

**Relevant Extract of Town Planning Board Guidelines No. 34C on  
Renewal of Planning Approval and Extension of Time for Compliance  
with Planning Conditions for Temporary Use or Development**

1. The criteria for assessing applications for renewal of planning approval include:
  - (a) whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
  - (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
  - (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
  - (d) whether the approval period sought is reasonable; and
  - (e) any other relevant considerations.
  
2. Under normal circumstances, the approval period for renewal should not be longer than the original validity period of the temporary approval. In general, the Board is unlikely to grant an approval period exceeding three years unless there are strong justifications and the period is allowed for under the relevant statutory plans. Depending on the circumstances of each case, the Board could determine the appropriate approval period, which may be shorter than the time under request.

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Sai Kung, Lands Department that if the application is approved by the Board, the applicant shall provide necessary information to his office for further processing of its land extension application. However, there is no guarantee that such application would be approved by the Government. Such application, if eventually approved, would be subject to such terms and conditions as the Government considers appropriate;
- (b) to note the comments of Chief Engineer/Mainland South, Drainage Services Department that the applicant should ensure adequate stormwater drainage collection and disposal facilities would be provided in connection with the proposed use to deal with the surface runoff of the Site or the same flowing on to the Site from the adjacent areas without causing any adverse drainage impacts or nuisance to the adjoining areas;
- (c) to note comments of the Director of Environmental Protection (DEP) that the applicant is advised to follow the latest 'Code of Practice on Handling Environmental Aspects of Open Storage and Temporary Uses' issued by DEP;
- (d) to note the comments of the Chief Engineer/Construction, Water Supplies Department (WSD) that for provision of fresh water supply to the development, the applicant may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards;
- (e) to note the comments of the Chief Building Surveyor/New Territories East 2 & Rail, Buildings Department:
  - (i) all existing building works erected on unleased government land (i.e. before the grant of an STT/STW) do not come under the control of the Buildings Ordinance (BO), and are not unauthorized for the purpose of BO. It is incumbent upon the Lands Department to advise the legitimacy of such existing structures;
  - (ii) before any new building works are carried out on land held under STT/STW, prior approval and consent from the Building Authority should be obtained, otherwise they are unauthorized building works;
  - (iii) all new building works on land held under STT/STW are subject to compliance with the BO;
  - (iv) Authorized Person must be appointed to coordinate all building works on land held under STT/STW; and
  - (v) the granting of the planning approval should not be construed as acceptance of any unauthorized structures on site under the BO. Enforcement action

may be taken to effect the removal of any unauthorized works in future; and

- (f) to note the following comments of the Director of Fire Services:
  - (i) the applicant is advised to submit relevant layout plans incorporated with the proposed fire service installations (FSIs) to the Fire Services Department for approval. In addition, the applicant should also be advised on the following points:
    - 1. the layout plans should be drawn to scale and depicted with dimensions and nature of occupancy; and
    - 2. the location of where the proposed FSI to be installed should be clearly marked on the layout plans; and
  - (ii) if the proposed structure(s) is required to comply with BO (Cap. 123), detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.