

# **TOWN PLANNING BOARD**

**TPB Paper No. 10380  
For Consideration by the  
Town Planning Board on 2.2.2018**

**Proposed Amendments to the Town Planning Board Guidelines No. 36A for  
Class A and Class B Amendments to Approved Development Proposals**

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Class A and Class B Amendments to Approved Development Proposals**

**1. Introduction**

This paper is to seek Members' agreement to the proposed amendments to the Town Planning Board Guidelines No. 36A for Class A and Class B Amendments to Approved Development Proposals (TPB PG-No. 36A).

**2. Background**

2.1 In connection with the implementation of the Town Planning (Amendment) Ordinance 2004 (the Ordinance) on 10 June 2005, the Town Planning Board (the Board) promulgated eight sets of Town Planning Board Guidelines, including TPB PG-No. 36. TPB PG-No. 36 sets out the types of amendments, the procedures for application for amendments to the approved development proposals under section 16A of the Ordinance and the assessment criteria. The types of Class A and Class B amendments set out in the Schedule at Annex 1 of the Guidelines have been published in the Gazette. The Schedule had not been revised since its promulgation, while TPB PG-No. 36 was revised and renumbered to TPB PG-No. 36A in October 2009 with the Guidelines updated to incorporate amendments to reflect the Board's delegation of authority to a class of public officers to consider section 16A application.

2.2 After implementing the Guidelines for over ten years, it is considered opportune to review TPB PG-No. 36A including the Schedule taking into account the changing planning circumstances and feedback from the stakeholders.

**3. Principles for Review**

The review on TPB PG-No. 36A has been made based on the following principles:

- (a) providing clarity to users of the guidelines and to avoid ambiguity; and
- (b) simplifying the procedural matters whilst safeguarding the interest of the general public.

#### **4. Proposed Amendments**

4.1 The major amendments to the Guidelines are as follows:

- (a) to clarify that in case there is a change in land ownership, the original applicant may appoint the subsequent owner of the site as his/her authorized representative to submit an application for Class B amendments to an approved development proposal;
- (b) to make clear that if the proposed amendment is covered by an approval condition, the applicant can liaise with the concerned government department on the fulfillment of that approval condition and no separate planning application under section 16A(2) of the Ordinance will be required; and
- (c) to set out that whether a fresh planning application under section 16 of the Ordinance will be required will be considered on a case-by-case basis having regard to the individual circumstances.

4.2 The major amendments to the types of Class A and Class B amendments set out in the Schedule at Annex 1 are as follows:

- (a) to allow greater flexibility for the allowable percentage of increase in number of units under both Class A and Class B amendments while maintaining the maximum cap of 100 units and 200 units respectively;
- (b) to delete control in unit size as changes in unit number has already covered this aspect;
- (c) to allow change in site area as required by Government at the processing of land grant, minor changes in disposition of house and New Territories Exempted House (NTEH)/Small House, changes in number of parking and/or loading/unloading (L/UL) spaces to comply with revised requirements under Hong Kong Planning Standards and Guidelines (HKPSG) and changes in layout of internal roads and the internal layout of car park and L/UL area as Class A amendments;
- (d) to allow greater flexibility for changes in gross floor area (GFA) among non-domestic uses, changes in location of ancillary major utility installation within the site and deletion of such facilities as initiated by Government as Class B amendments;
- (e) to allow greater flexibility for the allowable percentage of reduction in total area of private open spaces under both Class A and Class B amendments as long as the resulting provision is not less than the relevant minimum requirements stated in HKPSG; and
- (f) to add control on location and size of setback and building gap in addition to non-building area under both Class A and Class B amendments.

- 4.3 The amendments to TPB PG-No. 36A, including the Guidelines and the types of Class A and Class B amendments set out in the Schedule in Annex 1 are highlighted in the draft TPB PG-No. 36B at **Appendix I** (with additions in **bold** and *italics* and deletions ~~crossed-out~~). Detailed explanations of the proposed amendments are set out at **Appendix II**.

## 5. Consultation

- 5.1 The review on TPB PG-No. 36A has been carried out in consultation with relevant stakeholders. Planning Sub-committee (PSC)<sup>1</sup> of the Land Development Advisory Committee (LDAC) was consulted on the proposed revisions to TPB PG-No. 36A on 11.10.2016. Subsequently, two working sessions were held on 13.4.2017 and 8.5.2017 for PSC members and representatives of the professional/trade organizations<sup>2</sup> to discuss the written comments on the draft revisions to the Guidelines and let them further express their views on the matter. The PSC of LDAC was briefed on the further revised Guidelines on 18.10.2017. PSC members generally agreed to proceed with those revisions that would bring improvements to the Guidelines, while certain issues which required further consideration would be kept under review. Further written comments were received from PSC member on 10.11.2017.
- 5.2 Relevant government departments have also been consulted in September 2017.
- 5.3 Comments from PSC of LDAC, relevant professional/trade organizations and the relevant government departments have been incorporated into the revised Guidelines as appropriate.
- 5.4 While the proposed amendments have largely addressed the comments received, there are certain aspects requiring further consideration and will not be taken on board at this round of amendments, e.g. to allow greater flexibility in changes in GFA, building height, type and mix of uses among non-domestic uses and between domestic and non-domestic uses, location of public open space on different levels, location of transport facilities, soft/hard landscape design and tree preservation proposal, deletion of government, institution or community facilities, and extension of time for commencement of development. Further relaxation of control might result in adverse traffic, visual, landscape and environmental implications and such changes to the approved development proposals would need to be scrutinized by relevant government departments or the Board. As the revision to the Guidelines is an

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<sup>1</sup> PSC is one of the sub-committees under the Land Development Advisory Committee (LDAC) to consider and recommend changes to planning policies, procedures and legislation, consider forecasts of land requirement and supply, and report on these matters to the LDAC. PSC is chaired by the Director of Planning with non-official members from the Association of Architectural Practices Limited (AAP), the Hong Kong Construction Association Limited, the Hong Kong Institute of Architects (HKIA), the Hong Kong Institution of Engineers, the Hong Kong Institute of Landscape Architects, the Hong Kong Institute of Planners (HKIP), the Hong Kong Institute of Surveyors (HKIS), the Real Estate Developers Association of Hong Kong (REDA) and a LDAC member appointed by the Secretary for Development.

<sup>2</sup> The working sessions were attended by the representatives of the AAP, HKIA, HKIP, HKIS, REDA, Environmental Protection Department and Housing Department.

on-going process, these comments would be kept under review in the light of the changing planning circumstances.

## **6. Promulgation of the Revised Guidelines and Transitional Arrangements**

- 6.1 According to section 16A(10) of the Ordinance, the Board may by notice published in the Gazette specifying any class or description of relevant amendments for the purposes of the definition of “Class A amendments” and “Class B amendments”. The notice published is not subsidiary legislation.
- 6.2 Upon agreement by the Board, the revised Schedule of Class A and Class B Amendments, which is intended to substitute that published on 15.4.2005, will be published in the Gazette and will take immediate effect upon gazetting. A draft Gazette Notice for the Revision to Class A Amendments and Class B Amendments is attached at **Annex 1 of Appendix I**. TPB PG-No. 36B will also be promulgated on the same date.
- 6.3 Any application for amendments to the approved development proposals under section 16A of the Ordinance received by the Board before the effective date of TPB PG-No. 36B shall continue to be processed in accordance with TPB PG-No. 36A. TPB PG-No. 36A shall cease to have effect after all outstanding cases have been processed. The transitional arrangements follow the same practice when TPB PG-No. 36 was promulgated in 2005.

## **7. Decision Sought**

Members are invited to consider and agree to:

- (a) the draft TPB PG-No. 36B on Class A and Class B Amendments to Approved Development Proposals at **Appendix I**, including the Gazette Notice and the Schedule of Class A Amendments and Class B Amendments at **Annex 1**; and
- (b) the transitional arrangement as set out in paragraph 6.3 above.

## **Attachments**

Appendix I Draft Town Planning Board Guidelines No. 36B for Class A and Class B Amendments to Approved Development Proposals, including the Gazette Notice and Schedule of Class A Amendments and Class B Amendments (TPB PG-No. 36B)

Appendix II Detailed Explanations of the Proposed Amendments to TPB PG-No. 36A

TPB PG-NO. 36~~AB~~

**TOWN PLANNING BOARD GUIDELINES FOR  
CLASS A AND CLASS B AMENDMENTS TO  
APPROVED DEVELOPMENT PROPOSALS**

[Important Note:

The Guidelines are intended for general reference only.

Any enquiry on this pamphlet should be directed to the Secretariat of the Town Planning Board (15th Floor, North Point Government Offices (NPGO), 333 Java Road, North Point, Hong Kong – Tel. No. 2231 4810 or 2231 4835) or the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000) (17th Floor, NPGO and 14th Floor, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).

The Guidelines are subject to revision without prior notice.]

## 1. Introduction

Where a planning permission is granted under section 16, 17 or 17B of the Town Planning Ordinance (the Ordinance), amendments to the approved development proposals are provided for under section 16A. These Guidelines set out the types of amendments and the application procedures and assessment criteria.

## 2. Class A and Class B Amendments

- 2.1 Amendments are classified as Class A or Class B amendments (see gazette notice at **Annex 1**). There are a total of **2019** categories covering aspects such as *site area*, gross floor area (GFA), ~~*site area*~~, building height, site coverage, mix of use, and provision of open space, recreational facilities, car parking and extension of time, ~~*etc.*~~
- 2.2 Changes falling within Class A amendments do not require further application to the Town Planning Board (the Board). Class B amendments are, however, subject to the approval of the Board upon application made under section 16A(2) of the Ordinance.
- 2.3 By virtue of section 16A(7), if more than one application for Class B amendments were accepted by the Board, the planning approval is taken to be the originally approved planning application as amended by one accepted application for Class B amendments. The applicant could choose to implement the original planning

permission or such permission with any one accepted application for Class B amendments under section 16A. In view of the above, the applicant should endeavour to apply for acceptance of all Class B amendments under one application for consideration by the Board.

***2.4 If the amendment does not fall within Class A nor Class B amendments, a fresh planning application under section 16 of the Ordinance will be required.***

### **3. Delegation of Authority**

The Board has delegated, under section 2(5)(b)(i) of the Ordinance, its authority to the Director of Planning (D of Plan), and to the Deputy Director of Planning (DD) and Assistant Directors of Planning (ADs) in the District Planning Branch of the Planning Department (PlanD), to consider planning applications submitted under section 16A(2) of the Ordinance for Class B amendments to development proposals previously approved under section 16, 17 or 17B of the Ordinance. However, application for Class B amendments which is considered unacceptable by the concerned ~~Government departments, or involving deletion of the previously proposed Government, Institution or Community (GIC) facilities, initiated by the relevant Government departments, from the approved development proposal,~~ will *still* be submitted to the Board for consideration. *Notwithstanding paragraph 8 below, for amendments involving deletion of the previously proposed Government, Institution or Community (GIC) facilities from the approved development proposal, even if the deletion is initiated and agreed by the relevant government department and/or the requirement of the GIC facilities is subject to an approval condition, the matter will be submitted to the Board for consideration. If the deletion is not initiated by Government, a fresh planning application under section 16 of the Ordinance will be required.*

### **4. Application Procedures**

4.1 An application for Class A amendments to an approved development proposal is not required. *The applicant should highlight any Class A amendments on the building plans to facilitate checking by PlanD.*

- 4.2 An application for Class B amendments to an approved development proposal is required and can only be submitted by the person to whom the permission is granted, as required under section 16A(2) *of the Ordinance*<sup>1</sup>.
- 4.3 An application for Class B amendments shall be made by filling in an application form (Form No. S16A). The applicant shall clearly set out the amendments sought, in comparison with the development proposal previously approved under section 16, 17 or 17B *of the Ordinance*, and highlight amendments in the relevant plans, where appropriate. The requirements on obtaining owners' consent, notifying the owners, or taking reasonable steps to obtain owner's consent or give notification to the owners as well as on publishing the application for public inspection do not apply to an application for Class B amendments under section 16A(2) of the Ordinance.
- 4.4 The applicant will normally be informed of the decision on an application for Class B amendments to an approved development proposal processed by D of Plan, DD or relevant AD within 6 weeks. An application which is considered unacceptable by the concerned Government departments will be submitted to the Board for consideration within two months from the date of receipt of the application.
- 4.5 If the applicant is not satisfied with the decision *of the D of Plan, DD, relevant AD or the Board on the application*, he/she may within 21 days of being notified of the decision, apply in writing to the Secretary of the Board (Secy/Board) for a review under section 17 of the Ordinance. Such review will not be published for public inspection.
- 4.6 If the applicant is still not satisfied with the decision made by the Board upon review, the applicant may, within 60 days of being notified of the decision of the Board, lodge an appeal to the Secretary of the Town Planning Appeal Board under section 17B(1) of the Ordinance.

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<sup>1</sup> *In case there is a change in land ownership, the original applicant may appoint the subsequent owner of the site as his/her authorized representative to submit an application for Class B amendments.*

## 5. **Assessment Criteria**

Each application for Class B amendments to an approved development proposal will be assessed on its own merits. In determining an application for Class B amendments, reference will only be made to the development proposal previously approved under section 16, 17 or 17B of the Ordinance. No reference will be made to any Class A amendments allowed or Class B amendments approved under section 16A *of the Ordinance*, or any minor amendments previously approved by a public officer under the delegated authority of the Board prior to the commencement of the Town Planning (Amendment) Ordinance 2004. This is to ensure that aggregate amendments exceeding the scope of Class B amendments shall be considered as a *fresh* section 16 application.

## 6. **Time Limit for Commencement of Development and Compliance with Planning Conditions**

In approving an application for Class B amendments, the time limit for commencement of development or compliance with planning conditions attached to the development proposal previously approved under section 16, 17 or 17B of the Ordinance will remain unchanged, unless extension of time is also the subject of amendment submitted under section 16A *of the Ordinance*. The applicant should refer to Town Planning Board Guidelines on Extension of Time for Commencement of Development, and on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development for details.

## 7. **Early Submission**

7.1 In order to facilitate the early processing of the application for Class B amendments to a previously approved development *scheme proposal*, the applicant is encouraged to submit an application as early as possible and preferably before the submission of building plans. If Class B amendments are only proposed at the stage of building plan submission, the applicant could submit the application form together with extracts of the relevant parts of the building plans (with the proposed amendments

highlighted on the building plans or other relevant parts, if any) directly to the Secy/Board at the same time when the building plans are submitted to the Building Authority. ~~*The applicant should also highlight any Class A amendments on the building plans to facilitate checking by the PlanD.*~~

7.2 In case the applicant is not sure about whether the proposed amendments fall within Class A or Class B amendments, the respective District Planning Officer (*DPO*) of the PlanD should be contacted for advice. *The advice given by DPO, however, will not pre-empt the decision of the Board or any public officer with the authority delegated by the Board.*

## 8. *Amendments in relation to Compliance of Approval Conditions*

Under section 16(5) of the Ordinance, the Board may grant planning permission subject to such conditions as the Board thinks fit. In general, the applicant is required to fulfill an approval condition to the satisfaction of the ~~G~~government department concerned or of the Board. No separate planning application under section 16A(2) *of the Ordinance* will be required for amendments made to the approved development proposal as a result of fulfilling the approval conditions of the planning permission specified by the Board. *The applicant is advised to liaise with the concerned government department on the fulfillment of the approval condition.* Should there be disagreement over the fulfillment of the approval conditions between the applicant and the ~~G~~government departments concerned, ~~*or if the proposed amendments involve deletion of the previously proposed GIC facilities, as initiated by the relevant Government departments, from the approved development proposal,*~~ the matter will be submitted to the Board for consideration. ~~*Deletion of such GIC facilities, if not initiated by the relevant Government departments, should be submitted in the form of a section 16 application in accordance with the provision of the Ordinance (including publication for public comment). Besides, in complying with the approval conditions, there should not be major changes to the original approved development proposal. A fresh planning application under section 16 will be required if major changes to the approved development proposal are involved.*~~

**TOWN PLANNING BOARD**

*October 2009* \_\_\_\_\_ *2018*

**Town Planning Ordinance (Chapter 131)**

**REVISION TO CLASS A AMENDMENTS AND  
CLASS B AMENDMENTS**

Pursuant to section 46 of the Interpretation and General Clauses Ordinance (Chapter 1) and section 16A(10) of the Town Planning Ordinance, the revision to 'Class A amendments' and 'Class B amendments' agreed by the Town Planning Board on \_\_\_\_\_ 2018 to substitute that published on 15.4.2005, is published in the Schedule to this Notice with immediate effect.

\_\_\_\_\_ 2018

Town Planning Board

**DRAFT**

**SCHEDULE**

**CLASS A AMENDMENTS AND CLASS B AMENDMENTS**

**Category 21 Site area and site boundary**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Changes in site area/site boundary due to the setting out of site boundary at the processing of land grant, inclusion/exclusion of private lane and/or land for public purposes in site area calculation; or</p> <p><b><i>(b) Change in site area as required by Government at the processing of land grant; or</i></b></p> <p><del>(b)</del>(c) Reduction not exceeding 5% of the gross site area with corresponding reduction in gross floor area.</p>	<p>Other than those specified under Class A amendments of this category and changes not exceeding 10% of the gross site area.</p>	<p>Provided that the changes under both Class A and Class B amendments of this category do not involve additional areas of a different zoning which requires planning permission from the Town Planning Board, a reduction in the provision of Government, institution or community facilities <b><i>covered under Category 9</i></b> or public open space, or making a material change to the original approved development proposal.</p>

**Category 12 Total gross floor area and plot ratio**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Reduction in gross floor area (<i>GFA</i>)/plot ratio (<i>PR</i>); or</p> <p>(b) Increase in <del>gross floor area</del><i>GFA</i>/<del>plot ratio</del><i>PR</i> arising from Item (b) in the Remarks column, provided that the total <del>gross floor area</del><i>GFA</i>/<del>plot ratio</del><i>PR</i> is not specified as an approval condition of the planning permission and subject to:</p> <p>(i) not exceeding <i>the</i> maximum <del>gross floor area</del><i>GFA</i> or <del>plot ratio</del><i>PR</i> permissible under restrictions on the <i>extant</i> statutory plan; or</p> <p>(ii) increase in <del>gross floor area</del><i>GFA</i> not exceeding 2,000m<sup>2</sup> or 5% of the approved total <del>gross floor area</del><i>GFA</i>, or its equivalent <del>plot ratio</del><i>PR</i>, whichever is the less, provided that there are no <del>gross floor area</del><i>GFA</i> or <del>plot ratio</del><i>PR</i> restrictions on the <i>extant</i> statutory plan.</p>	<p>Other than those specified under Class A amendments of this category and increase in <del>gross floor area</del><i>GFA</i> not exceeding 4,000m<sup>2</sup> or 10% of the approved total <del>gross floor area</del><i>GFA</i>, or its equivalent <del>plot ratio</del><i>PR</i>, whichever is the less, <i>arising from Item (b) in the Remarks column</i> and provided that there are no <del>plot ratio</del><i>PR</i> or <del>gross floor area</del><i>GFA</i> restrictions on the <i>extant</i> statutory plan, and in the approval condition of the planning permission, if <i>any applicable</i>.</p>	<p>(a) Both Class A and Class B amendments of this category are not applicable to <i>the provision of Government, institution or community facilities covered under Category 9 below</i>.</p> <p>(b) Increase in <del>gross floor area</del><i>GFA</i>/<del>plot ratio</del><i>PR</i> under both Class A and Class B amendments of this category <i>shall be due to are only applicable to the following circumstances:</i></p> <p>(i) <i>increase in GFA / PR due to additional plot ratio</i><i>PR</i> permitted by the Building Authority under Regulation 22(1) or (2) of the Building (Planning) Regulations at the detailed design stage; and/or</p> <p>(ii) <i>increase in GFA due to</i> increase in site area arising from Item (a) of Class A amendments under Category</p>

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
		<i>1 above 2 below;</i> and/or  <i>(iii) increase in PR due to decrease in site area arising from Items (a) or (b) of Class A amendments under Category 1 above.</i>

**Category 3 Number of units**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Reduction in number of units, provided that it is not less than the minimum number of units specified in the planning brief, if <b><i>any applicable</i></b>; or</p> <p>(b) Increase in number of units not exceeding 100 units or <b><i>5 10%</i></b> of the approved provision, whichever is the less, provided that the maximum number of units is not specified as an approval condition of the planning permission and is not specified in the planning brief, if <b><i>any-applicable</i></b>.</p>	<p>Other than those specified under Class A amendments of this category and increase in number of units not exceeding 200 units or <del><b><i>1020%</i></b></del> of the approved provision, whichever is the less.</p>	<p>(a)<b><i>“Units” include domestic units in residential development (houses/flats) and residential institution, as well as guestrooms in hotel; and</i></b></p> <p>(b)<b><i>The corresponding changes in unit size due to changes in the number of units are always permitted.</i></b></p>

**Category 4 — Unit size**

<b><i>Class A amendments</i></b>	<b><i>Class B amendments</i></b>	<b><i>Remarks</i></b>
<del><b><i>Change in unit size not exceeding 5% of the approved provision, provided that the maximum or minimum unit size is not specified in the planning brief, if any.</i></b></del>	<del><b><i>Other than those specified under Class A amendments of this category.</i></b></del>	

**Category 54 Building blocks**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Changes in form of building(s), provided that the <b><i>affected portion(s) of the</i></b> concerned block(s) is(are) not the subject of environmental mitigation measures; or</p> <p>(b) Reduction in number of building blocks, provided that there are no changes in the disposition of other building blocks and the concerned block(s) <b><i>to be deleted</i></b> is(are) not the subject of environmental mitigation measures; <b><i>or</i></b></p> <p>(c) <b><i>Minor changes in disposition of house(s) (other than New Territories Exempted House(s) (NTEH(s)) /Small House(s)), provided that the concerned house(s) is(are) not the subject of environmental mitigation measures; or</i></b></p> <p>(d) <b><i>Minor changes in disposition of NTEH(s)/ Small House(s), provided that the changes would not result in a reduction in the percentage of the footprint of the house(s) falling within the “Village Type Development” zone and/or village ‘environs’ of a recognized village, and the concerned NTEH(s)/Small House(s) is(are) not the subject of environmental mitigation measures.</i></b></p>	<p>(a) Changes in form of building(s) <del><b><i>where the concerned block(s) is(are) the subject of environmental mitigation measures other than those specified under Class A amendments of this category;</i></b></del> or</p> <p>(b) Reduction in number of building blocks other than those specified under Class A amendments of this category; or</p> <p>(c) Minor changes in disposition of building block(s) <b><i>other than those specified under Class A amendments of this category;</i></b> or</p> <p>(d) Increase in number of building blocks.</p>	<p>(a) The concerned block(s) <b><i>or the affected portion(s) of the concerned block(s)</i></b> may be an environmental buffer or subject to environmental nuisance; <b><i>and</i></b></p> <p>(b) <b><i>The form of building under Item (a) of both Class A and Class B amendments of this category includes the height and design of podium, if applicable.</i></b></p>

**Category 65 Building height (including absolute building height, *and* number of storeys and building height in metres above Principle Datum (mPD))**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Reduction in building height; or</p> <p>(b) Increase in building height <b><i>of any building block</i></b>, provided that the maximum building height is not specified as an approval condition of the planning permission and subject to:</p> <p>(i) not exceeding the building height restrictions on the <b><i>extant</i></b> statutory plan; <b><i>and</i></b> in the planning brief, <b><i>and in the relevant Town Planning Board Guidelines for Building Height Control</i></b>, if applicable; or</p> <p>(ii) not exceeding 10% of the approved <b><i>levels absolute building height and/or number of storeys</i></b> [excluding refuge floor(s), if any] <b><i>of the concerned building block</i></b>, provided that there are no building height restrictions on the <b><i>extant</i></b> statutory plan; <b><i>and</i></b> in the planning brief, <b><i>and in the relevant Town Planning Board Guidelines for Building Height Control</i></b>, if applicable; or</p> <p>(iii) incorporation of the green features</p>	<p>Other than those specified under Class A amendments of this category and increase in <b><i>absolute building height and/or number of storeys of any building block</i></b> not exceeding 20% of the approved <b><i>levels absolute building height and/or number of storeys</i></b> [excluding refuge floor(s), if any] <b><i>of the concerned building block</i></b>, provided that there are no building height restrictions on the <b><i>extant</i></b> statutory plan; <b><i>and</i></b> in the planning brief, <b><i>and in the relevant Town Planning Board Guidelines for Building Height Control</i></b>, if applicable.</p>	

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>covered by the Joint Practice Notes promulgated by the Buildings Department, Lands Department and Planning Department, provided that there are no building height restrictions on the <i>extant</i> statutory plan, <i>and</i> in the planning brief, <del><i>and in the relevant Town Planning Board Guidelines for Building Height Control,</i></del> if applicable, or the proposed change does not result in development exceeding the building height restrictions on the <i>extant</i> statutory plan, <i>and</i> in the planning brief, <del><i>and in the relevant Town Planning Board Guidelines for Building Height Control,</i></del> if applicable.</p>		

**Category 76 Site coverage**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Reduction in site coverage; or</p> <p>(b) Increase in site coverage subject to:</p> <p style="padding-left: 40px;">(i) not exceeding the site coverage restrictions on the <b><i>extant</i></b> statutory plan, and in the planning brief, if applicable; or</p> <p style="padding-left: 40px;">(ii) not exceeding 5% of the approved site coverage, provided that there are no site coverage restrictions on the <b><i>extant</i></b> statutory plan, and in the planning brief, if applicable; or</p> <p>(c) <b><i>Increase in site coverage due to:</i></b></p> <p style="padding-left: 40px;"><del>(iii)</del>(i) incorporation of the green features covered by the Joint Practice Notes promulgated by the Buildings Department, Lands Department and Planning Department, provided that there are no site coverage restrictions on the <b><i>extant</i></b> statutory plan, and in the planning brief, if applicable, or the proposed change does not result in development exceeding the site coverage restrictions on the <b><i>extant</i></b> statutory plan, and in the planning brief, if</p>	<p>Other than those specified under Class A amendments of this category and increase in site coverage not exceeding 10% of the approved site coverage provided that there are no site coverage restrictions on the <b><i>extant</i></b> statutory plan, and in the planning brief, if applicable.</p>	

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>applicable; <i>or</i></p> <p><i>(ii) decrease in site area arising from Items (a) or (b) of Class A amendments under Category 1 above, provided that there are no site coverage restrictions on the extant statutory plan and in the planning brief, if applicable, or the proposed change does not result in development exceeding the site coverage restrictions on the extant statutory plan and in the planning brief, if applicable.</i></p>		

**Category 87 Type and mix of uses**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Changes in type/mix of uses within the same category as set out in Item (b) of the Remarks; or</p> <p>(b) Changes in gross floor area (<b>GFA</b>) for non-domestic uses from one category to another as set out in Item (b) of the Remarks, provided that <i>all concerned categories of uses are included in the approved development proposal</i>, and the changes do not exceed 2,000m<sup>2</sup> or 5%, <i>whichever is the less</i>, of the approved non-domestic <del>gross floor area</del><b>GFA</b>, <del>whichever is the less</del>, of each of the affected categories; or</p> <p>(c) Changes in location of <i>the approved</i> non-domestic uses within <i>the same</i> non-domestic <i>part of the podium</i> building.</p>	<p>(a) <i>Changes in GFA for non-domestic uses from one category to another as set out in Item (b) of the Remarks, provided that all concerned categories of uses are included in the approved development proposal, and the changes exceed 2,000m<sup>2</sup> or 5% but do not exceed 4,000m<sup>2</sup> or 10%, whichever is the less, of the approved non-domestic GFA of each of the affected categories; or</i></p> <p>(b) Changes in <del>gross floor area</del><b>GFA</b> distribution from domestic to non-domestic, or vice versa, provided that <i>all concerned domestic and non-domestic categories of uses are included in the approved development proposal</i>, and the changes do not exceed 5% of the approved domestic or non-domestic <del>gross floor area</del><b>GFA</b>.</p>	<p>(a) The changes under both Class A and Class B amendments of this category shall not contravene the <del>gross floor area</del><b>GFA</b>/plot ratio restrictions, if any, on the <i>extant</i> statutory plan; <i>and</i></p> <p>(b) Other than public utilities, Government, institution or community facilities and recreational facilities, uses to be shown within an <i>approved development scheme proposal</i>/Master Layout Plan could be broadly divided into the following four categories:</p> <p>(i) residential <i>flat</i> uses;</p> <p>(ii) hotel;</p> <p>(iii) office; and</p> <p>(iv) other commercial uses, including but not limited to kindergarten, child care centre and public car park.</p>

**Category 98 Internal layout and disposition of premises**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
Changes in internal layout/disposition of premises, provided that the <del><i>changes are</i></del> <b><i>affected portion(s) of the concerned premises is(are)</i></b> not <b><i>the</i></b> subject of environmental mitigation measures.	Other changes in internal layout/disposition of premises which do not fall within Class A amendments of this category.	<b><i>The affected portion(s) of the concerned premises may be an environmental buffer or subject to environmental nuisance.</i></b>

**Category 109 Provision of Government, institution or community facilities**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
Not Applicable	<p>(a) Changes in the types, locations, and/or floor area(s) of the facilities; or</p> <p>(b) Deletion of <i>the</i> facilities, as initiated by <del>the relevant</del> Government <del>departments</del>.</p>	<p>(a) <i>This category is not applicable to development solely for Government, institution or community (GIC) facilities;</i></p> <p>(b) <i>If the deletion of the concerned GIC facilities is initiated by Government, the matter should be submitted to the Town Planning Board for consideration; and</i></p> <p>(c) <i>If the deletion of the concerned GIC facilities is not initiated by Government, a fresh application under section 16 of the Town Planning Ordinance is required <del>for deletion of Government, institution or community facilities not initiated by the relevant Government departments.</del></i></p>

**Category #10 Provision of public open space**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Increase in total area; or</p> <p>(b) Changes in location of the public open space, provided that the location of the public open space remains on the same street/podium level(s), and is not the subject of environmental mitigation measures and is not specified as an approval condition of the planning permission, if <del>any</del> <b>applicable</b>; or</p> <p>(c) Changes in <b>public open space from active <del>orto</del> passive <del>public open space</del>, or vice versa, provided that the changes do</b> not exceeding 10% of the approved area for active <del>or</del> <b>and</b> passive public open space.</p>	<p>(a) Reduction in total area, provided that it is not less than the minimum level of provision stipulated on the <b>extant</b> statutory plan, and in the planning brief, if <del>any</del> <b>applicable</b>; or</p> <p>(b) Changes in the location of the public open space on the same street/podium level(s) where the location of the public open space is the subject of environmental mitigation measures <del>and is specified as an approval condition of the planning permission, if any</del>; or</p> <p>(c) Changes in <b>public open space from active <del>orto</del> passive <del>public open space</del>, or vice versa</b>, exceeding 10% but not exceeding 20% of the approved area for active <del>or</del> <b>and</b> passive public open space.</p>	<p>(a) <b>Both Class A and Class B amendments of this category are also applicable to open space in private developments for public use; and</b></p> <p>(b) The open space may be an environmental buffer or subject to environmental nuisance.</p>

**Category 1211 Provision of private open space**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Increase in total area; or</p> <p>(b) Reduction in total area not exceeding <del>510%</del> of the approved total area for private open space purpose, provided that the resulting total area of private open space is not less than the minimum standard stated in the Hong Kong Planning Standards and Guidelines (<i>HKPSG</i>), and that specified in the planning brief, if <i>any applicable</i>; or</p> <p>(c) Changes in location of the private open space provided that the location of the private open space remains on the same street/podium level(s), and is not the subject of environmental mitigation measures; or</p> <p>(d) Changes in the ratio of active or passive private open space.</p>	<p>(a) Reduction in total area exceeding <del>510%</del> <i>but not exceeding 10%</i> of the approved total area for private open space purpose provided that the resulting total area of private open space is not less than the minimum standard stated in the <del><i>Hong Kong Planning Standards and Guidelines</i></del><i>HKPSG</i>, and that specified in the planning brief, if <i>any applicable</i>; or</p> <p>(b) Changes in the location of the private open space other than those specified under Class A amendments of this category.</p>	<p>(a) <b><i>Both Class A and Class B amendments of this category are not applicable to open space in private developments for public use; and</i></b></p> <p>(b) The open space may be an environmental buffer or subject to environmental nuisance.</p>

**Category 1312 Provision of carparking, loading/unloading, and other transport facilities**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Reduction in the total number of parking spaces due to reduction in number of units, provided that the car parking ratio remains unchanged; or</p> <p><b>(b) Changes in the number of any type of parking and/or loading/unloading spaces due to revised requirements under the Hong Kong Planning Standards and Guidelines and agreed by Government; or</b></p> <p><del>(b)(c)</del> Changes in the number of parking spaces for motor vehicles not exceeding 5% of the approved provision for the purposes of demand flexibility; and</p> <p><del>(e)(d)</del> On top of Item <del>(b)(c)</del> above, an additional change in the number of each type of parking and loading/unloading spaces not exceeding 50 spaces or 5% of the approved provision, whichever is the less, for the purpose of design flexibility; <b>or</b></p> <p><b>(e) Changes in the layout of internal roads and the internal layout of car park and loading/unloading area.</b></p>	<p>(a) <b>Changes in the number of parking and loading/unloading spaces</b> <del>Other</del> than those specified under Class A amendments of this category; <del>—other changes in the number of each type of parking and loading/unloading spaces;</del> or</p> <p>(b) Changes in the <b>number and/or</b> locations of ingress/egress point(s); <b>changes in locations of footbridges/subways, public transport terminus, car park, loading/unloading area</b> and lay-bys; and <b>changes in the layout of —internal roads, emergency vehicular access —and car park.</b></p>	<p>The definitions of “demand flexibility” under Item <del>(b)(c)</del> of Class A amendments and “design flexibility” under Item <del>(e)(d)</del> of Class A amendments follow the interpretation of the Transport Department and Lands Department.</p>

**Category 1413**      **Location and size of non-building area, setback and building gap**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
Changes in the location and/or size of the non-building area, <b>setback and/or building gap</b> as <del>required</del> <b>initiated</b> by Government.	Changes in the location and/or size of the non-building area, <b>setback and/or building gap</b> not <del>required</del> <b>initiated</b> by Government.	<b>The non-building area, setback and building gap refer to those designated for a specific purpose, including for road widening and for mitigating environmental, air ventilation, visual and/or landscape impacts.</b>

**Category 1514 Tree preservation and Landscape Proposals/Master Plan**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>Preservation and/or planting of more trees.</p>	<p>(a) Changes in soft/hard landscape design or changes in implementation programming; or</p> <p>(b) Changes in <i>individual</i> trees identified for preservation; or</p> <p>(c) Increase in the number of trees to be felled not exceeding 10% of the approved level, <del>provided that no “Champion Trees” and/or “Old and Valuable Trees” are affected</del>; or</p> <p>(d) Decrease in the number of preserved trees not exceeding 10% of the approved level, <del>provided that no “Champion Trees” and/or “Old and Valuable Trees” are affected</del>.</p>	<p>(a) <i>Provided that the changes under Items (b) to (d) of Class B amendments of this category do not affect “Important Trees”, “Old and Valuable Trees” and/or “Protected Species”;</i></p> <p><del>(a)(b) “Champion Important Trees” under Items (ea) and (d) of this Remarks column Class B amendments refer to those trees defined in Note 3, Appendix C of DEVB TC(W) No. 7/2015 identified in the book ‘Champion Trees in Urban Hong Kong’ published by the then Urban Council in 1994;</del></p> <p><del>(b)(c) “Old and Valuable Trees” under Items (ea) and (d) of this Remarks column Class B amendments refer to those trees included in the list of the “Register of Old and Valuable Trees” kept by the Leisure and Cultural Services Department;</del></p>

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
		<p>(d) <b><i>“Protected Species” under Item (a) of this Remarks column refer to those tree species protected under relevant ordinances in Hong Kong; and</i></b></p> <p><del>(e)</del>(e) <b><i>Preservation of trees under both Class A and Items (b) and (d) of Class B amendments does not include transplanting <del>within</del> site boundary.</i></b></p>

**Category 1615 Provision of indoor recreational facilities**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
Changes in provision of private indoor recreational facilities.	Changes in provision of public indoor recreational facilities, including but not limited to changes in location, layout, type and floor area.	

**Category 1716 Location Provision of ancillary major utility installation**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
Changes in location <i>of the facility</i> within <i>a buildings</i> and not involving any changes in site coverage.	<p>(a) <del>Other</del> Changes in location <del>within buildings and involving changes in site coverage.</del> <i>of the facility which do not fall within Class A amendments of this category; or</i></p> <p>(b) <i>Deletion of the facility, as initiated by Government.</i></p>	Examples include refuse collection point, sewage treatment facilities, electricity substation, and liquefied petroleum gas compound.

**Category 1817 Phasing and implementation schedule**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
Changes in phasing and implementation schedule with no Government, institution or community (GIC) facilities or public open space involved.	Other than those specified under Class A amendments of this category, minor changes in phasing and implementation schedule, affecting the provision of <del>Government, institution or community</del> <i>GIC</i> facilities and public open space.	

**Category 1918      Extension of time for commencement of development**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
Not Applicable	The period of extension, or the aggregate of all the periods of extensions, not exceeding the original duration for commencement of development of the approved development proposal.	

**Category 2019      Extension of time for compliance with approval conditions**

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
Not Applicable.	Extension of time for compliance with approval conditions.	

**Detailed Explanations of the Proposed Amendments for  
TPB PG-No. 36A**

**I. Guidelines**

<b><u>Proposed Amendments</u></b>	<b><u>Explanatory Note</u></b>
<ul style="list-style-type: none"> <li>• <u>Paragraph 2.4</u>: to clarify that if the amendment does not fall within Class A nor Class B amendments, a fresh planning application under section 16 of the Town Planning Ordinance (the Ordinance) will be required.</li> </ul>	
<ul style="list-style-type: none"> <li>• <u>Paragraph 3</u>: to consolidate the matters related to the deletion of the previously proposed Government, Institution or Community (GIC) facilities, which are originally included in paragraphs 3 and 8, to clearly specify that (i) if the proposed amendments involve deletion of the previously proposed GIC facilities from the approved development proposal and the deletion is initiated by the Government, the matter will be submitted to the Town Planning Board (the Board) for consideration; and (ii) if the deletion is not initiated by the Government, a fresh planning application under section 16 of the Ordinance will be required.</li> </ul>	
<ul style="list-style-type: none"> <li>• <u>Paragraph 4.1</u>: to make editorial changes regarding the highlight of Class A amendments on the building plans, moving it from paragraph 7.1 to this paragraph for better clarity.</li> </ul>	
<ul style="list-style-type: none"> <li>• <u>Paragraph 4.2</u>: to add a footnote to clarify that in case there is a change in land ownership, the original applicant may appoint the subsequent owner of the site as his/her authorized representative to submit an application for Class B amendments to an approved development proposal.</li> </ul>	<ul style="list-style-type: none"> <li>• other than the original applicant, to also allow the registered land owner to submit application for Class B amendments to an approved development proposal.</li> </ul>
<ul style="list-style-type: none"> <li>• <u>Paragraph 7.2</u>: to clarify that any advice given by the District Planning Officer of the Planning Department is advisory in nature, and should not pre-empt the decision of the Board or any public officer with the authority delegated by the Board on application for Class B amendments.</li> </ul>	

<ul style="list-style-type: none"> <li>• <u>Paragraph 8:</u> <ul style="list-style-type: none"> <li>(i) to clearly specify that if the proposed amendment is covered by an approval condition, the applicant can liaise with the concerned government department on the fulfillment of that approval condition and no separate planning application under section 16A(2) of the Ordinance will be required.</li> <li>(ii) to delete the sentence regarding “a fresh planning application under section 16 of the Ordinance will be required if major changes to the approved development proposal are involved”. The matter will be considered on a case-by-case basis having regard to the individual circumstances.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• to make it clear that if the proposed amendment is covered by an approval condition, no separate planning application for Class B amendment will be required.</li> <li>• to address the concern that the definition of the term “major changes” is not clear.</li> </ul>
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**II. Schedule of Class A and Class B Amendments**

<b><u>Proposed Amendments</u></b>	<b><u>Explanatory Note</u></b>
<b>Category 1 (previously as Category 2) – Site area and site boundary</b>	
<u>Class A amendments</u> <ul style="list-style-type: none"> <li>• to add a new item to allow more flexibility on changes in site area, provided that it is required by Government at the processing of land grant. For example, the Government may request the developer to include a narrow strip of land near roadside to rationalize the site boundary, or exclude a small portion of the site for public purposes.</li> </ul>	<ul style="list-style-type: none"> <li>• to allow greater flexibility on changes in site area.</li> </ul>
<u>Remarks</u> <ul style="list-style-type: none"> <li>• to clarify that the amendments in this category should not involve a reduction in the provision of government, institution or community (GIC) facilities, which refers to those covered under Category 9 of the Schedule.</li> </ul>	
<b>Category 2 (previously as Category 1) – Total gross floor area and plot ratio</b>	
<u>Class A &amp; Class B amendments</u> <ul style="list-style-type: none"> <li>• to clearly specify that the increase in gross floor area (GFA)/plot ratio (PR) under both Class A and Class B amendments is only applicable to the three situations in Item (b) of the Remarks column. A fresh section 16 application is required for any increase in GFA/PR other than the three situations.</li> </ul>	

<ul style="list-style-type: none"> <li>to clarify that in considering the proposed amendments, reference should be made to the “<i>extant</i>” statutory plan, not the plan which was in force when the development proposal was approved by the Board.</li> </ul>	
<p><u>Remarks</u></p> <ul style="list-style-type: none"> <li><u>Item (a)</u>: to clarify that the amendments in this category are not applicable to the provision of GIC facilities covered under Category 9. Development solely for GIC facilities is covered in this category.</li> <li><u>Item (b)</u>: to elaborate the three situations under which an increase in GFA/PR under both Class A and Class B amendments are applicable. Apart from the two situations which may result in an increase in GFA/PR under the existing Schedule, a new item is added to cater for the situation that a reduction in site area as allowed in Items (a) and (b) of Class A amendments under Category 1 may result in an increase in PR correspondingly if there is no change in GFA.</li> </ul>	
<p><b>Category 3 – Number of units</b></p>	
<p><u>Class A &amp; Class B amendments</u></p> <ul style="list-style-type: none"> <li>to cater for small-scale developments by doubling the allowable percentage of increase in number of units under both Class A (from 5% to 10%) and Class B amendments (from 10% to 20%), while retaining the maximum cap of 100 units and 200 units under Class A and Class B amendments respectively to avoid substantial changes in number of units in large-scale developments.</li> </ul>	<ul style="list-style-type: none"> <li>the allowable percentage of increase in number of units is too small in particular for small-scale developments.</li> </ul>
<p><u>Remarks</u></p> <ul style="list-style-type: none"> <li><u>Item (a)</u>: to clarify that “units” under this category include domestic units in residential development (houses/flats) and residential institution, as well as guestrooms in hotel.</li> <li><u>Item (b)</u>: to add a remark to clarify that the corresponding changes in unit size due to changes in the number of units are always permitted.</li> </ul>	<ul style="list-style-type: none"> <li>to make clear the definition of “units” under this category.</li> <li>to set out that “unit size” will cease to be a subject of vetting under the Guidelines.</li> </ul>

<b>Category 4 – Unit size</b>	
<ul style="list-style-type: none"> <li>to delete this category as changes in number of units are already controlled under Category 3.</li> </ul>	<ul style="list-style-type: none"> <li>changes in unit size are related to changes in number of units which are already covered by Category 3, and hence separate control is not necessary.</li> </ul>
<b>Category 4 (previously as Category 5) – Building blocks</b>	
<u>Class A amendments</u>	
<ul style="list-style-type: none"> <li><u>Item (a)</u>: to revise as “<i>affected portion(s) of the</i> concerned block(s)” to clearly specify that if some parts of the building of the approved development proposal, such as the non-domestic parts, are not the subject of environmental mitigation measures, changes in the form of these portions can be considered as Class A amendments.</li> <li><u>Item (b)</u>: to revise as “the concerned block(s) <i>to be deleted</i>” to clearly specify that the concerned block to be deleted should not be the subject of environmental mitigation measures.</li> <li><u>Item (c)</u>: to add a new item to allow greater flexibility for minor changes in disposition of house (other than New Territories Exempted House (NTEH)/Small House) as its impact is relatively insignificant provided that it is not the subject of environmental mitigation measures.</li> <li><u>Item (d)</u>: to add a new item to allow greater flexibility for minor changes in disposition of NTEH/Small House as their impacts are relatively insignificant provided that the changes would not result in a reduction in the percentage of the footprint of the house falling within the “Village Type Development” zone and/or village ‘environs’ of a recognized village, and they are not the subject of environmental mitigation measures.</li> </ul>	<ul style="list-style-type: none"> <li>to allow greater flexibility for changes in disposition of houses.</li> </ul>
<u>Class B amendments</u>	
<ul style="list-style-type: none"> <li>to make corresponding amendments in relation to the revision of Class A amendments.</li> </ul>	

<p><u>Remarks</u></p> <ul style="list-style-type: none"> <li>• <u>Item (a)</u>: to make corresponding amendments in relation to the revision of Item (a) of Class A amendments.</li> <li>• <u>Item (b)</u>: to clearly specify that the form of building under Item (a) of both Class A and Class B amendments includes the height and design of podium, if applicable, in order to address the concern on possible adverse impacts due to changes made to podium in buildings subject to environmental concern.</li> </ul>	<ul style="list-style-type: none"> <li>• to control podium height for sites with environmental concern.</li> </ul>
<p><b>Category 5 (previously as Category 6) – Building height</b></p>	
<p><u>Class A &amp; Class B amendments</u></p> <ul style="list-style-type: none"> <li>• to put beyond doubt that the control on building height includes three aspects i.e. absolute building height, number of storeys and building height in metres above Principle Datum (mPD).</li> <li>• <u>Item (b)</u>: to clearly specify that in case there was more than one building block in a proposed development, “increase in building height of <i>any building block</i>” should be considered.</li> <li>• to delete the wordings “in the relevant Town Planning Board Guidelines for Building Height Control” as there is currently no relevant Town Planning Board Guidelines on building height control.</li> <li>• <u>Item (b)(ii) of Class A amendment and Class B amendment</u>: to clarify that the percentage of change in building height will apply to “<i>absolute building height and/or number of storeys of the concerned building block</i>”.</li> </ul>	
<p><b>Category 6 (previously as Category 7) – Site coverage</b></p>	
<p><u>Class A amendments</u></p> <ul style="list-style-type: none"> <li>• <u>Item (c)</u>: to categorise the two situations for increase in site coverage which can be considered as Class A amendments.</li> <li>• <u>Item (c)(ii)</u>: to add a new item to cater for the situation that a reduction in site area as allowed in Items (a) and (b) of Class A amendments under Category 1 may result in an increase in site coverage correspondingly if there is no change in the roofed-over area.</li> </ul>	

<b>Category 7 (previously as Category 8) – Type and mix of uses</b>	
<p><u>Class A amendments</u></p> <ul style="list-style-type: none"> <li>• <u>Item (b)</u>: to clarify that changes in GFA for non-domestic uses from one category to another as set out in Item (b) of the Remarks column should only be confined to those categories of uses included in the approved development proposal.</li> <li>• <u>Item (c)</u>: to clarify that as long as the changes in location of “<i>the approved</i> non-domestic uses” are within “<i>the same</i> non-domestic <i>part of the building</i>”, they could be considered as Class A amendments as the non-domestic uses may not be confined to the podium.</li> </ul>	
<p><u>Class B amendments</u></p> <ul style="list-style-type: none"> <li>• <u>Item (a)</u>: to add a new item for changes in GFA exceeding 2,000m<sup>2</sup> or 5% but not exceeding 4,000m<sup>2</sup> or 10% among non-domestic uses to be processed as Class B amendments.</li> <li>• <u>Item (b)</u>: to clarify that changes in GFA between domestic and non-domestic uses should only be confined to those domestic and non-domestic categories of uses included in the approved development proposal.</li> </ul>	<ul style="list-style-type: none"> <li>• to allow greater flexibility in changes in GFA among non-domestic uses.</li> </ul>
<p><u>Remarks</u></p> <ul style="list-style-type: none"> <li>• <u>Item (b)</u>: to revise “residential flat” as “residential <i>uses</i>” to allow for different types of domestic uses such as ‘flat’, ‘house’ and ‘residential institution’.</li> </ul>	
<b>Category 8 (previously as Category 9) – Internal layout and disposition of premises</b>	
<p><u>Class A amendments</u></p> <ul style="list-style-type: none"> <li>• to revise as “<i>affected portion(s) of the concerned premises</i>” to clearly specify that if some parts of the premises of the approved development proposal are not the subject of environmental mitigation measures, changes in the internal layout/disposition of premises of these portions can be considered as Class A amendments.</li> </ul>	

<p><u>Remarks</u></p> <ul style="list-style-type: none"> <li>to clarify that the affected portion(s) of the concerned premises may be an environmental buffer or subject to environmental nuisance.</li> </ul>	
<p><b>Category 9 (previously as Category 10) – Provision of government, institution or community facilities</b></p>	
<p><u>Remarks</u></p> <ul style="list-style-type: none"> <li><u>Item (a)</u>: to add a remark to clarify that this category is not applicable to development solely for GIC facilities (for both public and private facilities). Changes to such development are controlled through other categories as appropriate.</li> <li><u>Items (b) and (c)</u>: to clearly specify that if the deletion of GIC facilities is initiated by Government, the matter should be submitted to the Board for consideration. If the deletion of GIC facilities is not initiated by Government, a fresh application under section 16 of the Ordinance is required.</li> </ul>	
<p><b>Category 10 (previously as Category 11) – Provision of public open space</b></p>	
<p><u>Class B amendments</u></p> <ul style="list-style-type: none"> <li><u>Item (b)</u>: to clarify that if the location of the public open space is not specified as an approval condition of the planning permission, changes in its location on the same street/podium level(s) could be processed as Class B amendments.</li> </ul>	
<p><u>Remarks</u></p> <ul style="list-style-type: none"> <li><u>Item (a)</u>: to add a remark to clarify that both Class A and Class B amendments of this category are applicable to open space in private developments for public use.</li> </ul>	
<p><b>Category 11 (previously as Category 12) – Provision of private open space</b></p>	
<p><u>Class A and Class B amendments</u></p> <ul style="list-style-type: none"> <li>to double the allowable percentage of reduction in total area in Class A amendments and increase from “exceeding 5% but not exceeding 10%” to “exceeding 10%” in Class B amendments, provided that the resulting total area of private open space is not less than</li> </ul>	

<p>the minimum standard stated in the Hong Kong Planning Standards and Guidelines (HKPSG), and that specified in the planning brief, if applicable, to allow a greater flexibility in the provision of private open space.</p>	
<p><u>Remarks</u></p> <ul style="list-style-type: none"> <li>• <u>Item (a)</u>: to clarify that both Class A and Class B amendments of this category are <b>not</b> applicable to open space in private developments for public use.</li> </ul>	
<p><b>Category 12 (previously as Category 13) – Provision of carparking, loading/unloading, and other facilities</b></p>	
<p><u>Class A amendments</u></p> <ul style="list-style-type: none"> <li>• <u>Item (b)</u>: to add a new item under Class A amendments to provide greater flexibility for changes in the number of any type of parking and/or loading/unloading (L/UL) spaces due to revised requirements under the HKPSG and with agreement from relevant government departments.</li> <li>• <u>Item (e)</u>: to relax Class B amendments by allowing “changes in the layout of internal roads and the internal layout of car park and L/UL area” to be considered as Class A amendments to allow greater flexibility at the detailed design stage.</li> </ul>	<ul style="list-style-type: none"> <li>• to allow changes in the total number of parking spaces to comply with changes to the HKPSG.</li> <li>• to relax Class B amendments by allowing changes in the layout of internal roads and location of certain transport facilities to be considered as Class A amendments.</li> </ul>
<p><u>Class B amendments</u></p> <ul style="list-style-type: none"> <li>• <u>Item (b)</u>: to add new provisions for changes in the <b>number</b> of ingress/egress point(s); changes in locations of <b>subways, car park and L/UL area</b> to be considered as Class B amendments.</li> <li>• <u>Item (a) of Class B amendments and Remarks</u>: corresponding amendments in relation to the revision of Class A amendments.</li> </ul>	
<p><b>Category 13 (previously as Category 14) – Location and size of non-building area, setback and building gap</b></p>	
<p><u>Class A and Class B amendments</u></p> <ul style="list-style-type: none"> <li>• to add control on <b>setback and building gap</b> under this category in addition to non-building areas (NBA).</li> </ul>	

<p><u>Remarks</u></p>	
<ul style="list-style-type: none"> <li>to clearly state that the NBA, setback and building gap under this category only refer to those designated for a specific purpose including for road widening and for mitigating environmental, air ventilation, visual and/or landscape impacts.</li> </ul>	<ul style="list-style-type: none"> <li>to elaborate the meaning of NBA, setback and building gap.</li> </ul>
<p><b>Category 14 (previously as Category 15) – Tree preservation and landscape master plan</b></p>	
<p><u>Class B amendments</u></p> <ul style="list-style-type: none"> <li><u>Item (b)</u>: to clarify that any change in an <i>individual</i> tree which has been identified for preservation should be considered as Class B amendment.</li> <li><u>Items (c) and (d)</u>: to make corresponding amendments in relation to the revision in the Remarks column.</li> </ul>	
<p><u>Remarks</u></p> <ul style="list-style-type: none"> <li><u>Item (a)</u>: to specify that changes in individual trees identified for preservation, increase in the number of trees to be felled, and decrease in the number of preserved trees should not affect “Important Trees”, “Old and Valuable Trees” and/or “Protected Species”.</li> <li><u>Items (b) and (d)</u>: to update the terminology and types of trees with preservation concern to reflect the latest requirements and circumstances. The term “Champion Tree” is no longer in current use and has been replaced by “Important Trees”. Moreover, the definition for “Protected Species” is added.</li> <li><u>Item (e)</u>: to clarify that transplanting of tree is not considered as preservation of trees under Class A and Class B amendments.</li> </ul>	
<p><b>Category 16 (previously as Category 17) – Provision of ancillary major utility installation</b></p>	
<p><u>Class B amendments</u></p> <ul style="list-style-type: none"> <li><u>Item (a)</u>: to allow changes within the site rather than within buildings, to be processed as Class B amendments to provide greater flexibility.</li> <li><u>Item (b)</u>: to allow the deletion of the facility as initiated by Government to be processed as Class B amendments to provide greater flexibility.</li> </ul>	<ul style="list-style-type: none"> <li>to allow changes in location within the site as Class B amendment.</li> </ul>