for sale at the Map Publications Centres of the Lands Department. The electronic version of the Plan can also be viewed at the Board’s website. Forming part of the Plan is a set of Notes which includes the following:
 - (a) the covering Notes which set out the terms and general provisions of the Plan;
 - (b) a set of Notes which sets out for each land use zone the uses or developments that are always permitted (the “Column 1” uses) and those requiring permission from the Board (the “Column 2” uses); and
 - (c) additional restrictions, if any, on uses or developments within a particular land use zone specified under the “Remarks” in the Notes for that particular land use zone.

5. Attached to the Plan is an Explanatory Statement which provides description on the general planning intention of each land use zone. A set of “Definitions of Terms Used in Statutory Plans” is also available for public inspection at the Planning Enquiry Counters of the Planning Department and the Board’s website.
6. The following uses or developments are always permitted and no separate permission is required:
 - (a) uses or developments which are always permitted as specified in the covering Notes of the Plan unless otherwise specified in the respective zone(s); and
 - (b) “Column 1” uses of the relevant land use zone.
7. Permission from the Board is required for any proposed use or development which falls under “Column 2” or as required under the terms of the Notes.
8. No action is required to make the existing use of any land or building conform to the Plan. The scope of existing use is defined in the covering Notes of the OZPs and DPA Plans. For interpretation of existing use in the urban and new town areas, reference can also be made to the Town Planning Board Guidelines for Interpretation of Existing Use in the Urban and New Town Areas. Any material change of use or any other development (except minor alteration and/or modification to the development of the land or building in respect of the existing use, which is always permitted) or redevelopment must be permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Board. It is not for the Planning Department or the Board to provide evidence to prove whether a use is an existing use. Any person who intends to claim an “existing use right” will need to provide sufficient evidence to support his/her claim.
9. If the proposed use or development is neither a use or development always permitted nor a “Column 2” use under the Notes of the Plan, there is no provision for application for such use or development, except for temporary use in the rural areas or in regulated areas under the Ordinance (please refer to paragraphs 10 to 13 below). Nevertheless, pursuant to section 12A of the Ordinance, an application for amendment of plan may be submitted to the Board for consideration. Please refer to the Guidance Notes on Application for Amendment of Plan under Section 12A of the Town Planning Ordinance for details.

PROVISION FOR TEMPORARY USE

Urban and New Town Areas

10. Generally speaking, in the Notes of the OZPs covering the urban and new town areas, if the land or buildings not falling within the boundaries of a regulated area, there is a provision that temporary uses (expected to be 5 years or less) of any land or buildings are permitted in all zones as long as they comply with other government requirements. Temporary uses expected to be over 5 years must conform to the zoned use or the terms of the Plan. If the land or buildings fall within the boundaries of a regulated area, the provision for temporary use mentioned in paragraphs 12 and 13 below will apply.
11. For the interpretation of the above, all uses in permanent buildings should be considered as

permanent uses unless the temporary nature of the use can be established to the satisfaction of the Board. Uses accommodated in temporary structures on land awaiting permanent development are considered as temporary uses provided that the allocation for the use is for a period of less than 5 years.

Rural Areas

12. Generally speaking, in the Notes of the OZPs or DPA Plans covering the rural areas, there is a provision that, except in some conservation-related zones as specified in the Notes, temporary uses of any land or buildings not exceeding a period of 2 months are always permitted and no permission is required provided that the use is for carnival, fair, film shooting on location, festival celebration, religious function or sports event; and no site formation (filling or excavation) is carried out.
13. In areas covered by the rural OZPs or DPA Plans, applications for temporary uses (usually up to a maximum period of 3 years depending on the Notes of specific OZP or DPA Plan) of any land or building, notwithstanding that they are not "Column 2" uses under the Notes of the Plan, can be made to the Board. The Board may grant, with or without conditions, or refuse to grant permission. However, any temporary uses for open storage and port back-up purposes are prohibited in areas under conservation-related zonings, i.e. "Conservation Area", "Coastal Protection Area", "Site of Special Scientific Interest", "Other Specified Uses" annotated "Comprehensive Development and Wetland Enhancement Area" and "Other Specified Uses" annotated "Comprehensive Development and Wetland Protection Area".

PRE-SUBMISSION DISCUSSION

14. Prior to the submission of an application, advice could be sought from the respective District Planning Office (DPO) of the Planning Department. If it is considered necessary, pre-submission meeting with the participation of other relevant government departments could be arranged.

Hong Kong DPO	14/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong	(Tel: 2231 4957) (Fax: 2895 3957)
Kowloon DPO	14/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong	(Tel: 2231 4979) (Fax: 2894 9502)
Tsuen Wan & West Kowloon DPO	27/F, Tsuen Wan Government Offices, 38 Sai Lau Kok Road, Tsuen Wan, New Territories	(Tel: 2417 6658) (Fax: 2412 5435)
Sha Tin, Tai Po & North DPO	13/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories	(Tel: 2158 6274) (Fax: 2691 2806)
Tuen Mun & Yuen Long West DPO	14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories	(Tel: 2158 6301) (Fax: 2489 9711)
Sai Kung & Islands DPO	15/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories	(Tel: 2158 6177) (Fax: 2367 2976)
Fanling, Sheung Shui & Yuen Long East DPO	Unit 2202, 22/F, CDW Building, 388 Castle Peak Road, Tsuen Wan, New Territories	(Tel.: 3168 4025) (Fax: 3168 4074)

WHERE TO OBTAIN THE APPLICATION FORM

15. An application for permission should be made in a form, which can be obtained from **the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835) and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000)**, or downloaded from the Board's website ([https://www\(tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html](https://www(tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html)).

For EPASS submission, the relevant electronic application form is available at the Board's website.

WHO CAN APPLY

16. Any person can submit an application for permission under section 16 of the Ordinance.
17. The applicant could appoint an agent to submit an application on his/her behalf. If the application is submitted by an agent, an authorisation letter signed by the applicant should be submitted together with the application. It should be noted that it is not a mandatory requirement to engage qualified professionals in making a submission.

HOW TO COMPLETE THE APPLICATION FORM¹

18. The application form should be typed or completed in block letters, preferably in both English and Chinese. If the space provided on the form is insufficient, please give the details on a separate sheet of paper and make reference to this on the form. A sample of a completed application form is available for reference on the Board's website ([https://www\(tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html](https://www(tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html)).
19. The applicant is required to duly complete the application form, including, among others, the "Particulars of Applicant and Authorised Agent" and "Checklist of Documents". To ensure prompt communication during the processing of the application, the applicant or his/her authorised agent should provide an email address and telephone number.
20. **Annex A** lists out the particulars which must be included in an application for vetting by the Secretariat of the Board. If any of these particulars is missing or inconsistent with one another, the Board may refuse to process the application.

TOWN PLANNING BOARD GUIDELINES

21. A number of guidelines for planning applications have been promulgated by the Board. These guidelines set out the factors which the Board normally takes into account when considering particular applications, and may therefore be of assistance to applicants in preparing their applications. The guidelines can be obtained from **the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department**, or downloaded from the Board's website ([https://www\(tpb.gov.hk/en/resources/tpb_guidelines/index.html](https://www(tpb.gov.hk/en/resources/tpb_guidelines/index.html)).

¹ For EPASS submission, reference should be made to the Guidance Notes on EPASS Submission for details.

CONSENT OF OR NOTIFICATION TO “CURRENT LAND OWNER”

22. Where an applicant is not the sole “current land owner” of the land/premises to which the application relates, he/she should indicate in the application whether he/she has within a reasonable period (normally 1 year) before making the application obtained the consent of or notified each and every other “current land owner” in respect of the application site/premises, or taken reasonable steps to do so. A “current land owner” means any person whose name is registered in the Land Registry as that of an owner of the land to which the application relates, as at 6 weeks before an application is made. For detailed requirements, please refer to the Town Planning Board Guidelines on Satisfying the Owner’s Consent/Notification Requirements under Sections 12A and 16 of the Town Planning Ordinance.
23. A sample format of statement of consent is attached to the said Town Planning Board Guidelines and can be obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department, or downloaded from the Board’s website. All consents should be signed by the concerned “current land owners”.
24. Instead of obtaining the consent from a “current land owner”, an applicant may notify such owner. The notification should be in the form of a written notification sent by registered mail or local recorded delivery mail (e.g. courier service) to the postal address of individual “current land owner” as appeared in the record of the Land Registry (or the company’s office address registered in the Companies Registry if the “current land owner” is a corporate entity), or the relevant postal address of the land/premises under application. A sample format of the notice is attached to the said Town Planning Board Guidelines for reference. The applicant should provide a full record of such notification at the same time when he/she submits the application.
25. Apart from obtaining owners’ consent or giving notification, an applicant may demonstrate that reasonable steps as required by the Board have been taken to such effect. The applicant should provide a full record of the steps taken before the application is made at the same time when he/she submits the application.

WHAT DOCUMENTS ARE REQUIRED FOR THE SUBMISSION

26. Applicant is required to provide signed and completed prescribed application forms (Form No. S16-I, S16-II or S16-III)², an authorisation letter signed by the applicant, if the application is submitted by an authorised agent on the applicant’s behalf, and the land/consent/notification documents as specified in paragraph 28 below. If needed, the application may also provide plans/drawings and supplementary information (SI) such as planning statements and reports on technical assessments. If SI is submitted, an Executive Summary of not more than 500 words in both English and Chinese should also be provided.
27. In principle, technical assessments should be submitted only when they are essential for demonstrating the technical feasibility of the proposed development(s)/use(s) in a planning application. For applications for any particular use or development that may have implications on the environment, drainage, traffic, infrastructure, landscape, visual, air ventilation and

² The prescribed application forms (including electronic application forms) can be downloaded/accessible from the Board’s website ([https://www\(tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html](https://www(tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html)).

topography, etc., technical assessments on the impacts of the proposed use or development may be required. Please refer to **Annex B** for further details. Should there be maximum permissible development parameters that can be relaxed subject to satisfaction of technical concerns mentioned in the Notes of the OZP for a particular zoning, e.g. noise impact, technical assessment for that particular aspect should be submitted for the Board's consideration. Assessment of other technical aspects may be obviated. Besides, the submission of certain technical assessments is not required for the following types of applications:

- (a) for applications for renewal of approvals for temporary use or development made before the expiry of the relevant approval period, there is no need to undertake new technical assessments to support the application so long as there is no major change in planning circumstances (such as a change in the planning policy/land-use zoning for the area). Updated assessments may however need to be submitted if necessary. Please refer to the Town Planning Board Guidelines on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development for details; and
- (b) for applications for filling of land involving an area of less than 1 ha (except for those within conservation-related zones), submission of technical assessments on the environmental, traffic, geotechnical, landscape and visual impacts of the proposed filling is not required at the time of submitting the application. This is also applicable to drainage aspect if no existing river, stream, channel, drainage pipe, or overland flow path within the site will be affected by the proposed filling. Concerned government departments will examine the planning applications and advise whether any such impact assessment is required for individual cases before submission of the applications to the Board.

28. For each and every lot/premises to which the application relates, the applicant should provide 1 hard copy of the following documents, if applicable:

- (a) copy of documentary proof of ownership (e.g. copy of record issued by the Land Registry) if the applicant is the sole or one of the “current land owner(s)”;
- (b) copy of consent signed by “current land owner”; and/or
- (c) copy of notification given to “current land owner”.

29. No personal data (except names) should be included in the application form (excluding the part on the particulars of applicant and authorised agent), plans/drawings and SI as these documents will be made available for public inspection. Under no circumstances will the Board accept any liabilities for disclosure of personal data arising from the publication of the applicant's submission.

30. The applicant is required to submit either via EPASS or in the prescribed manner set out at **Annex C** the soft copy of the plans/drawings and SI of the application to reduce paper consumption and enable public inspection of the submission on the Board's website.

31. The requirements on the number of copies are as follows:

Non-EPASS Submission

- (a) 1 signed original copy of the application form (in paper form);

- (b) 4 hard copies and 1 soft copy of all plans/drawings, regardless of the size and colour, and SI;
- (c) 1 signed original copy of the authorisation letter (in paper form) and/or 1 hard copy of land/consent/notification documents, if applicable;

EPASS Submission³

- (d) 1 electronic application form completed online on EPASS;
- (e) 4 hard copies and 1 soft copy of all plans/drawings, regardless of the size and colour, and SI; and
- (f) 1 soft copy of the signed authorisation letter and/or land/consent/notification documents, if applicable.

32. Where an application has made any reference to a document (including plans and drawings) of a previous application considered by the Board, sufficient copies of such document should also be submitted together with the application (please refer to paragraph 31 above).

33. Notwithstanding the copy requirement specified in paragraphs 31 and 32 above, if considered necessary, additional hard copies of the documents may be required by the Board.

34. All soft copies submitted to the Board must comply with the format requirements below:

- (a) in the form of searchable Portable Document Format files with the size of each file not exceeding 200MB;
- (b) with files each named based on its document nature and the rules set out at **Annex D**; and
- (c) with the resolution of each drawing/plan/photo in the soft copy between 200 DPI⁴ and 300 DPI.

35. The applicant has to ensure that the hard copy is the same as the soft copy. Under no circumstances will the Board accept any liabilities for any inaccuracies or discrepancies of the information provided.

36. All hard copy reports and/or documents should preferably use environmentally friendly printing and binding materials such as re-cycled paper and printing should be on both sides.

SUBMISSION OF FURTHER INFORMATION

37. It is the duty of the applicant to submit all information of his/her application in time. Otherwise it may result in delay in consideration of the application. However, further information to

³ For EPASS submission, reference should be made to the Guidance Notes on EPASS Submission for details.

⁴ Dots Per Inch.

supplement an application may be submitted to the Board within the specified periods published in the Gazette by the Board, i.e. two months after the day of the receipt of the application by the Board and two months after the day on which the Board decides to defer its decision on the application for the applicant to give further information. Further information involving various assessments should be submitted in one go and not in different batches. Such further information should not result in a material change of the nature of the application. If such further information is accepted by the Board, the date of receipt of the application shall be regarded as the date when the further information is received by the Board unless it is considered unnecessary to publish such further information for public comments. Please refer to the Town Planning Board Guidelines on Submission of Further Information in relation to Applications for Amendment of Plan, Planning Permission and Review made under the Town Planning Ordinance.

38. The further information submission is also required to comply with the requirements set out in paragraphs 29 to 35 and 39.

HOW TO SUBMIT AN APPLICATION

39. Hard copies should be submitted either by hand or by post to “**Secretary, Town Planning Board, 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong**”. Soft copies should be submitted in the prescribed manner set out at Annex C or via EPASS.
40. After receiving an application, the Secretary of the Board will acknowledge receipt and inform the applicant the tentative date of meeting at which the application will be considered by the Board.
41. The Secretariat of the Board will check the submission and the Board may require the applicant to verify any matters or particulars set out or included in the application by statutory declaration or otherwise. In accordance with section 40(2)(c) of the Interpretation and General Clauses Ordinance (Cap. 1), the Board may withdraw its decision on an application if the applicant is found to have made any false declaration or statement on the application. Any person who knowingly or wilfully makes a false declaration or statement would be liable to prosecution under the Crimes Ordinance (Cap. 200), the Oaths and Declarations Ordinance (Cap. 11) and/or other relevant Ordinances.
42. Upon checking, if it is found that an applicant fails to provide the required particulars and/or sufficient copies of documents, the Board may refuse to process his/her application. The date of receipt of an application would be the date when all necessary information and documents are received and checked.

PUBLICATION OF APPLICATION FOR COMMENTS

43. The Secretary of the Board will make available all documents, except the particulars of applicant and agents, checklist of documents, authorisation letter, documentary proof of land ownership, copies of consent obtained from and notification given to the current land owner(s), where appropriate, submitted in an application for public inspection until the application is considered by the Board. The public may make photocopies of the documents upon payment of a fee as the Board determines. Any person may make comments to the Board on the application within the first 3 weeks of the period during which the application is available for public inspection. All

information including the name of the applicant, but excluding other personal data and those mentioned above, included in the application (i.e. the application form and any plans/drawings and SI) and the comments received by the Board shall be made available for public inspection. For details on publication of planning applications, please refer to the Town Planning Board Guidelines on Publication of Applications for Planning Permission and Review and Submission of Comments on Applications under the Town Planning Ordinance.

WITHDRAWAL OF AN APPLICATION OR REQUEST FOR DEFERMENT OF DECISION ON AN APPLICATION

- 44.** An applicant may withdraw the submitted application by writing to the Secretary of the Board at any time before the date on which the application is considered by the Board.
- 45.** An applicant may also request for deferment of decision on his/her application. A request for deferment should be submitted in writing to the Secretary of the Board before the issue of agenda and the relevant paper (normally 7 days before the scheduled date of the meeting). For details, please refer to the Town Planning Board Guidelines on Deferment of Decision on Representations, Further Representations and Applications made under the Town Planning Ordinance.

HOW TO OBTAIN THE RESULT OF AN APPLICATION

- 46.** In accordance with the Ordinance, all applications for permission will be considered by the Board within 2 months of their receipt. The applicant will be notified in writing of the Board's decision after confirmation at the next scheduled meeting of the minutes of the meeting at which the decision is made (normally 2 weeks after the meeting).
- 47.** Pending written notification of the Board's decision, an applicant may seek verbal advice on the result of his/her application from the Secretary of the Board immediately after the meeting, or make reference to the Gist of Decisions on Planning Applications which is available on the Board's website shortly after the meeting on the same day. An applicant may also request for an interim written reply on the Board's decision. Such request should be made in writing to the Secretary of the Board. Any interim reply should not be treated as a formal notification of the decision of the Board.
- 48.** For a planning application not approved by the Board, the Secretary of the Board will set out the reasons for rejection/deferral in the written notification, together with the relevant Board/Planning Committee's paper and minutes or links to these documents, to the applicant. The applicant can contact the responsible senior town planner, whose telephone number will be included in the written notification, to clarify issues of concern of the Board.

COMPLIANCE OF APPROVAL CONDITIONS

- 49.** The Board may approve an application, with or without conditions. The approval conditions, if any, attached to a permission should be complied with by the applicant. The detailed requirements are set out in the Town Planning Board Guidelines on Compliance of Approval Conditions.

RIGHT OF REVIEW

50. An application may be approved, with or without conditions, or refused by the Board. The applicant will be notified in writing of the Board's decision including the approval conditions, if any, or the reasons for refusing the application. If the applicant is aggrieved by a decision of the Board, he may, within 21 days of being notified of the decision of the Board, apply in writing to the Secretary of the Board for a review under section 17(1) of the Ordinance. The applicant must set out the grounds for the review. According to section 17(1B) of the Ordinance, the Board must refuse the application if no ground is provided for the review.
51. The review application is required to comply with the requirements set out in paragraphs 29 to 35 and 39 above.
52. Upon receipt of an application for review, the Secretary of the Board will make available the application for public inspection until the review is considered by the Board. Any person may make comment to the Board on the review within the first 3 weeks of the period during which the review application is available for public inspection. All information including the name of the applicant, but excluding other personal data, included in the review application and the comments on the review application shall be made available for public inspection.
53. In accordance with the provisions of the Ordinance, the Board shall consider the review within 3 months of its receipt. The applicant or his/her authorised representative may attend the meeting and be heard by the Board.
54. The Secretariat of the Board will confirm with the applicant or his/her authorised representative regarding the attendance before the meeting. Due to the seating capacity of the venue, the applicant or his/her authorised representative will be required to limit the number of attendees at the meeting, while those who cannot enter the meeting room may view the proceedings in the designated viewing room.
55. The Board fully respects the right of the applicant to be heard, as well as the need to ensure procedural fairness. Without prejudice to the aforesaid, the Board has the responsibility of ensuring the smooth conduct of the meeting. Having taken into account all relevant circumstances and matters including the agenda of the meeting, nature and complexity of the applications as well as the need to allow adequate time for the question and answer session and deliberation session, a time limit (normally 15 minutes) might be imposed on the oral submission of the applicant. Oral submission by electronic media such as video/record tape should be presented within the allotted time. Request for further time for making oral submission will be subject to the discretion of the Board and such discretion will only be exercised upon sufficient cause shown and after taking into account all relevant circumstances.
56. The Secretariat of the Board will inform the applicant or his/her authorised representative of the allotted time for the oral submission of the application before the meeting. To ensure a smooth and efficient conduct of the meeting, the Chairman of the Board may request the applicant or his/her authorised representative not to repeat unnecessarily the same point which has already been presented by others at the meeting, or make any point unrelated to the subject matter. The Chairman can in his/her discretion disallow such repetition and may request the applicant or his/her authorised representative to discontinue.

57. The rules for keeping the order inside the meeting room are at **Annex E**.

RIGHT OF APPEAL

58. If the applicant is aggrieved by the decision of the Board on a review under section 17, he may, within 60 days of being notified of the decision of the review, lodge an appeal to **the Secretary, Appeal Board Panel (Town Planning), at 17/F, West Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong (Tel: 3509 8844 / 3509 7840)** with a copy sent to the Secretary of the Board.

RENEWAL OF PERMISSION FOR TEMPORARY USE/DEVELOPMENT

59. For renewal of permission for temporary use/development, submission should be made no less than two months and normally no more than four months before expiry of the permission. Applications submitted more than four months before expiry of the temporary approval may only be considered based on individual merits and exceptional circumstances of each case. For details, please refer to Town Planning Board Guidelines on 'Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development'. For planning conditions under the temporary approval that have been complied with and there is no change in the proposed use/layout in the renewal application, the applicant should provide the following documentary proof to demonstrate the compliance of the planning conditions:

- (a) the relevant accepted proposals by the concerned departments; and
- (b) documents (e.g. correspondence with the concerned departments) and photos showing all the relevant facilities (with date of photo-taking clearly shown) that were implemented and accepted by concerned departments.

IMPORTANT POINTS TO NOTE

60. These Guidance Notes serve only as general guidelines for the preparation of an application and attendance at the Board meeting. The guidelines are not meant in any way to restrict the content of each application, nor to restrict the right of the Board to require further information. Each application will be considered on its individual merits.

61. The information in an application submitted to the Board and the Board's decision on the application would be disclosed to the public. Such information would also be uploaded to the Board's website where the Board considers appropriate. The public may make photocopies of the application which is made available for public inspection upon payment of a fee as the Board determines.

62. Applicants are advised that offering any advantage to a Civil Servant or Members of the Board in connection with the application is an offence under the Prevention of Bribery Ordinance.

Town Planning Board

January 2026

Annex A

Particulars which Must be Included in an Application

The following particulars are considered essential and must be included in an application for vetting by the Secretariat of the Board. The information submitted should be presented in a clear, accurate and consistent manner. If any of these particulars is missing or inconsistent with one another, the Board may refuse to process the application.

(a) Particulars of the applicant and/or agent

(Parts 1 and 2 of the application form and “Particulars of Applicant and Authorised Agent”)

(i) for an application without an authorised agent

- name of the applicant (in both English and Chinese (if any) to facilitate checking against Land Registry Records) and name of contact person (if the applicant is a company or an organization)
- address, telephone number, e-mail address, and fax number (if any) (Email address is required for the Secretariat of the Board to provide the hyperlink for soft copy transmission.)

(ii) for an application with an authorised agent

- name of the applicant (in both English and Chinese (if any) to facilitate checking against authorisation letter and Land Registry Records)
- name of the agent and name of contact person (if the agent is a company)
- address, telephone number, e-mail address, and fax number (if any) of the agent (email address is required for the Secretariat of the Board to provide the hyperlink for soft copy transmission.)
- original authorisation letter signed by the applicant with applicant's company chop (where appropriate). The subject of the authorisation letter should include the location of the application site and the proposed use/development. Original authorisation letter(s) signed within 1 year of submitting the application will normally be accepted. For EPASS submission, instead of the original copy, a soft copy of the letter should be submitted.

(b) Address/location of the application site

(Part 3 of the application form)

An applicant or his/her agent must clearly describe the location of the application site. A full address, if available, should be provided. Otherwise, the details of the all relevant Demarcation District and Lot number(s) should be specified.

(c) Site area and government land included (if any)

(Part 3 of the application form)

The site area and government land included (if any) should be clearly provided in the application form. The applicant should ensure that the application site details including the boundary, area

and address are accurate and consistently mentioned/described in the submission.

(d) Name and number of the related statutory plan(s) and land use zone(s) involved:
(Part 3 of the application form)

- Both the full name and number of the statutory plan currently in force must be provided. The plan number can be found at the bottom right-hand corner of the plan or at the Statutory Planning Portal 3 of the Board.
- All zonings of the Plan to which the application relates to must be specified.

(e) Consent of or notification to each “current land owner”
(Parts 4 and 5 of the application form)

- All owner's consent/notification and/or reasonable steps should be obtained/given/taken in accordance with the Town Planning Board Guidelines on “Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning Ordinance”.
- If the applicant is the sole or one of the “current land owner(s)”, copy of the documentary proof of ownership (e.g. copy of record issued by the Land Registry) should be provided.
- If the applicant has obtained the consent of any “current land owner”, copy of such signed consent should be provided.
- If the applicant has notified any “current land owner”, a full record of such notification should be provided.
- In the circumstances that an applicant has not obtained the consent of or notified each and every “current land owner”, a full record of all the steps taken by him in order to obtain the consent of or give notification to the “current land owner” should be provided.
- The Land Registry Record submitted must be obtained within 6 weeks before an application is made.

(f) Types of Application
(Part 6 of Forms No. S16-I and S16-III)

Form No. S.16-I (Applicable to proposals not involving or not only involving construction of New Territories Exempted House; temporary use/development of land and or building not exceeding 3 years in rural areas or regulated areas; and renewal of permission for temporary use or development in rural areas or regulated areas)

- The type(s) of application being sought should be duly completed.
- For applications involving change of use within existing building or part thereof, the total of the proposed floor area should be the same as Part 3(b) of the form.
- For applications involving public utility installation or utility installation for private projects, the type and dimensions of the utility installation should be provided.

- For all proposals, the breakdown provided in the development schedule should add up to the total floor area/plot ratio proposed.
- For development involving columbarium use, the table at Appendix should be completed and the number of niches sold/occupied and the maximum number of sets of ashes interred should be provided.

Form No. S.16-III (Applicable to applications only involving temporary use/development of land and/or building not exceeding 3 years in rural areas or regulated areas or renewal of permission for such temporary use or development)

- For applications involving temporary use/development of land and/or building not exceeding 3 years in rural areas or regulated areas (Section A in Part 6 of Form No. S.16-III):
 - the effective period of permission applied for must be filled or checked as appropriate;
 - the development schedule should include the building height, number of storeys of all the proposed uses of different floors of buildings/structures (if any). The area (covered area and floor area) of all structures/buildings should tally with the total covered area/floor area. The buildings/structures should also be shown in a layout plan;
 - the number and types of car parking spaces and loading/unloading spaces should be clearly indicated and shown in a layout plan; and
 - the operation hours of the proposed temporary use, where appropriate, should also be provided.
- For applications involving renewal of permission for temporary use or development not exceeding 3 years in rural areas/regulated areas (Section B in Part 6 of Form No. S.16-III):
 - the application number of the original application, date of approval, date of expiry, approved use/development and document proof to demonstrate the compliance of the approval conditions of the previous application, where appropriate, should be provided; and
 - the renewal period sought should also be duly filled.

(g) Vehicular access

(Part 8 in Form No. S.16-I, Part 6(g) in Form No. S.16-II and Part 6(A)(d) in Form No. S.16-III)

- Vehicular access should be clearly indicated, preferably on a plan. For developments with proposed vehicular access, the width of the proposed access should be specified on plan.
- (h) For applications involving excavation and/or filling of land/pond, the area and depth of excavation/filling should be provided.

(i) Declaration

(Part 11 in Form No. S.16-I, Part 9 in Forms No. S.16-II, and Part 8 in S.16-III)

- The declaration form must be signed and, for non-EPASS submissions, accompanied by

company chop, where appropriate.

(j) Checklist

- The checklist should be duly completed and the number of copies of plans/drawings and supporting reports/statement submitted, where appropriate, should be in accordance with the requirements as stated in the checklist.

Section 16 Planning Applications to be Supported by Technical Assessments

Traffic	
<p>(a) <u>Development(s)/Use(s) Not Requiring Traffic Impact Assessment (TIA)/Traffic Review*</u></p> <ul style="list-style-type: none">• TIA or Traffic Review is not required ⁵ for development(s)/use(s) that will not generate traffic impact or development projects with minimal traffic impact that could be tolerated.	<p>Examples:</p> <ul style="list-style-type: none">• minor relaxation of building height restriction (BHR) without change in plot ratio (PR) /gross floor area (GFA)• small-scale and/or premises-based:<ul style="list-style-type: none">(i) shop and services(ii) eating place(iii) social welfare facilities(iv) religious institution⁶(v) animal boarding establishment(vi) public utility installation, e.g. telecommunications radio base station• a New Territories Exempted House (NTEH) / House development
<p>(b) <u>Development(s)/Use(s) that may Require Traffic Review, but not TIA</u></p> <ul style="list-style-type: none">• Traffic Review may be required if the developments/uses are:<ul style="list-style-type: none">(i) small scale;(ii) insignificant trip generation; or(iii) temporary in nature that may not involve the use of medium/heavy vehicles.	<p>Examples:</p> <ul style="list-style-type: none">• minor relaxation of BHR with minor change in PR/GFA• minor relaxation of PR/GFA/ site coverage (SC) restrictions without substantial traffic implication• temporary public vehicle park/open storage /warehouse/workshop or recycling-related uses

⁵ Although submission of TIA may not be required, submission of traffic management measures to be implemented by the applicant within the application site may be required on a case-by-case basis.

⁶ For religious institutions with large-scale religious events that will attract substantial amount of visitors, submission of an event-specific traffic/crowd management plan or TIA may be required.

Traffic	
	<ul style="list-style-type: none"> place of recreation, sports or culture of small scale
(c) <u>Development(s)/Use(s) that may Require TIA</u>	<p>Examples:</p> <ul style="list-style-type: none"> projects in “Comprehensive Development Area” (“CDA”) zone residential/office/hotel/retail developments of considerable size industrial development logistics centre exhibition or convention hall
(d) <u>Submission Requirements of Traffic Review</u>	<p>A Traffic Review should focus on the traffic issues of the development proposed by the applicant and include the following information:</p> <ul style="list-style-type: none"> traffic generation and attraction of the development(s)/use(s) proposed by the applicant; provision of transport facilities, such as car parking, loading/unloading facilities; provision of public transport facilities; location and design of ingress / egress; swept path analysis; condition and connectivity of adjacent / adjoining pedestrian facilities; and recommendation of pedestrian safety, traffic management plan or mitigation measures, if any.
(e) <u>Submission Requirements of TIA</u>	<p>Apart from assessing the traffic impact imposed by the proposed development, a full TIA should assess the cumulative effects of all planned/committed development projects and include the following information:</p> <ul style="list-style-type: none"> details of the indicative development proposal (including GFA of different uses, provision and layout of parking and loading/unloading facilities, location and layout of run-in/out and if applicable, number of residential flats, provision and layout of pedestrian and other transport facilities, and turntable/car lift installation); a plan showing the existing transport facilities, and the Assessment Area, existing critical road junctions/sections, and planned/committed development within the Assessment

Traffic

Area;

- date of completion of the indicative development proposal and design year for the traffic forecast;
- calculation of additional traffic generated/attracted by the indicative development proposals within the Assessment Area together with the trip generation/attraction rates used;
- detailed description of the methodology and findings of the traffic counts, surveys, forecast and analysis conducted;
- traffic forecast and modelling (e.g. Local Area Traffic Model and/or Base District Traffic Model);
- preliminary plans and description of the proposed road improvement and traffic management measures including preliminary feasibility assessment and works agent; and
- proposed implementation programme of the improvement measures which should as far as possible tie in with the completion of the proposal; and supporting calculations.

For detailed requirements of TIAs, the applicant shall make reference to TD's publication of "Checklist of TIA for Development Projects" which is available at:

https://www.td.gov.hk/en/publications_and_press_releases/publications/free_publications/index_categoryid_8.html

(f) **Enquiries**

Please contact the following offices of the Transport Department:

Urban Regional Office (Hong Kong) – Tel: 2829 5815

Urban Regional Office (Kowloon) – Tel: 2399 2193

New Territories Regional Office – Tel: 2399 2194

Environment	
(a) Development(s)/Use(s) Not Requiring Environmental Assessments (EA)*	<p>Examples:</p> <ul style="list-style-type: none"> development(s)/uses(s) demonstrated to fully meet the buffer distance recommended in Table 1.3 of Chapter 9 of the Hong Kong Planning Standards and Guidelines (HKPSG) small-scale and/or premises-based: <ul style="list-style-type: none"> (i) shop and services, e.g. bank, barber shop, beauty parlour, retail shop, real estate agency, etc. (ii) eating place (iii) off-course betting centre (iv) public utility installation, e.g. fully enclosed electricity substation, telecommunications radio base station, etc.
(b) Development(s)/Use(s) that may Require Environmental Assessment (EA)	<p>Examples:</p> <ul style="list-style-type: none"> projects in “CDA” zone residential developments other sensitive uses such as schools, religious institution, hospitals, social welfare facilities (e.g. residential care home for the elderly), etc. concrete batching plant asphalt plant slaughterhouse

⁷ The Summary of Recommended Buffer Distances for Land Uses is stipulated in Table 1.3 of Chapter 9 of the HKPSG https://www.pland.gov.hk/file/tech_doc/hkpsg/full/pdf/ch9.pdf

Environment

(c) Submission Requirements of EA

The level of details and the scope of EA could be varied on a case-by-case basis subject to the nature and scale of proposed development, the sensitive receiver(s) found in the vicinity, etc.

Information may include the following:

- information on assessment of any possible activities such as reclamation works and industrial operations, that may produce air pollutants, noise, wastes and effluents, or that may cause ecological impact, disruption to water circulation;
- information on pollution sources, if any, which may affect the proposed use or development;
- information on sensitive uses or areas, if any, which may be affected by the proposed use or development;
- information on the possible magnitude, duration and distribution of environmental effects, both beneficial and adverse, if possible;
- measure(s) to minimise environmental impacts or enhance the environment, including design and layout of the developments, pollution control measures and operational controls; and
- information on the environmental sensitivity of the application's location and the surrounding areas, if any.

(d) Enquiries

Please contact the Environmental Protection Department at 2835 1319.

Drainage	
<p>(a) <u>Development(s)/Use(s) Not Requiring Drainage</u></p> <p>Impact Assessment (DIA) or Drainage Proposal*</p> <ul style="list-style-type: none"> • In area not served by a public stormwater drainage system, the scale, form and location of the development will determine whether a DIA is not required if there is: <ul style="list-style-type: none"> (i) no increase in flooding risk due to a watercourse or drainage path being affected by the development; (ii) no significant increase in impervious area and therefore no significant increase in runoff behaviour from the development site; (iii) no reclamation or no filling be required to form the site; (iv) no upgrading to the drainage system downstream of the development site is required to convey the runoff from the site; (v) no development is situated at flood prone areas; (vi) no temporary works (e.g. scaffolding or falsework of a bridge) or any flow diversion is anticipated to be implemented during the construction to adversely affect the performance of the drainage system or aggravate the risks of flooding in its adjacent, upstream and downstream areas; or (vii) no significant reduction of flood storage capacity in the surrounding areas during or after construction. • Development projects within urban areas served by a public stormwater drainage system will generally not require the DIA process, other than those in (b) and (c) below. 	<p>Examples:</p> <ul style="list-style-type: none"> • minor relaxation of BHR without change in PR/GFA • a small-scale development which does not generate drainage impact • premises-based uses • a NTEH/ House development
<p>(b) <u>Development(s)/Use(s) that may Require Drainage</u></p> <p>Proposal</p> <ul style="list-style-type: none"> • Drainage Proposal may be required for change of use or simple development sites which are: 	<p>Examples:</p> <ul style="list-style-type: none"> • minor relaxation of BHR with minor change in PR/GFA • minor relaxation of

Drainage	
(i) less than 1 hectare in size; (ii) not falling within flood-prone areas such as low-lying areas and flooding blackspots; (iii) not involving pond filling and substantial earth filling; and (iv) not involving diversion of stream.	PR/GFA/SC restriction without substantial implications • temporary development (public vehicle park, workshop, open storage and port back-up related use, small factories, etc.)
(c) Development(s)/Use(s) that may Require DIA <ul style="list-style-type: none">DIA may be required for change of use or complicated development sites which are of sufficient scale to make a significant change to the drainage characteristics of a stormwater drainage system, including but not limited to:<ul style="list-style-type: none">(i) larger than 1 hectare in size; or(ii) a site adjacent to or encompassing a major stream, channel or river etc.	Examples: <ul style="list-style-type: none">projects in “CDA” zoneresidential/office/hotel/retail developments of considerable sizedevelopment(s)/use(s) in flood-prone area and DSD flooding blackspots
(d) Submission Requirements of Drainage Proposal <ul style="list-style-type: none">The requirements for a drainage proposal should refer to Technical Note No. 1 “Technical Note to Prepare a Drainage Submission” (https://www.ds.gov.hk/EN/Files/Technical_Manual/dsd_guideline/Drainage_Submission.pdf) prepared by the Drainage Services Department.	
(e) Submission Requirements of DIA <ul style="list-style-type: none">A DIA will include a plan and calculations showing the impact on the drainage within the catchment area, and the proposed mitigation measures. For guidance and advice, please refer to Advice Note No. 1 “Application of the Drainage Impact Assessment Process to Private Sector Projects” (https://www.ds.gov.hk/EN/Files/Technical_Manual/dsd_Guidelines/Advise_Note_1.pdf).	
(f) Enquiries <p>Please contact the Drainage Services Department at 2594 7018.</p>	

Sewerage	
<p>(a) <u>Development(s)/Use(s) Not Requiring Sewerage Impact Assessment (SIA)*</u></p> <ul style="list-style-type: none"> • The scale, nature and use of the development will determine whether SIA can be exempted. The following cases may not require an SIA: <ul style="list-style-type: none"> (i) temporary development(s)/use(s) with no or negligible sewage generation; (ii) developments served by private sewage treatment facilities without discharge into public sewerage system; (iii) minor changes to existing developments with no material change to sewage generation; or (iv) developments already covered under and in line with the prior approved sewerage assessments (if applicable). 	<p>Examples:</p> <ul style="list-style-type: none"> • temporary development(s)/use(s) include warehouse, public open vehicle park, public utility installations, and open storage, etc. • minor relaxation of BHR without change in PR/GFA • minor relaxation of PR/GFA/SC restriction with negligible increase in sewage flow • developments within a larger planning area (e.g. new development area) for which a comprehensive SIA has already been conducted, provided that they are in line with the prior approved sewerage assessments (e.g. estimated amount of sewage generation, sewer connection arrangements, etc.)
<p>(b) <u>Development(s)/Use(s) that may Require SIA</u></p> <ul style="list-style-type: none"> • SIA may be required for new developments, addition, alteration, and/or modification to or redevelopment of existing developments/uses that cause to generate additional sewage flow and potentially impact the existing public sewerage system or sewage treatment facilities. 	<p>Examples:</p> <ul style="list-style-type: none"> • residential development • hospital • educational institution • hotel

Sewerage

(c) Submission Requirements of SIA

- Requirements of SIA can be referenced from the ProPECC PN 1/23 Drainage Plans subject to Comment by the Environmental Protection Department (EPD), (https://www.epd.gov.hk/epd/sites/default/files/epd/english/resources_pub/publications/files/pn23_1.pdf). For guidance and advice, please refer to the Sewerage Manual of DSD (https://www.dsdl.gov.hk/EN/Technical_Documents/Technical_Manuals/index.html) and the Guidelines for Estimating Sewage Flows for Sewage Infrastructure Planning of EPD (https://www.epd.gov.hk/epd/english/environmentinhk/water/guide_ref/gesf.html).

(d) Enquiries

Please contact the EPD at 2835 1319.

Fire Safety	
<p>(a) <u>Development(s)/Use(s) Not Requiring the Submission of Fire Services Installations (FSIs) Proposal</u></p> <ul style="list-style-type: none">• FSIs are not required for the following development(s)/use(s). For example:<ol style="list-style-type: none">(i) with no implication on fire safety issue;(ii) involving submission of building plans under the Cap. 123 Buildings Ordinance;(iii) involving application under licensing authority or dangerous goods licence; and(iv) temporary use/occupancy which pose an acceptable fire risk level and with minimal risk to life or property in openground environments.• For dangerous goods (DG) store in premises/buildings, having considered the nature of DG (i.e. their physical and chemical properties) and the risk assessment for manufacturing, storing or conveying relevant DG, Fire Services Department (FSD) will formulate specific fire service requirement and issue to applicant for compliance during the processing of licence application, if applicable. Hence the submission of FSI is not required at planning application stage and can be deferred to the licensing stage.	<p>Examples:</p> <ul style="list-style-type: none">• NTEH development• social welfare facility• school• filling of land/pond/excavation of land• temporary uses in openground environment:<ol style="list-style-type: none">(i) open carpark⁸ (including those equipped with EV charging facilities);(ii) public utility installation with/ without associated excavation of land (including telecommunication duct and cables, pole and underground cables, water distribution main, solar photovoltaic system, high-voltage pillar, submarine cables and landing facilities, dry-weather flow interceptor, microwave station, electricity meter kiosk, high-voltage pillar and cabinet

⁸ For open carpark with structure(s) of a total gross floor area less than 35m² for watchman's office and accommodation use, such structure (s) could be obviated from fire safety requirements.

Fire Safety	
	transformer, overhead line, pole and pole stay erection); and (iii) private garden.
(b) <u>Development(s)/Use(s) that may Require the Submission of FSIs</u>	<p>Examples:</p> <ul style="list-style-type: none">• temporary vehicle park (non-open, covered or with structure(s)⁹)• temporary open storage of containers• temporary warehouse• temporary animal boarding establishment• temporary place of recreation, sports or culture
(c) <u>Submission Requirements for Fire Safety Requirements</u>	<p>(i) For FSI proposal (except for open storage/shed(s) open on two sides or more) Requirements of the submission of FSIs should contain the following information:</p> <ul style="list-style-type: none">• 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.• FS 251 of the endorsed FSI should be submitted for the implementation of FSI proposal.

⁹ Same requirement would be adopted as elaborated in Footnote 8.

Fire Safety

(ii) Declaration form for open storage/shed(s) open on two sides or more

- Applicant is required to submit the signed declaration form with a valid FS 251. However, if the application will involve the erection of enclosed structure(s), the applicant is required to submit relevant layout plans with proposed FSIs to FSD for approval. Submission requirements of (i) should be adhered to.

(d) Enquiries

Please contact the FSD at 2733 7735.

Water Supply	
(a) <u>Development(s)/Use(s) Not Requiring from Water Supply Impact Assessment (WSIA)*</u>	<p>Examples:</p> <ul style="list-style-type: none"> • NTEH development • temporary vehicle park, temporary open storage of containers, etc. • public utility installations such as gas pigging station, pumping station, electricity sub-station • private columbarium • laying of utilities pipes/cables
(b) <u>Development(s)/Use(s) that may Require WSIA</u>	<p>Examples:</p> <ul style="list-style-type: none"> • projects in “CDA” zone • residential/office/hotel/retail developments of considerable size • GIC facilities • data center • park/open space • reclamation near existing/planned sea-water intake
(c) <u>Submission Requirements of WSIA</u>	<ul style="list-style-type: none"> • The requirements of the WSIA should be agreed with the WSD and contain the following information on a case-by case basis: <ul style="list-style-type: none"> (i) a detailed demand assessment for fresh water, salt water and recycled water; (ii) an estimated annual water demand build-up trend covering the period from initial completion to full development; (iii) proposal of connection points to the existing water main network and new mains to be laid from the connection points to the development. The preliminary feasibility of the alignment of any new water mains should be established; (iv) assessment of the impacts of the additional water demand generated by the proposed development on the existing/planned waterworks infrastructure; (v) proposed measures to improve the water supply system in case it is found that the proposed development will lead to deficiency in the existing/planned waterworks infrastructure; and (vi) assessment of the impacts of the proposed development on the existing/planned

Water Supply

waterworks infrastructure and proposed measures to mitigate the impact to an acceptable level to be agreed by WSD.

- The applicants may be required to provide detailed calculations and hydraulic assessment if appropriate to support the WSIA.

(d) Enquiries

Please contact the Construction Division of WSD at 2152 5736.

Water Gathering Grounds	
(a) <u>Development(s)/Use(s) Not Requiring Impact Assessment on Water Gathering Grounds (WGG)</u>	<p>Examples:</p> <ul style="list-style-type: none">• NTEH development with connection to existing or planned sewer in the area
(b) <u>Development(s)/Use(s) that may Require Impact Assessment on WGG</u>	N/A
(c) <u>Submission Requirements of Impact Assessment on WGG</u>	<ul style="list-style-type: none">• The assessment should include information on the potential impacts on water quality and loss of yield in the WGG arising from the proposed development/use. Applicants are requested to submit information to demonstrate that there should be no material increase in pollution and loss of yield effect resulting from the proposed development(s)/use(s). Moreover, applicants should demonstrate that effluent discharge from the proposed development will be in compliance with the effluent standards as stipulated in the Water Pollution Control Ordinance Technical Memorandum. The proposed development should be able to be connected to existing or planned sewerage system in the area except under very special circumstances.
(d) <u>Enquiries</u>	Please contact Construction Division of WSD at 2152 5736.

Landscape	
(a) <u>Development(s)/Use(s) Not Requiring Landscape Assessment*</u>	<p>Examples:</p> <ul style="list-style-type: none"> application site without distinctive landscape character/resources (including Country Parks, Sites of Special Scientific Interest, green belt, coastal protection areas, conservation areas, wetlands, areas of high landscape value, hilltops, rivers, mature woodlands, special water features, nature reserves, historic landscapes, sites with Old and Valuable Tree (OVT), stonewall tree, tree of particular interest, etc.) application site without mature tree Category 1 and 2 areas for open storage and port back-up uses as stated in Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G) minor relaxation application without landscape implications premises-based application without landscape implications
(b) <u>Development(s)/Use(s) that may Require Landscape Assessment</u>	<p>Examples:</p> <ul style="list-style-type: none"> application site with distinctive landscape character/resources application site with mature tree “CDA” zone Category 3 and 4 areas for open storage and port back-up uses as stated in TPB PG-No. 13G
(c) <u>Submission Requirements of Landscape Assessment</u>	<ul style="list-style-type: none"> On landscape impact, the information should include a broad brush survey on the

Landscape

landscape resources, such as approximate number of trees/tree groups within the site (including information of OVT, tree of particular interest, rare and precious species, protected species scheduled under Cap. 96 and 586, mature trees, if any); estimated number of trees/tree groups affected due to the proposed development and their proposed treatment; a landscape resources survey plan; and site photos showing the existing conditions.

- Broad brush surveys by drone providing the required landscape information and supported by clear assessment may be acceptable for inaccessible areas.
- The overall landscape design and proposed landscape treatments/mitigation measures.

(d) Enquiries

Please contact the respective District Planning Office of the Planning Department.

- (i) Hong Kong District Planning Office (Tel: 2231 4957)
- (ii) Kowloon District Planning Office (Tel: 2231 4979)
- (iii) Tsuen Wan and West Kowloon District Planning Office (Tel: 2417 6658)
- (iv) Sha Tin, Tai Po and North District Planning Office (Tel: 2158 6274)
- (v) Tuen Mun and Yuen Long West District Planning Office (Tel: 2158 6301)
- (vi) Sai Kung and Islands District Planning Office (Tel: 2158 6177)
- (vii) Fanling, Sheung Shui and Yuen Long East District Planning Office (Tel: 3168 4025)

Visual	
<p>(a) <u>Development(s)/Use(s) Not Requiring Visual Impact Assessment (VIA)/Visual Appraisal*</u></p> <ul style="list-style-type: none"> VIA or visual appraisal is not required for any development/use that will not likely result in adverse visual impact within the existing and planned development context, except for circumstances as set out in (b) and (c) below. 	<p>Examples:</p> <ul style="list-style-type: none"> NTEH development conversion/regularisation of uses within existing buildings proposal not involving intensification of development parameters (e.g. increase in building heights or mass) as permitted on OZPs temporary developments/uses (unless in visually sensitive areas) premises-based application
<p>(b) <u>Development(s)/Use(s) that may Require VIA</u></p> <ul style="list-style-type: none"> VIA may be required for any development/use that will likely result in adverse visual impact within the existing and planned development context (especially where visually sensitive areas, visual amenities, visual resources and/or public viewers are affected) involving the circumstances as set out in paragraph 2.3 in Town Planning Board Guidelines on Submission of Visual Impact Assessment for Planning Applications to the Town Planning Board (TPB PG-No. 41A). 	<p>Examples:</p> <ul style="list-style-type: none"> Requirement for VIA is stipulated in the Notes of the statutory plans for the subject site, e.g. areas zoned “CDA” or “Other Specified Uses”, subject to comprehensive planning and design control in the form of planning brief, design brief or submission of Master Layout Plan for TPB’s approval.
<p>(c) <u>Submission Requirements of VIA/ Visual Appraisal</u></p> <ul style="list-style-type: none"> The level of assessment adopted should commensurate with the visual impact anticipated for development/use under application, having regard to its locality, setting, nature, size, scale, visual prominence and the extent of the visual envelope under influence. If the application will not involve any major adverse visual impact even though it is under the circumstances as set out in paragraph 2.3 in TPB PG-No. 41A, visual appraisal instead of a full VIA may suffice. Examples include ‘minor relaxation of BHR for accommodating the Modular Integrated Construction’ and ‘minor relaxation for 2 storeys of above-ground 	

Visual

carpark'.

- A template and requirements of the full VIA and visual appraisal are provided in TPB-PG No. 41A.

(d) Enquiries

Please contact the respective District Planning Office of the Planning Department.

- (i) Hong Kong District Planning Office (Tel: 2231 4957)
- (ii) Kowloon District Planning Office (Tel: 2231 4979)
- (iii) Tsuen Wan and West Kowloon District Planning Office (Tel: 2417 6658)
- (iv) Sha Tin, Tai Po and North District Planning Office (Tel: 2158 6274)
- (v) Tuen Mun and Yuen Long West District Planning Office (Tel: 2158 6301)
- (vi) Sai Kung and Islands District Planning Office (Tel: 2158 6177)
- (vii) Fanling, Sheung Shui and Yuen Long East District Planning Office (Tel: 3168 4025)

Air Ventilation

(a) Development(s)/Use(s) Not Requiring Air Ventilation Assessment (AVA)/Air Ventilation Appraisal*

AVA or air ventilation appraisal is not required except for circumstances as set out in (b) and (c) below.

(b) Development(s)/Use(s) that may Require AVA

- According to “HPLB-ETWB Technical Circular No. 1/06 on Air Ventilation Assessments”¹⁰ (the TC), the need for AVA applies to the following project categories:
 - (i) comprehensive land use restructuring schemes, including schemes that involve agglomeration of sites together with closure and building over of existing streets;
 - (ii) developments on sites of over 2 hectares and with an overall plot ratio of 5 or above;
 - (iii) development proposals with total Gross Floor Area exceeding 100,000 square metres;
 - (iv) developments with podium coverage extending over one hectare;
 - (v) developments above public transport terminus;
 - (vi) buildings with height exceeding 15 metres within a public open space or breezeway designated on layout plans / outline development plans / outline zoning plans or proposed by planning studies;
 - (vii) developments on waterfront sites with lot frontage exceeding 100 metres in length; or
 - (viii) extensive elevated structures of at least 3.5 metres wide, which abut or partially cover a pedestrian corridor along the entire length of a street block that has / allows development at plot ratio 5 or above on both sides; or which covers 30% of a public open space.
- Reference should be made to paragraph 7 in the TC in considering whether the proposal may have adverse air ventilation impact.

(c) Submission Requirements of AVA/ Air Ventilation Appraisal

- The assessment method adopted should commensurate with the air ventilation impact anticipated for development/use under application, having regard to its locality, site condition, surrounding features, development scale, and existing wind environment, etc. The applicant could consider undertaking the appropriate type of AVA, i.e. qualitative assessment (Expert Evaluation) or quantitative assessment (Initial Study (IS)/Detailed Study(DS)) if major adverse air ventilation impact is anticipated. Air ventilation appraisal may suffice if the application is not anticipated to involve any major adverse air ventilation impact, even though it is under the circumstances as set out in paragraph 7 in

¹⁰ “HPLB-ETWB Technical Circular No. 1/06 on Air Ventilation Assessments” (2006) available at https://www.devb.gov.hk/filemanager/en/content_679/hplb-etwb-tc-01-06.pdf

Air Ventilation

the TC.

- A template and requirements of the AVA and air ventilation appraisal are provided (**Appendix**).

(d) Enquiries

Please contact the respective District Planning Office of the Planning Department.

- (i) Hong Kong District Planning Office (Tel: 2231 4957)
- (ii) Kowloon District Planning Office (Tel: 2231 4979)
- (iii) Tsuen Wan and West Kowloon District Planning Office (Tel: 2417 6658)
- (iv) Sha Tin, Tai Po and North District Planning Office (Tel: 2158 6274)
- (v) Tuen Mun and Yuen Long West District Planning Office (Tel: 2158 6301)
- (vi) Sai Kung and Islands District Planning Office (Tel: 2158 6177)
- (vii) Fanling, Sheung Shui and Yuen Long East District Planning Office (Tel: 3168 4025)

Man-made Slope, Retaining Wall or Natural Terrain

(a) Development(s)/Use(s) Not Requiring Geotechnical Planning Review Report (GPRR)*

- Developments/uses that do not affect/will not be affected by man-made slopes, retaining walls or natural terrain.
- With reference to the “GEO Advice Note for Planning Applications” (Advice Note), the GPRR is not required if the site does not meet any of the following criteria:
 - (i) where the maximum gradient across the site from boundary to boundary, or for a larger site across any 50m long strip, is greater than 15 degrees;
 - (ii) where a man-made slope is steeper than 30 degrees, or a retaining wall, or combination of the two with a height greater than 6m exists on the site or within 6m of the site; or
 - (iii) where there is ground outside the site but in the same catchment that is at an angular elevation of more than 20 degrees from the site and there is ground sloping at more than 15 degrees within 50m upslope of the site.

(b) Development(s)/Use(s) that may Require GPRR

- Developments/uses that may affect or be affected by man-made slopes, retaining walls or natural terrain, where the site meets any of the aforementioned criteria with reference to the Advice Note.

(c) Submission Requirements of GPRR

- The Advice Note explains the criteria and essential contents for submission of a GPRR and is available online at <https://www.cedd.gov.hk/eng/our-major-services/geotechnical/index.html>.
- Applicants are recommended to refer to GEO Publication No. 1/2011 “Technical Guidelines on Landscape Treatment for Slopes” (<https://www.cedd.gov.hk/eng/publications/geo/geo-gco/geo-p111/index.html>) which provides useful guidelines on landscaping of man-made slopes and retaining walls.

(d) Enquiries

Please contact Geotechnical Engineering Office of the Civil Engineering and Development Department at 2762 5401.

Quantitative Risk

<p>(a) <u>Development(s)/Use(s) Not Requiring Quantitative Risk Assessment (QRA)</u> *</p> <ul style="list-style-type: none"> Development(s)/use(s) that is outside the consultation zone (i.e. consultation zone of the Potentially Hazardous Installation (PHI), 150m from the alignment of the High Pressure Town Gas Installations (HPTGIs) and 150m from the boundaries of HPTGIs) or do not cause a significant increase in living or working population within the consultation zone of PHI, nor in the vicinity of notifiable gas installations (NGIs). 	<p>Examples:</p> <ul style="list-style-type: none"> residential/office development outside the consultation zone of PHI or NGI with a distance 150m from the HPTGIs highways / walkways / parking lot, playground / parks / gardens which would not cause a significant increase in living or working population.
<p>(b) <u>Development(s)/Use(s) that may Require QRA</u></p> <ul style="list-style-type: none"> Developments/uses that may cause a significant increase in living or working population within the consultation zone of the PHI, or in the vicinity of NGIs. 	<p>Examples:</p> <ul style="list-style-type: none"> residential/office developments within the consultation zone of the PHI such as Liquefied Petroleum Gas (LPG) Terminal, LPG compound, and town gas installation with a storage capacity exceeding the threshold quantity; residential/office developments near NGIs such as LPG filling stations and LPG compounds or HPTGIs, etc.
<p>(c) <u>Submission Requirements of QRA</u></p> <ul style="list-style-type: none"> The QRA should contain the following information: <ul style="list-style-type: none"> (i) The requirement of the QRA has been laid down in the Section 4 of Chapter 12 of the HKPSG. (ii) The Government Risk Guideline stipulated in the Section 4.4 of Chapter 12 of the HKPSG gives clear risk acceptance criteria in the QRA in terms of individual and societal risks. (iii) For the QRA requirements of HPTGIs, please refer to the “Guidance Note on Quantitative Risk Assessment Study for HPTGIs in Hong Kong” prepared by the Electrical and Mechanical Services Department (https://www.emsd.gov.hk/en/gas_safety/publications/guidance_notes/index.html) 	

Quantitative Risk

(d) Enquiries

Please contact the Technical Secretariat of the Electrical & Mechanical Services Department at 3757 6231.

Remarks:

* Relevant technical assessments may still be required if there are special circumstances. The applicant is recommended to liaise with relevant departments for pre-submission enquiry to ascertain the need and/or the scope of technical assessment before formal submission to the TPB.

Templates of AVA-related Technical Reports

	Quantitative Assessment	Qualitative Assessment	
		Initial Study (IS) / Detailed Study (DS)	Expert Evaluation (EE)
1. Introduction and background (e.g. purpose of the AVA, site details and surrounding contexts, etc.)	✓	✓	✓
2. Scenarios to be studied (i.e. Baseline Scenario and Proposed Scenario)	✓	✓	✓
3. Site wind availability			
a. Select wind data sources and report the annual and summer wind roses at appropriate level	✓	✓	✓
b. Tabulate directional wind frequencies under both annual and summer conditions	✓	✓	
c. Report wind profile	✓		
d. Identify at least three most annual and summer prevailing winds		✓	✓
e. Identify suitable wind directions to be simulated (75% for IS and 100% for DS)	✓		
4. Methodology of Initial Study / Detailed Study	✓		
5. Evaluation and Assessment			
a. Discuss the overall air ventilation impact and demonstrate the performance of good air ventilation features / mitigation measures	✓	✓	✓
b. Provide directional analysis	✓	✓	
c. Report Site Velocity Ratio (VR), Local VR and raw VR data	✓		
d. Quantify the performance of proposed air ventilation design good measures / mitigation measures based on the simulation results	✓		
6. Conclusion			
a. Conclude the overall air ventilation impact of Proposed Scenario when compared with Baseline Scenario	✓	✓	✓
b. Advise if further assessments and mitigation measures are required	✓	✓	
7. Plans and Drawings			
a. Master Layout Plan and sectional drawings of both Baseline Scenario and Proposed Scenario	✓	✓	✓
b. Location of subject site and building heights of existing developments in surroundings			
8. Appendices			
a. Illustration of Computational domain and modelling of scheme details	✓		
b. VR contour, vector plots and raw VR data			

Annex C

Submission of Soft Copy of Application Materials^{*}

Except for EPASS submission, the applicant is required to follow the steps below for the submission:

New Application

- a. Submit the hard copies first for the Board's initial checking purpose.
- b. Check email notification from the Board which will be sent after the Board's initial checking of the application materials and provide a hyperlink to a designated folder for soft copy submission[@].
- c. Click the hyperlink and upload the documents to the designated folder. Please note that all the documents are required to be in the searchable Portable Document Format (PDF) with the size of each file not exceeding 200 MB. Each file is required to be named in accordance with its nature (see **Annex D**).
- d. Notify the Board via email (**tpbsubmission@pland.gov.hk**) upon completion of the soft copy submission. Unless receipt of the email notification, the soft copy submission will not be taken as completed.
- e. If rectification is required before publication of the application for public comments, upload the **full set** of the submissions by repeating (c) and (d) above, and submit the required number of hard copies to the Secretariat of the Board.

Further Information

If the applicant wishes to submit further information, the submission should be made following (c) and (d) above, and submit the required number of hard copies to the Secretariat of the Board.

^{*} For EPASS submissions, reference should be made to the Guidance Notes on EPASS Submission.

[@]The email notification will be sent to the email address provided by the applicant. The applicant should make sure that his/her email account setting will not keep the email notification at the junk box.

A. Nature of the Supporting Documents Involved in Planning Application

1. Cover Letter
2. Plans and Drawings
3. Planning Statement
4. Responses to Comments
5. Environmental Assessment
6. Traffic Impact Assessment (on vehicles/on pedestrians)/Traffic Review
7. Visual Impact Assessment/Visual Appraisal
8. Landscape Assessment
9. Geotechnical Impact Assessment/Geotechnical Planning Review Report
10. Sewerage Impact Assessment
11. Drainage Impact Assessment/Drainage Proposal
12. Water Supply Impact Assessment
13. Impact Assessment for Water Gathering Ground
14. Quantitative Risk Assessment
15. Air Ventilation Assessment/Air Ventilation Appraisal
16. Management Plan
17. Social Impact Assessment
18. Heritage Impact Assessment
19. Ecological Impact Assessment
20. Conservation Management Plan
21. Others

B. Naming Rules for Digital Files

[Application No. (e.g. A_K1_123)]_[FI*(no.) (if applicable)]_[Nature of the Document]_[Part no. (if applicable)]**

Example 1 (New Submission)

A_K1_123_Plans_Drawings.pdf
A_K1_123_Traffic_Impact_Assessment_1.pdf**
A_K1_123_Traffic_Impact_Assessment_2.pdf**

Example 2 (First Further Information)

A_K1_123_FI(1)_Responses_To_Comments.pdf
A_K1_123_FI(1)_Traffic_Impact_Assessment.pdf
A_K1_123_FI(1)_Others.pdf

* “FI” stands for further information.

** If an assessment/statement is larger than 200MB in file size, applicant is required to split the assessment/statement into smaller files (parts) with each not exceeding 200MB and specify the part number of each file at the end of the respective file name. See the traffic impact assessment in Example 1.

Order and Behaviour inside Meeting Room

The rules for keeping the order inside the meeting room are as follows:

- (a) loudhailers and banners will not be allowed to be brought into the meeting room;
- (b) all attendees must behave in an orderly manner and remain seated during the meeting;
- (c) all attendees are expected to show courtesy to each other by allowing them to make their presentations without being disturbed or interrupted by people talking amongst themselves or by passing comments;
- (d) offensive and insulting language must not be used at the meeting;
- (e) photo-taking or recording is not allowed in the meeting room; and
- (f) clamour, shouting and commotion are prohibited.

Any person who fails/refuses to follow any of the above rules or causes any disturbance to the conduct of the meeting will be given warnings by the Chairman. After repeated warnings, the Chairman can ask that person to leave the meeting room. Once excluded, that person should not be allowed to return for the remaining part of that meeting, and the Chairman shall have full discretion to consider any application by such person for further opportunities to make presentation at the meeting.

The Chairman has full discretion to control the conduct of the meeting and all attendees must follow his/her instructions. Attendees who do not do so may be asked to leave the meeting room and uncooperative attendees may be removed from the meeting room if necessary at the direction of the Chairman.