

Draft

G.N. xxxx

Town Planning Ordinance (Chapter 131)

SPECIFIED PERIOD(S) FOR GIVING FURTHER INFORMATION

Pursuant to section 12A(24A) of the Town Planning Ordinance (Chapter 131) (the ‘Ordinance’), the Town Planning Board (the ‘Board’) hereby specifies the following periods as the periods during which an applicant may give further information to the Board to supplement the information included in an application made under section 12A(1) of the Ordinance:

- (1) within two months after the day of the receipt of the application (for the avoidance of doubt, section 12A(14)(c)(ii) of the Ordinance does not apply for the purposes of this sub-paragraph); and
- (2) within two months after the day on which the Board makes a decision to defer its decision on the application in order for the applicant to give further information.

Pursuant to section 16(7A) of the Ordinance, the Board hereby specifies the following periods as the periods during which an applicant may give further information to the Board to supplement the information included in an application made under section 16(1) of the Ordinance:

- (1) within two months after the day of the receipt of the application (for the avoidance of doubt, section 16(2K)(c)(ii) of the Ordinance does not apply for the purposes of this sub-paragraph); and
- (2) within two months after the day on which the Board makes a decision to defer its decision on the application in order for the applicant to give further information.

Pursuant to section 17(8) of the Ordinance, the Board hereby specifies the following periods as the periods during which an applicant may give further information to the Board to supplement the information included in an application made under section 17(1):

- (1) within two months after the day of the receipt of the application (for the avoidance of doubt, section 17(2I)(c)(ii)(A) of the Ordinance does not apply for the purposes of this sub-paragraph); and
- (2) within two months after the day on which the Board makes a decision to defer its decision on the application in order for the applicant to give further information.

The above specifications take immediate effect.

1 September 2023

Town Planning Board

PART I - INTRODUCTION

Preamble

1.1 The conduct of the Town Planning Board (the Board or TPB) is subject to the provisions of the Town Planning Ordinance (the Ordinance) (Cap. 131) and the general principles of administrative law that it must act fairly and reasonably. This document incorporates the procedure and practice adopted by the Board in conducting its business so that consistency can be ensured. This document is subject to revision as and when considered necessary.

Establishment and Functions of the Board

1.2 The Board is a statutory body established under section 2 of the Ordinance.

1.3 The Board's main functions are laid down in section 3 of the Ordinance, i.e. to undertake the systematic preparation of plans for the layout of such areas of Hong Kong (i.e. Outline Zoning Plans and Development Permission Area Plans) as well as for the types of buildings suitable for erection therein with a view to the promotion of the health, safety, convenience and general welfare of the community. The Board also considers applications for amendment of plan under section 12A, for planning permission under section 16 and amendment to planning permission under section 16A of the Ordinance and conducts, under section 17, reviews on its decisions on section 16 and section 16A applications.

1.4 Furthermore, under section 25 of the Urban Renewal Authority (URA) Ordinance, Cap. 563, the URA may submit any plan prepared under subsection (3)(a) of the URA Ordinance to the Board for consideration. Upon the submission of a plan so prepared by the URA, the Board may deem the plan as suitable for publication, with or without amendment(s), or may refuse to deem the plan as being suitable for publication. A plan which the Board deems suitable for publication shall be deemed to be a draft plan prepared by the Board for the purposes of the Ordinance and the provisions of the Ordinance shall apply accordingly.

1.5 A description of the powers and functions of the Board is set out in **Appendix I**.

Composition of the Board

1.6 The Board consists of the Chairman (currently the Permanent Secretary for Development (Planning and Lands)), the Vice-Chairman (currently a non-official Member), five other official Members [currently the Director of Planning; the Deputy Secretary (Transport **and Logistics**) 1, Transport and **LogisticsHousing** Bureau (Alternate member: Principal Assistant Secretary (Transport **and Logistics**), Transport and **LogisticsHousing** Bureau; Assistant Commissioner for Transport, ~~–(New Territories), Assistant Commissioner for Transport (Urban),~~ Chief Traffic Engineer **and Chief Engineer (Hong Kong),** Chief Traffic Engineer (Kowloon), Chief Traffic Engineer (New Territories East) and Chief Transport Engineer (New Territories West), Transport Department); the Director of Home Affairs (Alternate members: Deputy Director (1), Deputy Director (2), Assistant Director (1), Assistant Director (2), Assistant Director (3) and Chief Engineer (Works), Home Affairs Department); the Director of Environmental Protection (Alternate members: Deputy Director of

Environmental Protection (1), Assistant Director (Environmental Assessment), Principal Environmental Protection Officer (~~Metro Assessment~~**Territory South**) and Principal Environmental Protection Officer (**Territory North**~~Strategic Assessment~~), Environmental Protection Department); and the Director of Lands (Alternate members: Deputy Director (~~/General~~), Assistant Director—(~~/Hong Kong~~**Regional 1**), Assistant Director (~~/Kowloon~~**Regional 2**) and Assistant Director—(~~/New Territories~~**Regional 3**), Lands Department)] and ~~28-22~~ other non-official Members. The Deputy Director of Planning (District) is appointed as the Secretary to the Board (Secy/Board) and is assisted by a panel of Planning Department staff at the Board's meetings.

1.7 All Members of the Board are appointed by the Chief Executive (CE) under section 2(1) of the Ordinance and the appointment is announced in the Government of the Hong Kong Special Administrative Region Gazette. There is no tenure of appointment in the Ordinance but it is usually for a period of two years. All non-official Members are appointed in their personal capacity and not as representatives of organizations to which they belong. The CE may reappoint any Member upon expiry of his/her tenure of appointment.

Planning Committee

1.8 With the expansion of statutory planning jurisdiction/coverage to the non-urban areas and to cope with the increase in the Board's workload, two Planning Committees (PCs), i.e. the Metro Planning Committee (MPC) and the Rural and New Town Planning Committee (RNTPC), were set up in July 1991. The plan at **Appendix II** shows the geographical jurisdiction of the MPC and RNTPC.

1.9 Each PC comprises the ~~chairman~~**person** (currently the Director of Planning), the vice-chairman (currently a non-official Member), four other official Members (currently the Deputy Secretary ~~for the Transport and Housing~~ (**Transport and Logistics**) 1, **Transport and Logistics Bureau** (Alternate member: Assistant Commissioner for Transport (~~Urban~~)/(~~New Territories~~), Chief Traffic Engineer (~~New Territories East~~) and Chief Traffic Engineer (~~New Territories West~~), Transport Department); the Director of Home Affairs (Alternate members: Deputy Director (~~1~~)/(~~2~~), Assistant Director (~~1~~), (~~2~~) and, **Assistant Director (3)**, and **Chief Engineer (Works)**, Home Affairs Department); the Director of Environmental Protection (Alternate members: Assistant Director (Environmental Assessment), and—Principal Environmental Protection Officer (**Territory South**) and **Principal Environmental Protection Officer (Territory North)**(~~Metro Assessment~~)/(~~Strategic Assessment~~), Environmental Protection Department); and ~~the Assistant~~ Director—/**Regional 1**, of **Lands Department** (Alternate member: Deputy Director (~~General~~)/(~~Specialist~~) and Assistant Director—(~~/Kowloon~~)/(~~NT~~**Regional 2**), Lands Department)) and ~~14-11~~ other non-official Members ~~each for the MPC and 9 for the RNTPC~~ respectively.

1.10 Similar to the operation of the full Board, the Deputy Director of Planning (District) is the Secretary to the two PCs and is assisted by a panel of Planning Department staff at the PC meeting.

1.11 All Members of the PCs are appointed by the CE among the Members of the Board in accordance with section 2(3) of the Ordinance.

Representation Hearing Committee

1.12 To meet the requirement that consideration of representations/further representations has to be completed and submission of a draft plan **or the draft part of a partly approved plan (hereafter referred to as 'draft plan')** to the **Chief Executive in Council (CE in C)** be made within ~~nine~~**five** months from the expiry of the **last** plan exhibition period (or as extended by ~~the CE-Secretary for Development (SDev)~~ **by-up to a maximum** period of ~~six~~**two** months **and thereafter, further extended by the SDev for two more periods (of 2 months each) under exceptional circumstances**), the Board may appoint a Representation Hearing Committee (RHC) from amongst its members. The RHC is normally appointed on a plan basis to exercise the Board's powers and functions under sections 6B to 6H (i.e. to hear representations made to a draft plan ~~and comments in respect of the representations~~, propose amendment(s) to the draft plan to meet the representations, consider further representations to the proposed amendment(s) and decide whether the proposed amendment(s), as proposed or as further varied, should form part of the draft plan for submission to the CE in C). For those draft plans which are of significant territorial interests or would attract wide public interests, the Board may decide to consider the representations/~~comments~~/further representations itself.

1.13 While membership of a RHC is normally appointed by roster, Members with potential conflict of interest will not be appointed and those with expert knowledge relevant to the subject of the representations may be appointed. Under the Ordinance, each RHC shall consist of not less than five Members, at least 3 of whom must be non-official Members. In practice, it usually consists of nine Members including a chairman (currently the Director of Planning), two official Members and six non-official Members of whom one will be appointed the deputy chairman of the RHC. Similar to the operation of the full Board and the PC, the Deputy Director of Planning (District) is the Secretary to the RHC and is assisted by a panel of Planning Department staff at the RHC meeting.

Delegation of Powers and Functions

1.14 In accordance with section 2(5)(a) of the Ordinance, the Board may delegate to the two PCs the following powers and functions:-

- (i) to prepare draft Outline Zoning Plans and Development Permission Area Plans (section 3 ~~&and~~ section 4(1));
- (ii) to consider Comprehensive Development Schemes including the approval of Master Layout Plans and subsequent amendments to approved schemes (section 4A);
- (iii) to publish ~~new draft~~ plans and amendments to approved plans **or the approved parts of partly approved plans** ~~upon reference back by the CE in C (section 5)~~ **(hereafter approved plans and approved parts of partly approved plans collectively referred to as 'approved plans')**;
- (iv) to make and publish amendments to draft plans (section 7(1) to 7(3));
- (v) to submit ~~a~~ draft plans to the CE in C (section 8);
- (vi) to consider and decide on applications for amendment of plan (section 12A);

- (vii) to consider and decide on applications for planning permission (section 16);
- (viii) to consider and decide on applications for amendments to planning permission (section 16A); and
- (ix) to designate Development Permission Areas (section 20(1)).

1.15 In accordance with section 2A(1) of the Ordinance, the Board may also delegate its powers and functions under sections 6B, 6C, 6D, 6E, 6F, 6G and 6H to a RHC appointed under that section.

1.16 In accordance with s.2(5)(b) of the Ordinance, the Board may delegate its powers and functions to a public officer or class of public officer in respect of:

- (i) an application for making Class B amendments to planning permission under section 16A(2); and
- (ii) an application for permission for development within a Development Permission Area provided that such development would be discontinued and the land reinstated within six months after the permission is granted.

1.17 In accordance with section 2(5)(c) of the Ordinance, the Board may also delegate its powers and functions to the Secy/Board to determine **the exceptional circumstance under which a representer¹ being a natural person may authorize another natural person to attend the hearing on the representer's behalf under section 6B(4A)**, the acceptance of further information submitted by an applicant in respect of an application for amendment of plan made under section 12A, for planning permission made under section 16 and review of a decision on a section 16 application made under section 17, and to exempt the accepted further information from the requirements of publication for public comments **and/or the recounting requirement (as the case may be)**.

1.18 The delegation of powers and functions made by the Board are attached at **Appendix I**.

Promulgation of Guidelines and Guidance Notes

1.19 The Board may from time to time promulgate guidelines to provide guidance to the public on matters such as the general criteria adopted by the Board in considering/**processing of** planning applications and representations to draft plans, **and related matters**. These guidelines are distributed free of charge to members of the public and are available on the Board's website. The guidelines are intended for general reference only. The decision to approve or reject an application rests entirely with the Board or its delegated authority, and will be based on the individual merits and any other specific consideration of each case.

1.20 The Board may also promulgate guidance notes **and technical documents** to provide general information to the public on the requirements for making submissions to the Board and the general procedures adopted by the Board.

¹ A representer means a person who makes a representation under section 6(1) of the Ordinance.

Handling of Information Possessed by the Board

1.21 As disclosure of some of the information of the Board would not be in the public interest, **would** prejudice the position of the Board, the Government or the **CE in C**~~Chief Executive in Council~~, or **would be** in breach of any duty of confidentiality owed to any person by the Board/PC or the Government, etc., Members are obliged to preserve the confidentiality of such sensitive information, e.g. information for the preparation of draft plans, which they obtained in their official capacity. No such materials should be published, made private copies or communicated to unauthorized persons to prevent abuse or misuse of information and to avoid hindering the proper functioning of the Board due to premature disclosure.

1.22 To safeguard and uphold the impartiality, independence and integrity of the Board, all Members should refrain from commenting or speaking on any particular case scheduled for consideration by the Board, either in public or private discussion. If a case has been scheduled for consideration by the Board and Members have been informed of the agenda, Members should not comment on the case before the meeting. Otherwise, the Board may be taken as forming a view before completing the due process of deliberation on the case at a meeting.

1.23 It would be inevitable that Members may be approached by the media/press for information on any particular case under consideration by the Board. Members should exercise their own judgement on how to respond having regard to the code on release of information before the meeting. In general, it would be appropriate for Members to respond that they are not in a position or at liberty to make any comment as the Board would be considering the case.

1.24 Members are appointed in their personal capacity instead of representing any organization. If a Member, as a representative or member of an organization, is obliged to form a view or take a stance on a particular case from the perspective of his/her organization as a whole, he should declare an interest and refrain from participating in the discussion of the case in accordance with the guidelines on declaration of interest in Part II.

1.25 For formal release of information to the public, members may make reference to Part IV.

Request for Board's Ruling

1.26 There are occasions in which the Board is requested by the public to give rulings on issues in relation to statutory planning matters. These include the interpretation of provisions and restrictions under statutory plans. If considered necessary, the Board may also be requested to consider whether building proposal would be in contravention of the provisions under the relevant statutory plan.

PART II – DECLARATION OF INTERESTS

Preamble

2.1 The guidelines for declaration of interest are drawn up to protect the integrity and reputation of the Board as a whole. Since the Board deals with matters that may have wide and far-reaching implications on the environment and economy of Hong Kong as well as the well-being of the community, it is necessary to ensure that the Board acts fairly and impartially in making its decision. This is particularly important as the Board's decision might affect development projects of high financial value. It will be in the interest of the Board for Members to declare their interests to the best of their knowledge.

Introduction

2.2 It is inevitable that from time to time Members of the Board may have interests (personal, family, or business; direct or indirect; pecuniary or otherwise) in matters that come before the Board. Under the rule against bias, an administrative decision may be quashed if the facts give rise to a real likelihood of bias or it might reasonably be thought that the decision-maker ought not to act because of some personal interests. It is therefore necessary for Members to disclose their interests when there is a real or potential conflict of interests in a matter placed before the Board.

2.3 A two-tier declaration system is adopted. Members should register their pecuniary interests in writing on a regular basis and, when circumstances change, should register the changes. Furthermore, Members should also declare, to the best of their knowledge, their interests (pecuniary or otherwise) in any matters to be transacted by the Board before or at the relevant meeting.

Registration of Pecuniary Interests

2.4 The Chairman, Vice-chairman and Members should register in writing their pecuniary interests upon commencement of a new term of appointment, and update the information once every year. The registration should be made on a standard form (**Appendix III**). Members should complete and return the registration form within one month to the Secy/Board. Besides, any change of Members' interests should be registered within 14 days of any such change. A register of Members' pecuniary interests will be kept by the Secy/Board and will be made available for inspection on request by members of the public.

2.5 The registrable interests are the pecuniary interests Members hold and those of their spouses and children under the age of 18 including: -

- (i) directorships or partnerships in companies;
- (ii) direct or indirect substantial shareholdings (1% or more of the issued share capital);
- (iii) holdings in land and properties; and

- (iv) remunerated employment, offices, trades, professions or vocations.

2.6 Where practicable, Members should also give a brief description of the lines of business of companies in which they are involved.

2.7 Guidelines for completing the registration form on Members' pecuniary interests are at **Appendix IV**. Members should register their interests and those of their spouses and children under the age of 18 to the best of their knowledge.

Declaration of Interests before or at meeting

2.8 If Members or their spouses have any interest (pecuniary or otherwise) in any matter under consideration by the full Board/PC/RHC, the Members should as soon as practicable disclose to the Chairman of the Board or the chairman of the relevant PC/RHC or Secy/Board prior to the meeting or at the meeting prior to the discussion of the concerned item.

2.9 Where a substantial direct conflict of interest is known to the Secy/Board, the Secy/Board would ~~withhold the issue of the relevant papers and documents to the concerned Members~~ **alert the Member before the meeting**. In case where the Member believes that he/she has a direct conflict of interest in a particular matter when he/she receives the agenda and/or papers, he/she should declare before the meeting. ~~Any papers or other information relating to the matter which the Member may have received should be returned to the Secy/Board.~~

2.10 All cases of declaration of interests shall be recorded in the minutes of meeting.

General Principles

2.11 It is difficult to set a hard and fast rule on what constitutes a conflict of interest. The following are some general guiding principles that Members are recommended to follow in identifying potential conflicts of interests which should be declared at or before the meeting:-

- (a) Pecuniary interests in a matter under consideration, interests held either by a Member or by his/her spouse, children under 18, or by the Member's close relative;
- (b) A directorship, partnership, advisory or client relationship, employment or other significant connection with a company, firm, club, association, union or other organisation which is concerned with, or the subject of, the matter under consideration;
- (c) A Member or his/her spouse who, as a professional adviser, has personally or as a member of a company, advised or represented any person or body on the matter under consideration, or has business dealings with any person or body connected with the matter under consideration;
- (d) Some friendships which might be so close as to warrant declaration in order to avoid situations where an objective observer might believe the Member's advice to have been influenced by the closeness of the association; and

- (e) Any interest likely to lead an objective observer to believe that the Member's decision might have been motivated by personal interest rather than a duty to give impartial advice.

2.12 The Guidelines set out below should be followed by Members, irrespective of whether the Members are official or non-official Members.

Guidelines for Declaration of Interests

2.13 All interests of Members and their spouses in any matter under consideration need to be declared. The onus of making a declaration rests with individual Members who are in the best position to judge what constitutes an interest warranting a declaration. In this respect, Members are required to declare their spouses' interests to their best of their knowledge. In exercising their judgement, Members must take into account the sunshine test, that is, should their interest become public knowledge, whether it would give rise to a public perception that their advice tendered to the Board might have been biased or influenced by that interest.

2.14 If the interest ~~is were~~ direct and substantial, the Member would have to withdraw from the meeting. If the interest is direct but not substantial or indirect/insubstantial, the Member would be allowed to continue to participate in the discussion and determination of the matter.

2.15 It would be difficult to set out categorically all situations under which a Member has to declare interest and whether an interest is direct and substantial or otherwise depends very much on the circumstances of the case. It is intended to set out below some common situations for Members' reference.

Direct and Substantial Interest

2.16 The following situations usually constitute direct and substantial interest: -

- (a) **The subject matter involves a landed interest held by the Member or his/her spouse.**

This applies to the situation where the application/representation/~~comment on representation~~/further representation/–amendment to statutory plans covers land which is owned by the Member or his/her spouse. This also covers the situation where the Member or his/her spouse is the applicant/representer/~~commenter~~/further representer² of a case.

- (b) **The subject matter involves a company or organisation of which the Member or his/her spouse holds a proprietorship, partnership, directorship or substantial shareholdings (i.e. 1% or more of the issued share capital), advisory or client relationship, employment or other significant connection.**

² A further representer means a person who makes a further representation under section 6D(1) of the Ordinance.

This applies to the situation where the Member or his/her spouse's company or organisation is involved directly in the matter under consideration, either as applicant/representer/~~commenter~~/further representer or the company/organisation has tendered professional advice (e.g. being the consultant acting for the applicant/representer/~~commenter~~/further representer) on the matter under consideration. This also applies to the situation where the Member or his/her spouse is a staff member of a company or organisation (including a Government department) which is the applicant/representer/~~commenter~~/further representer of the matter under consideration.

- (c) **The subject matter involves a statutory/public body, club, association, union or other bodies of which the Member or his/her spouse holds a chairmanship or, in some cases, membership, or is the office bearer of an executive board, a board of directors or a management committee.**

This includes the situation where the Member or his/her spouse is a member of a statutory/public body (and its sub-committee) such as **the** Hong Kong Housing Authority (HKHA), **the** Hong Kong Housing Society (HKHS), the Urban Renewal Authority (URA) and the District Council, which is the applicant/representer/~~commenter~~/further representer of the matter under consideration. The fact that the Member or his/her spouse is an ordinary/corporate member of a club, association, union or other bodies would not constitute direct interest if the Member or his/her spouse were not directly involved in the matter under consideration.

- (d) **The Member or his/her spouse has current business dealings or potential future business dealings with the applicant/representer/~~commenter~~/further representer of the matter under consideration.**

This applies to the situation where the Member or his/her spouse has current business dealings or business dealings under negotiation with the applicant/representer/~~commenter~~/further representer. The business dealings may not necessarily be related to the matter under consideration.

[Current business dealings include, but not limited to, the following:

- Member or his/her spouse works for and receives remuneration from the applicant/representer/~~commenter~~/further representer/his agent;
- The applicant/representer/~~commenter~~/further representer/his agent works for and receives remuneration from Member or his/her spouse; and
- Member or his/her spouse works with the applicant/representer/~~commenter~~/further representer/his agent in a project consultancy team not related to the subject matter under consideration.

For the first scenario above, the Member should declare his/her interest and withdraw from the meeting. For the second and third scenarios, the Member should declare his/her interest and it would be up to the Board or the relevant PC/RHC to decide whether the interest is so direct and substantial that the

Member should withdraw from the meeting. Normally, for the latter two scenarios, there should be no need for the concerned Member to withdraw from the meeting.]

- (e) **The Member who is also a member of the HKHA/HKHS/URA or other public bodies and the subject of a representation/~~comment~~—on representation/further representation involves a project of such public bodies**

This does not apply to the situation where a HKHA/HKHS/URA project is the subject of an amendment to a statutory plan proposed by the Planning Department or where HKHA/HKHS/URA sites are proposed in a new plan.

Other Interests which may be Direct and Substantial

2.17 There are other situations of potential conflict of interest. Whether these situations would constitute direct and substantial interest would depend on the substance, scope and nature of the interest, and have to be considered on a case-by-case basis. As a general rule, the Member shall declare any interest, which may likely lead the public to believe that the Member's advice might have been influenced by his/her relationship with the applicant/representer/~~commenter~~/further representer. It would be up to the Board or the relevant PC/RHC to decide whether the interest is so direct and substantial that the Member should withdraw from the meeting. For example:

- (a) The subject matter affects a landed interest held by the Member, his/her spouse, and his/her close relative or close friend.
- (b) The subject matter affects (or in the case of the Members' close relative or close friend, involves) the interest of a company or organisation of which the Member, his/her spouse, his/her close relative or close friend holds a proprietorship, partnership, directorship or substantial shareholdings, advisory or client relationship, employment or other significant connection.
- (c) The Member or his/her spouse has past business dealings with the applicant/representer/~~commenter~~/further representer.

[If the Member's or his/her spouse's past business dealings with the applicant/representer/~~commenter~~/further representer are related to the site under consideration, all such past business dealings should be declared. If the matter involves a completed project, the Member should be allowed to continue to participate in the discussion. However, if the matter involves an on-going project, the Member should be required to withdraw from the meeting.

If only general business dealings are involved between the Member or his/her spouse and the applicant/representer/~~commenter~~/further representer, and the dealings are not related to the site under consideration, only past dealings within three years should be declared, and the Member should be allowed to continue to participate in the discussion.]

[Past business dealings include, but not limited to, the following:

- Member or his/her spouse once worked for and received remuneration from the applicant/representer/~~commenter~~/further representer/his agent;
 - The applicant/representer/~~commenter~~/further representer/his agent once worked for and received remuneration from Member or his/her spouse; and
 - Member or his/her spouse once worked with the applicant/representer/~~commenter~~/further representer/his agent in a project consultancy team not related to the subject matter under consideration.]
- (d) The Member or his/her spouse has given personal advice or opinion to an applicant/representer/~~commenter~~/further representer on any occasions on the matter under consideration.

[The situation of Government departments tendering professional advice or stating Government policies to the applicant/representer/~~commenter~~/further representer, however, should not fall within this category as it is incumbent upon the official Member to tender advice, which is consistent with the official views of the Government departments or Government policy.]

2.18 Two common situations are illustrated in Tables 1 and 2 below for Members' reference and some further examples of the circumstances constituting potential conflict of interest are given in **Appendix V**.

2.19 There are situations in which the Member is a member of an advisory body which has expressed views on the matter under consideration. For these cases, if the advisory body to which the concerned Member belongs has only expressed views without passing a motion which represents the collective views of the body or submitting any comment/representation to the Board on the subject matter, the concerned Member should only be requested to declare interest but does not have to withdraw from the meeting.

Table 1

Business Dealings		Declare	Withdraw from meeting
Current/ Under Negotiation	General (not relating to the site)	✓	✓
	Specific (relating to the site)	✓	✓
Past	Past dealings not relating to the site		
	- more than three years	x	x
	- within three years	✓	x
	All past dealings relating to the site		
	- project completed	✓	x
	- project on-going	✓	✓

Table 2

Matter Involving HKHA, HKHS, URA or Other Organization	Declare	Withdraw from meeting
As Applicant/Representer/ ~~Commenter~~ /Further Representer	✓	✓
As Proposal on New Plans or Amendments to Plans	✓	x
As Subject of Application/Representation/ ~~Comment on Representation~~ /Further Representation	✓	✓

Application of the Guidelines to Chairman and Vice-chairman/Deputy Chairman

2.20 The general guidelines on declaration of interest are applicable to the Chairman and Vice-chairman/Deputy Chairman of the Board /PC/RHC.

2.21 If the Chairman or Vice-chairman/Deputy Chairman needs to declare an interest and there is nobody to take up the chairmanship, the matter should normally be adjourned to the next meeting. However, if the matter is subject to a statutory time limit, then as a matter

of necessity, the Chairman or Vice-chairman/Deputy Chairman should continue to assume the chairmanship but a conscious effort should be made to contain his/her scope of involvement in an administrative role to minimise any risk that he/she may be challenged.

2.22 In case both the Chairman and Vice-chairman/Deputy Chairman of the relevant PC/RHC need to declare an interest, then the matter should be referred to the Board for a decision. However, if both the Chairman and Vice-chairman of the Board need to declare interest, as a matter of necessity, the Chairman should continue to assume the chairmanship.

Probity Requirements

2.23 To protect the integrity and uphold public trust of the Board and to protect the public interest, Members should observe the following principles³ on solicitation and acceptance of advantages and entertainment, and use of public assets and capacity as a Board/PC member.

Solicitation and Acceptance of Advantage

2.24 Members should refrain from soliciting or accepting any advantage from any persons or companies having business dealings with the Board (e.g. applicants, representers, ~~commenters~~ and their representatives/consultants).

Gifts/souvenirs

2.25 Any gift/souvenir given to Members in their capacity as such should be regarded as a gift/souvenir to the Board. The handling procedures of gifts and/or souvenirs are set out at **Appendix VI**.

Sponsorship

2.26 Members being offered with sponsorships in their capacity for official purposes such as attending any local/overseas conferences, conventions, product trial activities, etc. should refer such to the Board for consideration of acceptance of the sponsorship and selection of suitable person for the sponsorship where appropriate.

Advantages offered to Members in their private capacity

2.27 Members may accept advantage in their private capacity only if such will not affect the performance of their duties as Members and will not make Members feel obliged to do something in return in connection with the Board's business for the offeror. In such case, Members should follow the guidelines for declaration of interests in paragraphs 2.13 to 2.19 above.

Entertainment

2.28 Although entertainment is an acceptable form of business and social behaviour, Members must not accept lavish or frequent entertainment from any persons with whom the Board has business dealings (e.g. applicants, representers; ~~commenters~~—and their representatives/consultants) to avoid placing themselves in a position of obligation to the offeror.

Offer of Advantage

2.29 Members should refrain from offering advantages to any directors, or staff of any

³ The principles are based on the "Sample Code of Conduct for Members of Public Councils" prepared by the Corruption Prevention Department of the Independent Commission Against Corruption

companies or organizations, for the purpose of influencing such person or company in any dealings in connection with the business of the Board.

Records, Accounts and Other Documents

2.30 Members should ensure that any records, receipts, accounts or other documents submitted to the Board is a true representation of the events or transactions reported in the submission.

Use of Board Assets

2.31 Members should refrain from any unauthorized uses of the Board's assets, including information and intellectual property, to make personal gains.

Misuse of Capacity as a Member

2.32 Members shall not misuse their official capacity to gain benefits for themselves or others.

PART III - PROCEEDING OF MEETINGS

Meetings

3.1 The Board and the two PCs meets regularly to discharge its functions. The Board normally meets on the first and third Friday of each month whilst the two PCs normally meet on the second and fourth Friday of each month. The MPC meets in the morning and the RNTPC meets in the afternoon. The RHC meets on a need basis and usually on Tuesday.

3.2 The schedules of the Board and PC meetings are available from the Secretariat of the Board and the Board's website from the beginning of the year. The agenda of each meeting is usually provided to Members four days before the meeting (together with the relevant papers for consideration), and except confidential items, the agenda will also be uploaded onto the Board's website for public information on the same day. Members and the public will be notified of any subsequent change to the agenda of the meeting as soon as practicable.

3.3 For meeting arrangements during rainstorm warning or when a typhoon signal is hoisted, Members should refer to **Appendix VII**. Since most of the Board's duties, such as consideration of representations to draft plans and planning applications, are bound by their respective statutory time limits, special meetings may need to be arranged in case of adjournment/postponement of meetings due to rainstorm or typhoon. Members will be notified of any special arrangement as soon as practicable and a notice of the re-scheduled meeting will also be uploaded onto the Board's website for public information.

Quorum of meeting

3.4 Under the Ordinance, five Members, one of whom must be the Chairman or Vice-Chairman, shall form a quorum at any meeting of the Board or the PC, and at any meeting of the PC, three of the Members must be non-official Members.

3.5 At any meeting of the RHC, the chairman or deputy chairman and two members shall form a quorum, and the RHC shall not meet or continue to meet unless a majority of those present are not official Members.

Open Meeting Requirements

3.6 According to section 2C of the Ordinance, all meetings of the Board or any of its committees shall be open to the public except for the following circumstances:

- (a) for meetings to consider representations, ~~comments~~ and further representations made in the plan-making process, section 12A/16/16A applications and section 17 reviews, the part of the meetings held for deliberation for making a decision on the matter will be conducted in private;
- (b) for meetings other than those mentioned in (a), in the opinion of the Board or the committees, it is likely that the opening up of a meeting or any part of a meeting would:
 - (i) not be in the public interest, e.g. matters related to invocation of section

4(2) of the Ordinance for resumption of land;

- (ii) result in premature release of information that would prejudice the position of the Board or the committees, the Government, the CE or the CE in C in carrying out its or his functions under the Ordinance;

Example: the preparation of Development Permission Area plan, new OZPs or amendments to OZPs involving sensitive issues like imposition of plot ratio or building height control, new or revision to planning documents published by the Board involving a major change in planning control (e.g. TPB Guidelines, Master Schedule of Notes to Statutory Plans), legislative proposal (fees regulation), reports in respect of planning strategies/studies or feasibility studies, or proposals/reports concerning a major change in planning and land policies/control not yet released to the public;

- (iii) result in a disclosure of information in breach of any duty of confidentiality owed to any person by the Board or the committees or the Government, or owed to the Government by the Board or the committees by virtue of any law or any requirement under any law, or in contravention of any prohibition by any order of a magistrate or a court or by law or any requirement under any law;

Example: “confidential” information possessed by or given to the Board or the committees for which the Board or the committees has an obligation to keep confidence. It may include unpublished documents relating to URA proposed development schemes, proposals on tendering of development projects with private sector involvement.

- (iv) result in disclosure of information in respect of which a claim to legal professional privilege could be maintained in law; and

Example: the legal advice tendered to the Board, the committees or the Government.

- (v) involve transaction of any matters which would be relevant to the institution or conduct of any legal proceedings, including possible judicial review.

Example: judicial review initiated by or against the Board, the committees or the Government, enforcement and prosecution actions against unauthorised developments taken by the Planning Authority in accordance with the Ordinance.

3.7 The matters specified in paragraphs 3.6(b) above will generally be classified as “confidential” and the relevant papers and information should not be disclosed to the public.

~~3.8 The open meeting arrangements are not applicable to the consideration of objections to a draft plan which was exhibited before the commencement of the Town Planning (Amendment) Ordinance 2004 (i.e. before 10 June 2005), the consideration of section 16 applications and rezoning requests made to the Board before such date, and the consideration of section 17 reviews~~

~~concerning section 16 applications made to the Board before such date. The meetings for consideration of these cases will be conducted in private.~~

Observation of Open Meeting by the Public

3.98 Due to seating and security considerations, members of the public will observe the meeting of the Board or the committees in a Public Viewing Room. The proceedings of the Board or the committees will be broadcasted simultaneously on television monitors. The broadcasting will be temporarily suspended for the part of the meeting to be conducted in private and be resumed when the meeting reverts to open session. A note on the “Rules for Observation of Open Meetings of the Town Planning Board and its Committees” has been promulgated by the Board for public information.

Conduct of Meetings

3.109 The Chairman of the meeting may determine whether the meeting should be conducted in Cantonese or English, taking into account the preference of the attendees. Simultaneous interpretation service will be provided for all meetings of the Board and its committees.

~~3.110~~ In the consideration of general planning matters, new plans, **and** proposed amendments to draft **plans** or approved plans, representatives of the Planning Department and other concerned Government **bureaux**/departments or bodies may be invited to attend the meetings of the Board or its committees to brief Members on the background of the subject matters, present the assessment and answer Members’ queries. Such meetings will generally be held in open, except for the circumstances mentioned in paragraphs 3.6(b) above.

~~3.121~~ Consideration of **further representations, and** section 16 and section 16A applications (where appropriate) will be conducted in two parts. The first part is conducted in open when the representatives of the Planning Department and other concerned Government **bureaux**/departments (**where appropriate**) are invited to brief Members on the background of the subject matters, present the planning assessment and answer Members’ queries. In the second part of the meeting, the Board or its committees will deliberate for making a decision on the **further representation**/application in private.

~~3.1312~~ Similarly, the meetings for ~~hearing the consideration~~ of representations, ~~comments on representations and further representations made in respect of draft plans, consideration of section 12A applications, and hearing of section 17 reviews~~ will be divided into two parts. The first part of the meeting will be held in open when the ~~representers/commenters/further representers~~ or applicants are invited to attend the meeting to present their views before the Board or the committees and respond to queries raised by Members. The representatives of the Planning Department and relevant Government **bureaux**/departments are also invited to attend the meeting to provide information on the cases, elaborate on the assessment and answer questions from Members on the case. After hearing of the views of the concerned parties, they will leave the meeting. The Board will then deliberate and make a decision in private in the second part of the meeting.

~~3.1413~~ The detailed meeting arrangements are contained in Parts V, VI, VII and VIII below.

Decision-Making Process of the Board and its Committees

3.1514 The Board and its committees operate on a majority ruling basis. Votes would not normally be taken unless Members' views on an item that requires the ruling of the Board or the committees are clearly divided.

3.1615 The Chairman would decide whether a vote would be necessary to determine an item under consideration after considering Members' views. All official and non-official Members, other than those who have declared interests ~~in~~ **on** the item, shall have a right to vote. Members should themselves judge whether they are in a position to vote, and if not, they may abstain from voting. Generally, Members who have not attended a substantial part of the discussion of the item, or do not have full knowledge of the case, should themselves refrain from discussion and voting on the item. In case the decision of an item is adjourned to a later meeting, Members who have not attended the earlier discussion should not take part in the discussion and voting at a later meeting unless they consider themselves have attained full knowledge of the case by reading all relevant materials including the papers and minutes of the previous meeting. Voting would normally be conducted by means of a show of hands. Dissenting views could be recorded in the relevant minutes upon request. In case of an equal number of votes for and against the item, the Chairman shall have a casting vote.

3.1716 The key points of discussion and decision of a meeting would be recorded in the relevant minutes of meeting to serve as official records of the meeting. The minutes are not recorded in verbatim. Besides, the name of non-official Members would not be recorded in the minutes as the Board operates under a collective responsibility system and the decision of a meeting is the collective decision of Members.

Issue of Paper

3.1817 The relevant Papers for discussion at a meeting are normally ~~despatched~~ **issued** to Members by the Secy/Board at least four days before the meeting. In order to allow the public to better understand the subject matter under discussion when observing the meeting, the Papers to be discussed, except those classified as "confidential", are available for public inspection at the Planning Enquiry Counters of the Planning Department **and on the Board's website** on the following day after the issue of the Papers to Members. The Papers will also be available at the Public Viewing Room on the day of the meeting. A bilingual gist of the planning application **made under section 16 and section 17** ~~or representation/further representation~~ in both Chinese and English will be available for reference by the public.

3.1918 On some occasions, urgent items or supplementary information may be received after the issue of the agenda/Papers. Such information will be issued to Members as soon as practicable or, if it is not possible to do so, it will be tabled at the meeting. The information (except for confidential item) will also be made available for public inspection as soon as practicable at the Planning Enquiry Counters of the Planning Department **and on the Board's website**, and deposited at the Public Viewing Room on the day of the meeting.

Issue of Minutes

3.2019 Draft minutes of meeting of the Board or its committees are normally ~~despatched issued~~ to Members for comments ~~within 12 days after the meeting is held and are usually confirmed at before~~ the next scheduled meeting. Upon confirmation of the minutes, the minutes, except those parts classified as “confidential”, will be uploaded onto the Board’s website and deposited at the Planning Enquiry Counters of the Planning Department for public information. The Secy/Board will inform the representers/~~commenters~~/further representers in respect of the draft plan, and applicants in respect of the various planning applications, of the decisions of the Board or the committees and to provide them with the minutes of meeting. ~~The public who has submitted comments on the various planning applications will be informed of the meeting date and that the minutes of meeting are available for public inspection at the Board’s website and the Planning Enquiry Counters of the Planning Department~~

3.2120 Minutes of meeting of the Board or its committees which are classified as “confidential” should not be released to other parties in any form or method unless with the consent of the Board or the committees.

Notification of Decision

3.2221 A gist of decision of the Board or the committees will be uploaded onto the Board’s website and deposited at the Planning Enquiry Counters of the Planning Department after the meeting on the same day. However, if the meeting of the Board or the committees cannot be finished before 9:00 p.m., the gist of decision will be uploaded onto the Board’s website before 9:00 a.m. on the following day. If the relevant parties request for an immediate notification on the decision, an informal reply on the result could be conveyed verbally to the concerned parties by the Secy/Board, with the advice that it will be subject to subsequent written confirmation. Request for an interim written reply may also be made to the Secy/Board in writing. The Secy/Board will formally notify the concerned parties in writing only upon confirmation of the minutes of the meeting.

3.2322 All letters, **papers and extract of minutes of meeting** sent to the ~~applicants, representers, commenters~~ or further representers will be written in the same language they used. **For planning applications under sections 12A and 16 and review applications under section 17, if the applicant indicates in the application form that he or she would like to receive the correspondences from the Board in Chinese, that applicant will receive letters in Chinese. In the event of rejected section 16 application, that applicant will also receive an application which is submitted in Chinese is rejected, the Chinese translation of the relevant Pp**aper and extract of minutes of meeting ~~will be issued to the applicant~~ to enable him **or her** to consider whether to lodge a review of the application. Similar arrangement will be made for processing **the respective section 17 planning review, if lodged.**~~representations/comments on representations/further representations.~~

Transaction of Business by Circulation of Papers

3.2423 According to section 2B of the Ordinance, the Board or its committees may transact

any of its business by the circulation of papers (could be via electronic means) among its Members, no matter whether the Member is in or outside Hong Kong, unless the holding of a meeting is required either by an express provision or by necessary implication from any provision of the Ordinance. In general, a meeting is required to be held to consider and decide on:

- (a) representations in respect of a draft plan ~~and related comments~~ and further representations in respect of proposed amendment(s) **proposed** ~~made by the~~ Board after consideration of the representations; and
- (b) sections 12A and 16 applications, **and** section 17 reviews, ~~and the related comments on such applications/reviews.~~

3.2524 Any resolution in writing approved by a majority of the Members of the Board or the committees by circulation shall be valid and effectual as if it had been a resolution passed at a meeting of the Board or the committees. However, upon receipt of the circulation, any Member may, within the specified period, give a notice to the Chairman of the Board or the committees and request the holding of a meeting to consider the matter. Upon receipt of such a notice, a meeting will be arranged to discuss the relevant matter. The resolution approved by the Board or the committees by circulation will also be uploaded on the Board's website.

PART IV - RELEASE OF INFORMATION TO THE GENERAL PUBLIC

General Principles and Practice

4.1 To enhance the transparency of the planning system and encourage greater public participation in the process, there are provisions in the Ordinance for **exhibition publication of draft new plans and amendments of draft plans and approved plans** for public inspection and **making submission of representations, representations to draft plans for comments, proposed amendment(s) by the Board** for further representations in the plan-making process, and publication of all planning applications **under section 16** (except applications for Class B amendments made under section 16A(2)) and review **applications under section 17** for public comments. All information submitted to the Board by the applicants /representers/~~commenters~~/further representers and all comments submitted by the public on the various planning applications **for permission and review applications** will be made available for public inspection. However, **with recognition to the personal data protection principles**~~to avoid possible abuse of the system~~, only the name but not other personal data submitted to the Board will be released for public information.

4.2 All new ~~draft~~ plans or amendments to draft **plans and**~~or~~ approved plans will be exhibited for public inspection for two months. Representations received during the plan exhibition period ~~and comments received within the first three weeks of the public inspection period of the representations~~ will be made available for public inspection **on the Board's website and** at the Planning Enquiry Counters of the Planning Department. Should the Board decide to propose amendment(s) to meet the representations, the proposed amendment(s) will be ~~published~~ **made available** for public inspection ~~for three weeks~~. Further representations received during the **first three weeks of the publication period for the proposed amendment(s)**~~plan exhibition~~, will also be available for public inspection. All information will be available for public inspection until the CE in C has made a decision in respect of the draft plan in question. The public can make a copy of the representations, ~~comment~~, and further representations on payment of a fee.

4.3 Similarly, planning applications made under sections 12A and 16 and section 17 reviews will be made available for public inspection **on the Board's website and** at the Planning Enquiry Counters of the Planning Department, **although the publication of section 12A applications is not required under the Ordinance**. Comments **on section 16 applications and section 17 reviews** received within the first three weeks of the public inspection period of the applications will also be made available for public inspection. All information will be available for public inspection until the application has been considered by the Board. The public can make a copy of the applications and comments (**where applicable**) on payment of a fee.

Publication Arrangement

4.4 **Under the Ordinance**, ~~a~~**A** notice will be published in the Gazette, ~~and~~ two daily Chinese and one daily English local newspapers **as well as on the Board's website** on ~~all~~ **exhibition of new draft plans or amendments to draft plans or approved plans under sections 5 and 7(2), proposed amendment(s) proposed by the Board to plan to meet representations, notification of decision of the CE in C on approval, or refusal or revocation of plans under sections 9D, 10 and 12(1)**~~by the CE in C~~, **or reference by SDev of an approved plan to the Board for replacement or amendment under section 12(1A).**

~~4.5~~———In respect of planning applications made under sections ~~12A and 16~~ and **review applications under section 17**—~~reviews~~, a notice will be published in two daily Chinese and one daily English local newspapers **as well as and posted on the Board's website, and the same will be posted** on or near the application site (in so far as local circumstances permit).—

4.5 The Board has also adopted a number of administrative measures to further enhance the release of information to the general public. The notice **mentioned in paragraph 4.4** ~~and a gist of the application or representation~~ will be posted or deposited at the Secretariat of the Board, the Planning Enquiry Counters and the relevant District Planning Office of the Planning Department, the local community centre in the vicinity of the application site, the relevant District Office and Rural Committee (if applicable) to inform the public of the deadline for **making representations or submission of comments in respect of planning applications made under sections 16 and review applications under section 17 (except application under section 12A)** and the arrangement for public inspection of the submissions received by the Board.

4.6 To enhance communication between the Board and members of the public, the Board's website provides general information relating to the work of the Board as well as the following specific information:

- the latest news/press release relating to the business of the Board
- the composition and functions of the Board and its committees
- the Board's Procedure and Practice including house rules for observation of open meetings
- schedule of meeting, agenda of meeting, **papers**, gist of decision and minutes of meeting (except for those classified as "confidential")
- statutory plans, definition of terms and master schedule of notes
- notice of publication of draft or approved plan and proposed amendment(s) **proposed by the Board** to meet representations
- notice of representations/further representations ~~together with a gist of the representations/further representations~~
- **representations/further representations with respect to draft or approved plan and proposed amendment(s)**
- **applicant's submissions for notice of publication of various section 16 or 17 planning applications together with a gist of the applications for comments**
- **applicant's submissions for section 12A applications**
- progress of consideration of representations/~~comments on representations/~~ further representations and various planning applications
- application forms and guidance notes for applications
- **comment forms for sections 16 and 17 applications**
- submission forms for representations/~~comments on representations/~~ further representations **and guidance notes for attending the meeting for consideration of representations**
- TPB Guidelines ~~and relevant technical documents and other guidance notes~~
- **certified approved master layout plans of developments in "Comprehensive Development Area" zones**

Notification of Decision

4.7 Pending the formal notification of the decision of the Board or its committees, the applicant/representer/~~commenter~~/further representer may request for an immediate notification of the decision. An informal reply on the result could be conveyed verbally by the Secy/Board, with the advice that it will be subject to subsequent written confirmation, after the meeting. Request for an interim written reply may also be made to the Secy/Board in writing. The Secy/Board will formally notify the concerned parties in writing only upon confirmation of the minutes of meeting.

4.8 After each meeting, a spokesman appointed by the Secy/Board will be available to answer enquiries from the press/media on the decisions of the Board or its committees. Individual Member shall refer any request from the general public for information on the decisions of the Board or the committees to the Secy/Board for a reply. For issues of considerable public interest, the Secy/Board will issue a press release or arrange a press briefing/conference to promulgate the Board's or the committees' decisions.

Transitional Arrangement

4.9 Other than the information provided on the Board's website and available at the Planning Enquiry Counters, all documents submitted by the applicants/objectors/proponents in respect of planning applications/objections/requests for amendment of plan prior to the commencement of the Town Planning (Amendment) Ordinance 2004 (i.e. before 10 June 2005) will not be released for public inspection unless with the consent of the applicants/objectors/proponents. They will only be released when ordered by the Appeal Board under s.17B(6)(a) of the Ordinance or by the Court.

PART V - REPRESENTATIONS/FURTHER REPRESENTATIONS TO STATUTORY PLANS

Consideration of Representations/~~Comment on Representation~~/Further Representations

5.1 According to section 6(1) of the Ordinance, any person may make representation to the Board within the plan exhibition **period** of two months in respect of any new ~~draft plan~~ or any amendments to draft **plan**/approved plan. ~~Upon expiry of the plan exhibition period, the Board shall~~ **must, as soon as reasonably practicable after a representation is made to it, make** ~~publish all the~~ representations **available for** ~~received for a period of three weeks~~ **public inspection.** ~~Any person may make comments on the representations to the Board. All representations and comments received will be made available for public inspection. Detailed arrangements for making submissions to the Board are provided in the TPB Guidelines on Submission and Publication.~~ **Processing of Representations, Comment on Representation and Further Representations.**

5.2 The Board or RHC shall hold a meeting (hereafter referred to as “hearing”) to consider the representations **as soon as reasonably practicable** ~~and comments within six to nine weeks after the expiry of the three week~~ **two-month** period for submission of ~~comments on the representations.~~ **All The representers are entitled to attend and to be heard at the hearing. If the representer is not a natural person (e.g. the representer is a company/organization/group), the representer may authorize a natural person to attend the meeting. If the representer is a natural person, he/she is required to attend the meeting in person. If the Board is satisfied that the representer is unable to attend the meeting due to exceptional circumstances, the representer may authorize another natural person to attend the meeting and speak on his/her behalf, and pursuant to section 2(5)(c) of the Ordinance, TPB has delegated to the Secy/TPB its power to determine such request for authorization.** ~~and commenters will be invited to attend the hearing. In attending the hearing, the representers (or their authorized representatives who are allowed to attend the hearing) may be accompanied by other persons⁴ (the accompanying person(s)), such as those needed to assist the elderly person to express views or those to provide professional views. After the hearing, the Board will decide whether to propose amendment(s) to the draft plan in the manner proposed by the representers or in other manner as considered appropriate by the Board in meeting the representations. Detailed arrangements are provided in the Guidance Notes on Attending the Meeting for Consideration of Representations under the Ordinance.~~

5.3 If the Board/RHC decides to propose amendment(s) to the draft plan after the hearing, the proposed amendment(s) will be published (**see paragraph 4.4**). ~~for three weeks. Any person, other than the representers and commenters relating to the proposed amendments, may make further representations to the Board within the first three weeks of the publication of the proposed amendment(s). The Board must, as soon as reasonably practicable after further representations are made, make the.~~ ~~A further representations received will be made available for public inspection. If any further representation made to the Board is in opposition to the proposed amendments, the Board/RHC shall hold another hearing (hereafter referred to as “further hearing”) to consider the further representations within six to nine weeks after the expiry of the three week period. All the representers, commenters and further~~

⁴ The Secy/TPB reserves the right to refuse accompanying persons to enter the meeting room out of consideration of ensuring the smooth conduct of meetings.

~~representers in respect of the proposed amendments will be invited to attend the further hearing. After the further hearing, t~~**Administrative arrangement would be made such that the Planning Department may seek comments on the further representations from government departments concerned and written responses from the further representers on the comments received from relevant government departments, where appropriate, to facilitate the Board's consideration of the further representations**~~he Board will at a meeting (representers and further representers will not be invited to attend the relevant meeting), and decide whether to amend the draft plan in question either by the proposed amendment(s) or by the proposed amendment(s) as further varied in such manner as considered appropriate by the Board. If no further representation or no opposing further representation is received, no further hearing will be held. T~~**the Board/RHC will hold a meeting to consider any supportive the further representations received and amend the draft plan by the proposed amendment(s). If no further representation is received, the Board/RHC will amend the draft plan by the proposed amendment(s).** The amendment(s) made to the draft plan shall be **made** available for public inspection until the CE in C has made a decision on the draft plan.

5.4 After completion of the consideration of representations/~~comments on representations/further representations~~, the Board ~~shall~~**must** submit the draft plan incorporating the amendment(s) made by the Board to meet the representations **(if any)** to the CE in C for approval within ~~nine~~**five** months from the expiry of the **last** plan exhibition period. **Under the Ordinance, the time limit may be extended by the SDev for a period of two months, and further extended by the SDev for two more periods (of 2 months each) under exceptional circumstances.**~~(or within a further period of six months granted by the CE).~~

Out-of-time Representations/Further Representations and Representations/Further Representations Concerning Related Compensation and Assistance

5.5 Representations and further representations are required to be submitted to the Board within their relevant statutory time limits. All submissions made to the Board after the expiry of the time limits are to be treated as not having been made.

5.6 According to sections 6(3A) and 6D(3B) of the Ordinance, any reason for a representation or further representation is a reason concerning compensation or assistance relating to, or arising from resumption or acquisition of any land by the Government, that representation or further representation (to the extent that it is made for that reason) or clearance or obtaining vacant possession of any land by the Government, may be treated as not having been made.

Notification of the Arrangement of the Hearing for Representations/~~Further Hearing~~

5.75 The Secy/Board will acknowledge receipt of a~~representations~~ and inform the representers that the representations will be published for public ~~comments~~**inspection**. ~~Upon the expiry of the three week period for making comments on the representations, t~~**The Secy/Board will also inform the representers and commenter, if any, of the tentative date of the hearing. Seven days before the hearing, the representer/commenter will receive the agenda for the hearing and a copy of the relevant Paper. Not less than one week before the scheduled hearing date, the relevant TPB paper will be uploaded to the TPB's website for viewing/downloading. A hard copy of the relevant TPB paper will be provided to the representers/authorized representatives upon request.**

~~5.6 The Secy/Board will make similar arrangement for further hearing. Upon receipt of a further representation, if a further hearing needs to be held by the Board/RHC, the Secy/Board will inform the representer/commenter/further representer of the tentative date of the further hearing. Seven days before the further hearing, the representer/commenter/further representer will receive the agenda for the further hearing and a copy of the relevant Paper.~~

Confirmation of Attendance at the Hearing for Representations

5.8 Any delay of a hearing will have significant implications on meeting the statutory time limit for submission to the CE in C. The Secy/Board will ensure that reasonable notice is given to the representers of the hearing date (normally four weeks in advance). The representers will be required to confirm attendance to the meeting within 10 calendar days from the date of the invitation.

5.9 If any representer, who is a natural person, cannot attend the meeting in person as scheduled because of exceptional circumstances, according to section 6B(4A) of the Ordinance, he/she may seek the Board's prior consent to authorize another natural person to attend the meeting on his/her behalf. The Secy/Board, under the delegated authority of the Board under section 2(5)(c) of the Ordinance, will consider the request and give a reply to the representer not less than one week before the hearing. While the representer may seek a deferment of the hearing under section 6B(4B), given the statutory requirement to make plan submission to the CE in C within five months from the expiry of the last plan exhibition period as mentioned in paragraph 5.4 above, such request would not be entertained unless there are very strong reasons to do so and with the consent of the concerned parties. If deferment is absolutely unavoidable, the Board/RHC may only adjourn the hearing for a period up to a maximum of two weeks, taking into account all relevant considerations and circumstances of the case. The decision on whether to defer or not would be made by the Board or the RHC, as the case may be. If the request is not acceded to, the hearing will be proceeded as scheduled. If any one of the representers fails to attend the hearing, the Board/RHC may proceed to hold the hearing in his/her absence.

5.10 In attending the meeting, the representers (or their authorized representatives who are allowed to attend the hearing) may be accompanied by the accompanying person(s) subject to completion of prior registration (see Guidance Notes on Attending the Meeting for Consideration of Representations under the Town Planning Ordinance).

Proceedings of Hearing for Representations/~~Further Hearing~~

~~5.117~~ According to the Ordinance, any representations/~~further representations~~ received by the Board may be heard collectively or individually. The Board or the RHC, whichever is the case, will decide whether the representations/~~further representations~~ should be heard collectively or individually. Normally, if the representations/~~further representations~~ are submitted in respect of the zoning of the same site(s) or the same provision on the draft plan, the representations/~~further representations~~ will be heard collectively. If the representations/~~further representations~~ are submitted in the form of the same standard letters or by different representatives of the same group of representers/~~further representers~~ (e.g. Village Representatives of the same Rural Committee), the representations /~~further representations~~ will

also be heard collectively and the representers/further representers should appoint a spokesman or representative to present their case collectively.

5.128 In general, the proceedings of a hearing/~~further hearing~~ are as follows:

- (a) the various parties will be invited to attend the hearing in accordance with the agenda:
 - (i) ~~–for collective hearing/further hearing, all –the representers/further representers and the related commenter(s) in case of hearing and the related representer(s) and commenter(s) in case of further hearing as well as the representatives of the Planning Department and other Government departments, if any, will be invited to attend the hearing/further hearing at the same time; or~~
 - (ii) ~~–for individual hearing, the individual representer/further representer and the related commenter(s) in the case of hearing and the related representer(s) and commenters(s) in case of further hearing as well as the representatives of the Planning Department and other Government departments, if any, will be invited to attend the hearing/further hearing when the Board/RHC turns to consider the particular representation/further representation;~~
- (b) in the presence of all parties, the chairman of the meeting will briefly explain the procedures for the hearing/~~further hearing~~;
- (c) the chairman will invite the representatives of the Planning Department and/or other Government department(s) to present the background to the case;
- (d) the chairman will then invite the ~~various parties~~ **representers** to make submissions in turn;;
 - (i) ~~–for collective hearing/further hearing, the representers or further representers, as the case may be, will be invited to make submissions according to their groupings. In case of hearing, following the presentation by the representers, the commenters will be invited to take turns to make submissions. In case of further hearing, after the presentation by the further representers, the representers will be invited to make submissions in turn, and then followed by the commenters; and~~
 - (ii) ~~–in case of individual hearing/further hearing, the representer/further representer will be invited to make submission first, followed by the commenter(s) in case of hearing, or the representer(s) and then commenter(s) in case of further hearing;~~
- (f) to avoid a prolonged hearing process, **a maximum presentation time of 10 minutes will be allotted to each representer or his/her authorized representative. Such 10-minute speaking time cannot be accumulated, i.e. regardless of the number of representers the authorized**

representative is representing, each representer/authorized representative will only be given 10 minutes to speak even when the authorized representative himself/herself is also a representer or there is any accompanying person to speak on behalf of the representer/authorized representative. Oral submissions should focus on responding to TPB's enquiries for clarifications or departments' comments arising from the subject representations, instead of reciting the points made in the written representations which have already been provided to TPB before the meeting and had been taken into account; and should be confined to the ground of the written representations already made to TPB under the Ordinance. ~~the representers/commenters/further representers will be asked not to repeat the same points or argument which have already been raised by other representers/commenters/further representers at the same hearing/further hearing;~~

- (g) the chairman will then invite the representatives of the Planning Department and other Government departments, if any, and the ~~representers/commenters/further representers~~ to answer any questions from Members;
- (h) should the representative(s) of the Planning Department and other Government departments, if any, wish to respond to statements made by the ~~representers/commenters/further representers~~ or to clarify any of their own statements, they should do so with the permission of the chairman and in the presence of the ~~representers/commenters/further representers~~. The ~~representers/commenters/further representers~~ will also have an opportunity to respond to statements made by Government representatives as directed by the chairman; and
- (i) the representatives of the Planning Department and other Government departments, if any, and ~~representers/commenters/further representers~~ will then leave the meeting. The Board/RHC will deliberate on the ~~representations/further representations~~ in private.

Arrangement for Consideration of Further Representations

5.13 Similar to the representers, further representers will receive acknowledgement of the receipt of their further representations from the Secy/Board. The Secy/Board will also inform the further representers of the tentative date of the Board/RHC's consideration which will be held after the process of seeking comments on the further representations from government departments and written responses from the further representers on the departmental comments, if any, as mentioned in paragraph 5.3 above.

5.14 When the Board/RHC considers the further representations, the representatives of the Planning Department and other Government departments (where appropriate) will present the background of the amendment(s) proposed under section 6B(8) and the main points of the further representations. Afterwards, the Board/RHC will invite the representatives to leave the meeting and proceed to deliberate the further representations in private.

Minutes of Meeting

5.159 ~~If the representations/further representations are considered by the Board, the~~ draft minutes of a meeting of the Board are normally confirmed at the following scheduled Board's meeting. ~~If the representations/further representations are considered by a RHC,~~ the draft minutes of a meeting of the RHC are normally confirmed by circulation among the RHC Members within two weeks after the meeting. The confirmed minutes of the meeting of the RHC will be circulated to all Members of the Board for information.

Confirmation of Attendance at the Hearing/Further Hearing

5.10 ~~Any delay of a hearing/further hearing will have significant implications on meeting the statutory nine month time limit. The Secy/Board will ensure that reasonable notice is given to the representers/commenters/further representers of the hearing/further hearing date (normally four weeks in advance). The representers/commenters/further representers will be required to confirm attendance to the meeting within two weeks.~~

5.11 ~~If any one of the representers/ commenters/further representers indicates that he/she could not attend the meeting as scheduled and seeks a deferment of the hearing/further hearing, good justifications have to be given. Since any deferment will have implications on meeting the time limit for submission of the draft plan to the CE in C for approval and may affect other parties involved in the hearing/further hearing, a request for deferment would not normally be entertained unless with the consent of other concerned parties and there are very strong grounds to do so. If it is absolutely unavoidable, the Board/RHC may only adjourn the hearing/further hearing for a period up to a maximum of four weeks, taking into account all relevant considerations and circumstances of the case. The decision on whether to defer or not would be made by the Board or the RHC, as the case may be. If the request is not acceptable, the hearing/further hearing will proceed as scheduled. If any one of the representers/commenters/further representers fails to attend the hearing/further hearing, the Board/RHC may proceed to hold the hearing/further hearing in his/her absence.~~

Out of time Representation/Comment/Further representation

5.12 ~~Representations, comments on representations and further representations are required to be submitted to the Board within their relevant statutory time limits. All submissions made to the Board after the expiry of the time limits shall be treated as not having been made under the Ordinance.~~

Further Information Submitted to the Board

5.163 There is no provision under the Ordinance for the Board to accept any further information submitted by the representers/commenters/further representers after the expiry of the relevant statutory time limits.

Withdrawal of Representations/~~Comment~~/Further Representations

5.174 A representer/~~commenter~~ may withdraw his/her representation/~~comment~~ before the hearing by notifying the Board in writing. The withdrawn representation/~~comment~~ shall thereafter be treated as not having been made and will not be considered by the Board/RHC.—~~If a representation is withdrawn, its related comment(s) shall also be treated as not having been made.~~ Upon receiving the notice of withdrawal, the Secy/Board will inform the relevant representer(s)/~~commenter(s)~~ accordingly.

5.185 Similarly, a further representer may withdraw his/her further representation before the ~~further hearing~~ **Board's consideration of the further representation** by notifying the Board in writing. The withdrawn further representation shall thereafter be treated as not having been made and will not be considered by the Board/RHC. Upon receiving the notice of withdrawal, the Secy/Board will inform the relevant representer(s)/~~commenter(s)~~/further representer(s) accordingly.

PART VI – APPLICATIONS FOR AMENDMENT OF PLAN

Consideration of Application for Amendment of Plan

6.1 Under section 12A of the Ordinance, any **of the following** persons/**organizations** ~~may~~**are eligible to** make an application for amendment of plan except for matters relating to a new ~~draft~~ plan, or any amendment to a draft plan or an approved plan, which has not yet been approved by the CE in C-:

- (a) **a person whose name is registered in the Land Registry as that of the sole owner or one of the owners of any non-Government land within the application site, when the application is made;**
- (b) **a person who has obtained written consent to the application from at least one owner as defined in (a) above;**
- (c) **a person who has obtained written consent to the application from the Director of Lands in relation to any Government land within the application site;**
- (d) **a public officer; and**
- (e) **a public body as defined by section 2 of the Prevention of Bribery Ordinance (Cap. 201).**

6.2 All section 12A applications are normally considered by the respective PC and shall be considered within ~~3~~**two** months from the date of receipt of the application. In considering a section 12A application, the Board/PC should make reference to Government departments' views, ~~and have regard to public comments received during the first three weeks of the public inspection period of the application.~~

~~6.26.3~~ On receipt of a section 12A application, the Secy/Board will acknowledge receipt of the application, **make the application available for public inspection** and inform the applicant of the tentative date of the meeting for consideration of the application. The applicant may attend before the PC and be heard. The Secy/Board will ensure that reasonable notice is given to the applicant of the hearing date (normally four weeks in advance). The applicant will be required to confirm attendance to the hearing within two weeks. Seven days before the hearing, the applicant will receive the agenda for the hearing and a copy of the relevant Paper.

Proceedings of Hearing

~~6.36.4~~ In general, the proceedings of hearing **on** section 12A application are as follows:

- (a) the applicant as well as the representatives of the Planning Department and other Government departments, if any, will be invited to the meeting at the same time when the Board/PC considers the application;

- (b) the chairman of the meeting will briefly explain the hearing procedures;
- (c) the chairman will then invite the representative of the Planning Department and/or other Government department(s) to present the background of the application;
- (d) the applicant will then be invited to elaborate on the application;
- (e) the chairman will then invite the representatives of the Planning Department and other Government departments, if any, and the applicant to answer any questions from Members;
- (f) should the representative(s) of the Planning Department and other Government departments, if any, wish to respond to statements made by the applicant or to clarify any of their own statements, they should do so with the permission of the chairman and in the presence of the applicant. The applicant would also have an opportunity to respond to statements made by Government representatives as directed by the chairman; and
- (g) the representatives of the Planning Department and other Government departments, if any, and the applicant will then leave the meeting. The Board/PC will deliberate on the application in private.

Submission of Further Information

6.46.5 Further information may be submitted by the applicant **within the specified periods published in the Gazette, i.e. within two months after the day of the receipt of the application and within two months after the day on which the Board makes a decision to defer its decision on the application in order for the applicant to give further information**~~before the application is considered by the Board/PC.~~ The Secy/Board will decide if such further information can be accepted for inclusion into the application. Further information which will result in a material change of the nature of the application will not be accepted. Further information accepted for inclusion into the application by the Secy/Board will be made available for public inspection.~~Unless exempted by the Secy/Board, such further information will be published for three weeks for public comments.~~ **Unless exempted by the Secy/Board, the Secy/Board will re-arrange a date for the Board/PC meeting, which shall be not more than three two months from the date of receipt of the further information.**~~If the further information submitted is exempted from the publication requirement, then the original date of the Board/PC meeting will be adhered to.~~ **To comply with the Ordinance and avoid unreasonable delay in processing the application, the Board must refuse to accept further information submitted not falling within the specified periods.** Details on the submission of further information are contained in the TPB Guidelines on Submission of Further Information in relation to Applications for Amendment of Plan, Planning Permission, and Review made under the Town Planning Ordinance.

Adjournment of Hearing/Request for Deferment

6.56.6 If the applicant fails to attend the meeting, the Board/PC may proceed with the meeting in his/her absence or, if appropriate, adjourn the meeting to another date. On some

occasions, the applicant may request for a deferment of the hearing. According to the TPB Guidelines for Deferment of Decision on Representations, ~~Comments~~, Further Representations and Applications made under the Town Planning Ordinance, each request for deferment will be considered on its merits. In considering a request for deferment, the Board will take into account all relevant factors and whether the right or interest of other concerned parties will be affected and may specify a maximum deferment period as it deems appropriate. Normally, if there are reasonable grounds for the deferment, the applicant or relevant parties will be given two months for preparation of submission of further information (if required). The case will then be re-submitted to the Board/PC for consideration within ~~three~~two months upon receipt of the further information.

~~6.66.7~~ 6.66.7 If the applicant has reasonable grounds to support his request and informs the Secy/Board in advance before the issue of agenda and the relevant Paper, a Paper will be prepared by the Planning Department to seek the Board's/PC's agreement to the request. —However, if the request is received after the issue of the agenda and relevant Paper, the representative of the Planning Department will report the case at the scheduled meeting. For request for deferment without reasonable ground, it will be submitted together with the relevant ~~p~~Paper on the application to the Board/PC for consideration, regardless whether the request is received before or after the issue of agenda. Should the Board/PC consider that a deferment is not warranted, it may proceed to make a decision on the application or adjourn the meeting for consideration of the application to the next scheduled meeting. For the latter case, the applicant will be invited to attend the next scheduled meeting.

Decision of the Board/PC

~~6.76.8~~ 6.76.8 The Board/PC may accept an application for amendment of plan in whole or in part or refuse the application. There is no right of review or appeal against the Board's/PC's decision on the application under the Ordinance. Should the Board accept in whole or in part an application, the Board will incorporate the accepted proposal into the relevant plan. The relevant draft plan incorporating the amendments shall be exhibited for public inspection in accordance with the provisions of the Ordinance, and the amendments shall be subject to the statutory procedures under sections 6 and 6BA to 6H of the Ordinance.

PART VII- APPLICATIONS FOR PERMISSION AND AMENDMENT TO PERMISSION

Consideration of Application for Permission under Section 16

7.1 All s.16 applications are normally considered by the respective PC and shall be considered within two months from the date of receipt of the application. In considering a section 16 application, the Board/PC will make reference to Government departments' views, and have regard to public comments received during the first three weeks of the public inspection period of the application.

7.2 On receipt of a section 16 application, the Secy/Board will acknowledge receipt of the application and inform the applicant of the tentative date of the meeting for consideration of the application, **as well as making the application available for public inspection.**—

Submission of Further Information to supplement a Section 16 Application

7.3 Further information may be submitted by the applicant **within the specified periods published in the Gazette, i.e. within two months after the day of the receipt of the application and within two months after the day on which the Board makes a decision to defer its decision on the application in order for the applicant to give further information before the application is considered by the Board/PC.** The Secy/Board will decide if such further information can be accepted for inclusion into the application. Further information which will result in a material change of the nature of the application will not be accepted. Further information accepted for inclusion into the application by the Secy/Board will be made available for public inspection. Unless exempted by the Secy/Board, such further information will be published for three weeks for public comments. The Secy/Board will re-schedule the meeting for consideration of the application. The meeting date shall be within two months of the date of receipt of the further information. If the further information submitted is exempted from the publication requirement, then the original date of the Board/PC meeting will be adhered to. **To comply with the Ordinance and avoid unreasonable delay in processing the application, the Board must refuse to accept further information submitted not falling within the specified periods.** Details on the submission of further information are contained in the TPB Guidelines on Submission of Further Information in relation to Applications for Amendment of Plan, Planning Permission, and Review made under the Town Planning Ordinance.

Request for Deferment of Decision on a Section 16 Application

7.4 On some occasions, an applicant may request for a deferment of decision on the application. According to the TPB Guidelines for Deferment of Decision on Representations, ~~Comments~~, Further Representations and Applications made under the Town Planning Ordinance, each request for deferment will be considered on its merits. In considering a request for deferment, the Board will take into account all relevant factors and whether the right or interest of other concerned parties will be affected and may specify a maximum deferment period as it deems appropriate. Normally, if there are reasonable grounds for the deferment, the applicant or relevant parties will be given two months for preparation of submission of further information (if required). The case will then be re-submitted to the Board/PC for consideration within two

months upon receipt of the further information.

7.5 If the applicant has reasonable grounds to support his request and informs the Secy/Board in advance before the issue of agenda and the relevant Paper, a Paper will be prepared by the Planning Department to seek the Board's/PC's agreement to the request. However, if the request is received after the issue of the agenda and relevant Paper, the representative of the Planning Department will report the case at the scheduled meeting. For request for deferment without reasonable ground, it will be submitted together with the relevant Paper on the application to the Board/PC for consideration, regardless whether the request is received before or after the issue of agenda. Should the Board/PC consider that a deferment is not warranted, it may proceed to make a decision on the application.

Consideration of Application for Amendment to Permission under Section 16A

7.6 The applicant to whom a section 16 permission has been granted for a development proposal may apply for amendments to the approved development proposal under section 16A of the Ordinance. The Board has published, in the form of a Gazette Notice, a list of Class A and Class B amendments. Permission from the Board is not required for changes falling within Class A amendments. Class B amendments are however subject to the approval of the Board upon application made under section 16A(2). Details on the amendments to approved development proposals are contained in TPB Guidelines on Class A and Class B Amendments to Approved Development Proposals.

7.7 An application for Class B amendments may be considered by the Director of Planning or Deputy Director of Planning and Assistant Directors of Planning in the District Planning Branch of the Planning Department under the delegated authority of the Board. However, if an application is considered unacceptable by the concerned Government departments, it will be submitted to the Board/PC for consideration. An applicant for Class B amendments will normally be informed of the decision by the delegated authority of the Board within six weeks. For those cases which are to be submitted to the Board/PC, they will be considered by the Board/PC within two months from the date of receipt of the applications.

Decision of the Board/PC

7.8 The Board/PC may approve, with or without condition(s), or refuse to approve an application made under section 16 or 16A. The applicant will be notified in writing of the Board's/PC's decision, including the approval conditions, if any, or the reasons for refusing the application. If the applicant is aggrieved by the decision of the Board/PC, he/she may, within 21 days of being formally notified of the decision, apply in writing to the Secy/Board for a review of the Board's/PC's decision under section 17 of the Ordinance.

PART VIII - REVIEW OF PLANNING APPLICATIONS

Review of Decisions Made under Section 16 or 16A

8.1 Where an application made under section 16 or 16A has been approved with conditions or refused, the applicant may apply for a review of the Board's/PC's decision under section 17 of the Ordinance. **The applicant must set out the grounds for the review when making a review application under section 17(1) of the Ordinance. If no ground is provided in the review application, the Board will refuse the application.** All section 17 reviews shall be considered by the Board within three months from the date of receipt of the review applications. In considering a section 17 review, the Board will make reference to Government departments' views. In respect of a section 17 review of decision made under section 16, the Board will also have regard to public comments received during the first three weeks of the public inspection period of the review application.

8.2 On receipt of an application for a section 17 review, the Secy/Board will acknowledge receipt of the review application and inform the applicant of the tentative date of the hearing for the review, **as well as making the application available for public inspection.** The applicant may attend before the Board and be heard. The Secy/Board will ensure that reasonable notice is given to the applicant of the hearing date (normally four weeks in advance). The applicant will be required to confirm attendance to the hearing within two weeks. Seven days before the hearing, the applicant will receive the agenda for the hearing and a copy of the relevant Paper.

8.3 In considering a review, the Board will only consider the original application in the light of any further written and/or oral representations. A revised development proposal materially different from the original proposal would not be considered and must be re-submitted in the form of a fresh s.16 application.

Proceedings of Review Hearing

8.4 The Ordinance has not specified the steps and manner for conducting the review of planning applications. The following procedure has been adopted:-

- (a) the applicant as well as the representatives of the Planning Department and other Government departments, if any, will be invited to the meeting at the same time;
- (b) the chairman of the meeting will briefly explain the review hearing procedure;
- (c) the chairman will then invite the representative of the Planning Department to present the background of the application;
- (d) the applicant will then be invited to elaborate on the case;
- (e) the chairman will then invite the representatives of the Planning Department and other Government departments, if any, and the applicant to answer any questions from Members;

- (f) should the representatives of Government departments wish to respond to statements made by the applicant or to clarify their own statements, they should do so with the permission of the chairman and in the presence of the applicant. The applicant would also have an opportunity to respond to statements made by Government representatives as directed by the chairman; and
- (g) the representatives of the Planning Department and other Government departments, if any, and the applicant will then leave the meeting. The Board will deliberate on the review application in private.

Submission of Further Information

8.5 Further information may be submitted by the applicant **within the specified periods published in the Gazette, i.e. within two months after the day of the receipt of the application and within two months after the day on which the Board makes a decision to defer its decision on the application in order for the applicant to give further information before the review hearing.** The Secy/Board will decide if such further information can be accepted for inclusion into the application. Further information which will result in a material change of the nature of the application will not be accepted. Further information accepted for inclusion into the application by the Secy/Board will be made available for public inspection. In respect of a review of decision made under section 16, unless exempted by the Secy/Board, the further information will be published for three weeks for public comments. The Secy/Board will rearrange a date for the hearing, which shall be not more than three months from the date of receipt of the further information. If the further information submitted is exempted from the publication requirement, then the original date of the hearing will be adhered to. **To comply with the Ordinance and avoid unreasonable delay in processing the application, the Board must refuse to accept further information submitted not falling within the specified periods.** Details on the submission of further information are contained in the TPB Guidelines on Submission of Further Information in relation to Applications for Amendment of Plan, Planning Permission, and Review made under the Town Planning Ordinance.

Adjournment of Hearing/Request for Deferment

8.6 If the applicant fails to attend the hearing, the Board may proceed with the consideration of the review in his/her absence or, if appropriate, adjourn the hearing to another date. On some occasions, the applicant may request for a deferment of the hearing. According to the TPB Guidelines for Deferment of Decision on Representations, ~~Comments~~, Further Representations and Applications made under the Town Planning Ordinance, each request for deferment will be considered on its merit. In considering a request for deferment, the Board will take into account all relevant factors and whether the right or interest of other concerned parties will be affected and may specify a maximum deferment period as it deems appropriate. Normally, if there are reasonable grounds for the deferment, the applicant or relevant parties will be given two months for preparation of submission of further information (if required). The case will then be re-submitted to the Board for consideration within three months upon receipt of the further information.

8.7 If the applicant has reasonable grounds to support his request and informs the

Secy/Board in advance before the issue of agenda and the relevant Paper, a Paper will be prepared by the Planning Department to seek the Board's agreement to the request. – However, if the request is received after the issue of the agenda and relevant Paper, the representative of the Planning Department will report the case at the scheduled meeting. For request for deferment without reasonable ground, it will be submitted together with the relevant Paper on the application to the Board for consideration, regardless whether the request is received before or after the issue of agenda. Should the Board consider that a deferment is not warranted, it may proceed to make a decision on the review or adjourn the review hearing to the next scheduled meeting. For the latter case, the applicant will be invited to attend the next scheduled meeting.

Decision of the Board

8.8 Upon review of a decision of the Board/PC, the Board may approve with or without condition(s), or refuse to approve the application. 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 the decision of the Board, he/she may, within 60 days of being formally notified of the decision, lodge an appeal by completing the form for Notice of Appeal under section 17B which may be obtained from the Secretary, Town Planning Appeal Board at ~~at~~ on 17/F, West Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong. The completed form should be submitted to the Secretary, Town Planning Appeal Board and copied to the Secy/Board.

TOWN PLANNING BOARD
MAY 2014September 2023

Appendix I

Powers and Functions of the Town Planning Board

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
s.2C(4)	Determine the length of time of representers/authorized representatives to present at the representation hearing.	
s.3	Prepare new draft plans (that is, Draft	)
s.4(1)	Outline Zoning Plans and Draft Development Permission Area Plans).	) - Consideration is based more on district factors.
s.4A	Comprehensive Development Area Schemes: approval of Master Layout Plans and subsequent amendments.	)
s.4(2)	Recommendation to CE in C for resumption of land.	- Involving property right and government financial commitments which are considered important decisions.
s.5	Exhibition of draft plans or amendments to approved plans or the approved parts of partly approved plans.	
s.6(4)&(5)	Make available for public inspection and notification of representations.	)
s.6A(4)	~~Make available for public inspection of comments.~~	)
s.6B	Consider representations ~~and comments on representations~~ and decide whether to propose amendments to plans to meet the representations.	) - Relating to the representation-consideration procedures for considering representations/further representations
s.6C(1)&(2)	Make available for public inspection and notification of proposed amendments	)
s.6D(4)	Make available for public inspection of further representations	)
s.6F	Consider further representations and decide whether to amend plans by the proposed amendments under s.6F(8) or (9)	)
s.6G	Amend draft plans by the proposed amendments (for cases without further representations).	)
s.6H(2)	Make available for public inspection the amendments made under s.6F(8), s.6F(9) or s.6G.	)
s.7(1)-(43)	~~Make a~~ Amendments to draft plans or draft parts of partly approved plans, and exhibition of such amendments for representations, and processing of	

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
	representations and, if applicable, further representations	
s.8	Submission of draft plans to CE in C for approval in whole or in part.	- The Board should be answerable for the schedules of relevant amendments and ~~the schedule of representations/comments/further representations.~~
s.9A	Amendments to plans referred to the Board under s.9(1)(c) or s.9(2)(c) and submission of the amendments to CE in C for approval.	
s.9B	Amendments to outstanding parts of partly approved plans and submission of the outstanding parts to CE in C for approval.	
~~s.12A(6)&(7)~~	~~Make available for public inspection and notification of application~~	)
~~s.12A(12)&(14)~~	~~Make available for public inspection of comments and further information~~	)
s.12A(13), (13A) &(15)	Determine acceptance of further information submitted within the specified period and exemption of further information from ~~publication for public comments and~~ recounting of statutory time limit for processing the application	) - Relating to applications for amendment of plan
s.12A(16)-(24)	Consider and decide on applications and undertake necessary follow-up actions.	)
s.16(2C)&(2D)	Make available for public inspection and notification of applications	)
s.16(2I)&(2K)	Make available for public inspection of comments and further information	) - relating to applications for planning permission
s.16(2J), (2JA) &(2L)	Determine acceptance of further information submitted within the specified period and exemption of further information from publication for public comments and recounting of statutory time limit for processing the applications	)
s.16(3)-(5)	Consider and decide on applications.	) - Consideration is mainly of local and district nature and has to operate within the Board's guidelines
s.16A(5)&(6)	Consider and decide on applications for Class B amendments to a permission granted under s.16	

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
s.17(1B)	Refuse acceptance of review applications without grounds	)
s.17(2A)&(2B)	Make available for public inspection and notification of review applications	)
s.17(2G)&(2I)	Make available for public inspection of comments and further information	)
s.17(2H), (2HA) &(2J)	Determine acceptance of further information submitted within the specified period and exemption of further information from publication for public comments and recounting of statutory time limit for processing the review applications	) - Relating to review applications
s.17(3)-(6)	Consider and decide on review applications.	) - To ensure consistency in the application of guidelines for s.16 applications. - To enable the consideration of the case by wider and diversified interests and by Board Members not involved in the original decision to refuse permission.
s.20(1)	Designation of Development Permission Areas.	
<u>Others</u>		
s.12A(25) s.16(8)	Specify by notice in the Gazette the period for determining the definition of "current land owner"	
s.16A(10)	Specify by notice in the Gazette the schedule of Class A and Class B amendments	
s.12A(24A) s.16(7A) s.17(8)	Specify by notice in the Gazette one or more than one period during which an applicant may give further information to the Board to supplement the information included in the application.	
s.6(2)(b) ~~s.6A(2)~~ s.6D(2)(b) s.12A(3)&(4) s.16(2)&(2G) s.16A(3) s.17(2E)	Promulgate guidelines for submission of representations/ ~~comments~~ /further representations, applications and comments on applications.	
	Approve Development Scheme Plans prepared by the Urban Renewal Authority	

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
	under section 25 of the Urban Renewal Authority Ordinance.	
	Promulgate policy guidelines and guidelines for various applications.	- To maintain consistency in planning decision.

Powers and Functions Delegated to the Planning Committees

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
s.3-* s.4(1)-*	Prepare new draft plans (that is, draft Outline Zoning Plans and draft Development Permission Area Plans).	) - Consideration is based more on district factors.
s.4A	Comprehensive Development Area Schemes: approval of Master Layout Plans and subsequent amendments.	
s.5—*	Exhibition of new draft plans or amendments to approved plans or the approved parts of party approved plans.	
s.7(1)-(3)	Amendments to the draft plans or draft parts of partly approved plans ~~and amendments to the plans referred back under s.9(1)(c).~~	- Amendments initiated are normally of district significance, and have no territory-wide impact.
s.8—*	Submission of draft plans to Chief Executive in Council.	
s.12A	Powers and functions in relation to applications for amendment of plan.	) - Consideration is mainly of local and district nature and has to operate within the Board's guidelines (major development applications can be referred to the Board for consideration).
s.16	Powers and functions in relation to applications for planning permission.	
s. 16A	Powers and functions in relation to applications for Class B amendments to permissions previously granted under s.16, s.17 or s.17B.	
s.20(1)—*	Designation of Development Permission Areas.	- For applications which are considered unacceptable by the concerned Government departments or applications involving deletion of previously approved Government, institution or community facilities initiated by the relevant Government departments.

Remarks:

* The powers and functions are delegated by the Board to the two Planning Committees but in

practice they are usually taken up by the Full Board.

Powers and Functions Delegated to the Representation Hearing Committee[#]

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
s.6B	Consider representations ~~and comments~~ and decide whether to propose amendments to plans to meet representations.	) - Deciding on representations,) ~~comments~~ , further representations,) and amendments to plans.))))
s.6C	Proposed amendments under s.6B(8) to be made available for public inspection.	)))))
s.6D	Further representations in respect of proposed amendments to be made available for public inspection.	)))))
s.6E	Treatment of withdrawn representations/ ~~comments~~ /further representations.	)))))
s.6F	Consider further representations and decide whether to amend plans by the proposed amendments.	)))))
s.6G	Amend plans by the proposed amendments (for cases without further representations).	)))))
s.6H	Effect of amendments made under s.6F(8), ~~s.6F(9)~~ or s.6G.	)))))

Remarks:

The Board may decide to conduct the hearing/~~further hearing~~ ~~itself~~ for those representations/~~comments~~/~~further representations~~ **and the meeting for the consideration of further representations** relating to issues which are of significant territorial interests or would attract wide interest of the public.

Powers and Functions Delegated to Secretary of the Board

<u>TP Ordinance</u>	<u>Description</u>
s.6B(4A)	Determine acceptance of requests of representers who are natural persons for authorizing other natural persons as their representatives to attend representation hearings due to exceptional circumstances submitted by the representers.
s.12A(13), (13A) &(15)	Determine acceptance of further information submitted within the specified period and exemption of ~~further information from publication requirement~~ and recounting of statutory time limit for processing the applications for amendment of statutory plan.
s.16(2J), (2JA) & (2L)	Determine acceptance of further information submitted within the specified period and exemption of further information from publication requirement and recounting of statutory time limit for processing the applications for planning permission.
s.17(2H), (2HA) & (2J)	Determine acceptance of further information submitted within the specified period and exemption of further information from publication requirement and recounting of statutory time limit for processing the review applications.

Powers and Functions Delegated to Director of Planning

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
s. 16A(2)	Consider and decide on applications for Class B amendments to permission previously granted under s.16, s.17 or s.17B.	- For applications which are considered acceptable by the concerned Government departments and do not involve deletion of previously approved Government, institution or community facilities initiated by the relevant Government departments.

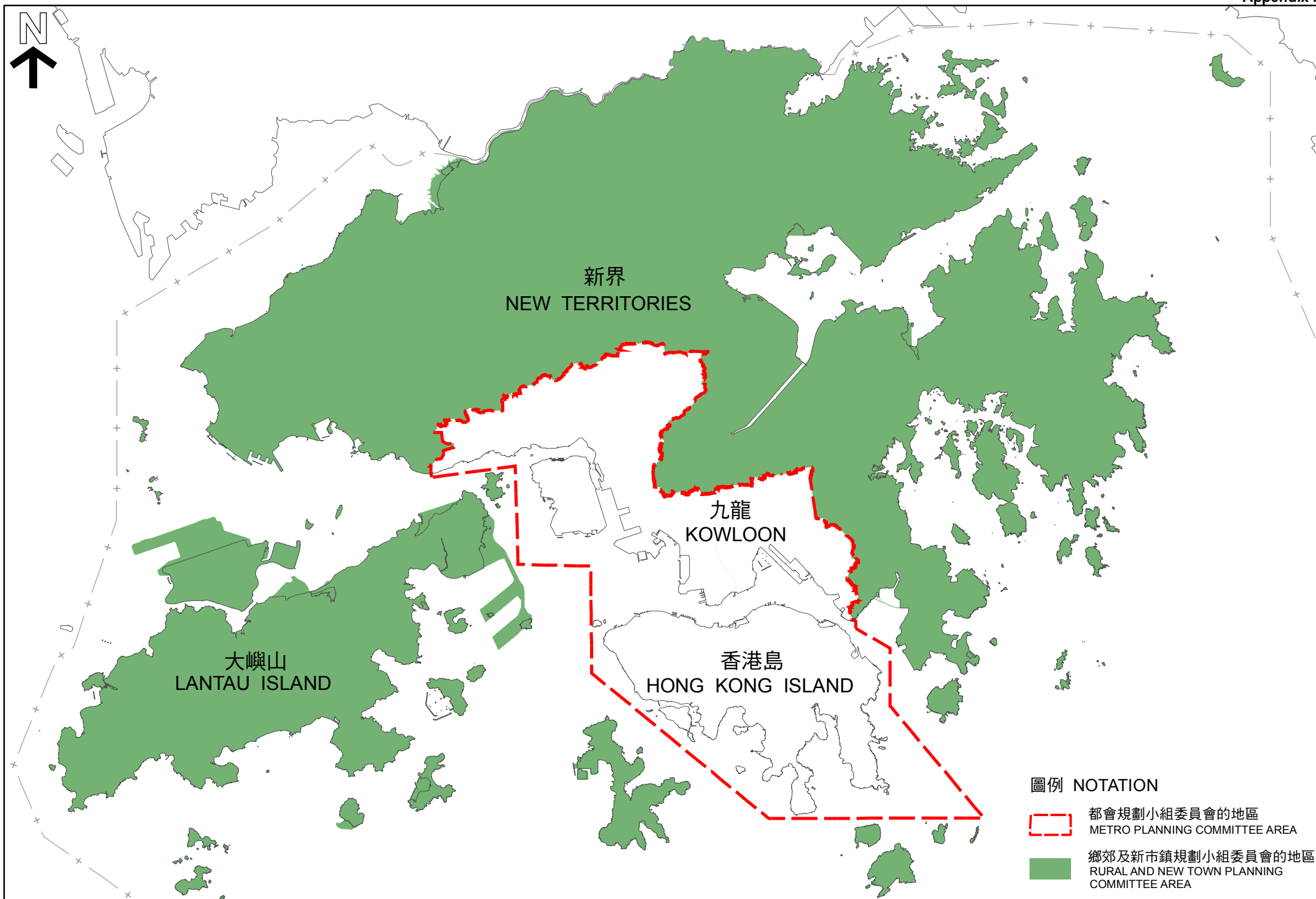
Powers and Functions Delegated to District Planning Officers

<u>TP Ordinance</u>	<u>Description</u>
s. 16	Approval for development on the Development Permission Area Plans

TP Ordinance

Description

which would be discontinued and the land
be reinstated within 6 months.



Town Planning Board
Register of Pecuniary Interests

Appendix III

(Name: _____) requests that interests as set out in the attached form
(total pages: _____) should be included in the Register of Members' Pecuniary Interests.

Registrable Interests	Interests to be declared by the following parties:		
	Member	Spouse	Children under 18
DIRECTORSHIPS AND PARTNERSHIPS IN COMPANIES Please list out at the rightward columns the remunerated directorships in any public or private company. Notes: (a) Remunerated directorships include all directorships for which a fee, honorarium allowance or other material benefit is payable. (b) You should give the name of the company, briefly state the nature of the business of the company in each case. (c) Remunerated directorships of both local and overseas companies are registrable. (d) Remunerated directorships through corporate directors are also registrable. (e) Where you or your spouse are a remunerated director of a company, all subsidiary or associated directorships which you or your spouse hold within the same group, whether remunerated or not, should also be registered. (f) There is no need to register the amount of remuneration received.			

Use additional form(s) if necessary

Member's Name:

Registrable Interests	Interests to be declared by the following parties:		
	Member	Spouse	Children under 18
REMUNERATED EMPLOYMENTS, OFFICES, TRADES, PROFESSIONS OR VOCATIONS Please list out at the rightward columns the remunerated employments offices, trades, profession, or vocation from which remuneration or pecuniary interest is obtained. Notes: (a) An employment, office, trade or profession is “remunerated” where a salary, honorarium, allowance or other material benefit is payable. (b) “Remunerated offices” should include all “remunerated” public offices. (c) Indicated the name of the employment, office, trade, or profession. Where a firm is named, please briefly indicate the nature of the firm’s business if practicable. (d) For paid posts as consultants or advisers, it should be indicate the nature of the consultancy in the register, e.g. “traffic consultant”, “legal adviser”, etc. (e) There is no need to register the amount of remuneration received.			

Use additional form(s) if necessary

Member's Name:

Registrable Interests	Interests to be declared by the following parties:			
	Member	Spouse	Children under 18	Company to which the party/parties listed leftwards is one of the directors.
HOLDINGS IN LAND AND PROPERTY Please list out at the rightward columns the land or property in Hong Kong and/or overseas. Notes: (a) The requirement is to register the general nature of the interest rather than a detailed list of the holdings. The exact address and name of the land or property need not be listed out. (b) There is no need to register the size or value of the land or property owned. Example: 1. A flat at No. 111, Star Street, Wan Chai. 2. 3 units in Block 123, Laguna City, Kwun Tong. 3. A house at Peak Road, Peak. 4. A piece of land at Nathan Road, Mong Kok. 5. A piece of land in Richmond Hill, Vancouver, Canada.				

Use additional form(s) if necessary

Member's Name:

Registrable Interests	Interests to be declared by the following parties:		
	Member	Spouse	Children under 18
SUBSTANTIAL SHAREHOLDINGS Please list out at the rightward columns the shareholdings in any public or private company of a nominal value greater than 1% of the issued shared capital of the company. Notes: (a) "Shareholdings" is defined as personal shareholdings and do not include shareholdings held in the capacity of a nominee shareholder. (b) There is no need to register the size or value of the shareholdings.			

Use additional form(s) if necessary

DECLARATION

I have read the POINTS TO NOTE attached to this form. I declare that the personal data voluntarily provided in this form are accurate and up-to-date to the best of my knowledge. I agree and understand that such personal data can be used according to the use and disclosure of personal data stated in the Points to Note.

Signature : _____

Date: _____

POINTS TO NOTE

Purpose of the Registration

1. The main purpose of registering of interests by Members of the Town Planning Board is to maintain public confidence in the integrity of Members (including the Chairman) and in the impartiality of their advice tendered to the Town Planning Board. It is, therefore, important that all Members of the Town Planning Board should declare their general pecuniary interests as set out in this registration form.
2. This registration of pecuniary interests is additional to the procedures of declaration of interests (pecuniary or otherwise) at the Board/Committee meetings as set out in the guidelines on Declare of Interests by Town Planning Board Members.

Guidelines for Completing the Registration Form

3. This form should be completed by each Member upon commencement of a new term of appointment and returned to the Secretary of the Town Planning Board within one month. It will then be updated once every year. Any subsequent changes to Members' pecuniary interests should be registered within 14 days of any such change.
4. Interests owned by Members, their spouses or children under the age of 18 should be registered. Members should register such interests to the best of their knowledge.
5. Details such as the amount of remuneration received, the size and the exact address of the declared property or the size and value of the shareholdings need not to be disclosed.
6. Where applicable, Members should also give a brief description of the lines of business of companies in which they are involved.
7. Specific guidelines for completing each item are given in the notes of the registration form.

Use and Disclosure of Personal Data

8. The pecuniary interests provided in this registration form are considered as a kind of personal data and will be retained by the Secretary of the Town Planning Board for the purpose mentioned in paragraph 1 above. The personal data may be disclosed to other Government bureaux and departments for any other purpose(s) directly related to such use.
9. Your personal data, as well as your spouse's and children's (whose interests are being declared), provided in this registration form will also be made available for inspection by members of the public on request.
10. Your personal data, as well as your spouse's and children's (whose interests are being declared), provided in this registration form will not be used for purposes other than mentioned above unless you, your spouse and children have given the prescribed consent or such use is permitted by the laws of Hong Kong Special Administrative Region.

Accuracy, Duration of Retention and Security of Personal Data

11. All practicable steps will be taken to ensure that personal data in the registration form are accurate and will not be kept longer than is necessary for the fulfillment of the purpose (including any directly related purpose) for which the data are or to be used; and that the personal data are protected against unauthorized or accidental access, processing, erasure or other use.

Access to Personal Data

12. You, your spouse and children whose interests are being declared, have the right to obtain a printed copy of this registration form held by the Secretary of the Town Planning Board and to request that necessary correction(s) be made if the personal data are inaccurate.

Enquiry

13. All enquiries concerning personal data collected in this registration form should be addressed to:-

Secretary, Town Planning Board
15/F., North Point Government Offices,
333 Java Road,
North Point,
Hong Kong.

Declaration by Individual

14. You are requested to read carefully the Points to Note set out above. If you have any enquiries concerning the Note, please contact the Secretary of the Town Planning Board for clarification. The provision of personal data by means of this form is voluntary. Your personal data, as well as your spouse's and children's (whose interests are being declared), will be treated in compliance with the personal Data (Privacy) Ordinance (Cap. 486) and the contents of the Note. Please sign the declaration on Page 4 of the registration form and return the completed form to the Secretary of the Town Planning Board in the enclosed envelope.

Circumstances Constituting Potential Conflict of Interest

I. Under the following situations, a Member should be considered as having direct and substantial interest in a matter under consideration:

(a) The subject matter involves a landed interest held by the Member or the Member's spouse

For example:

- the Member and/or his/her spouse is the sole or part owner or the tenant of the application/representation site under consideration.
- the Member and/or his/her spouse is the applicant/representer/~~commenter~~/further representer of the matter under consideration.

(b) The subject matter involves a public or private company or other organisation (including subsidiary or associated companies within the same group) of which the Member or his/her spouse holds a proprietorship, partnership, directorship or substantial shareholdings (i.e. 1% or more of the issued share capital), advisory or client relationship, employment or other significant connection.

For example:

- the company of which the Member or his/her spouse holds a proprietorship, partnership, directorship or substantial shareholdings is the applicant/~~commenter~~/further representer of the matter under consideration.
- the Member or the company of which the Member or his/her spouse holds a proprietorship, partnership or directorship is the professional consultant tendering professional advice to or representing the applicant/representer/~~commenter~~/further representer in the matter under consideration.
- the Member or his/her spouse is the employee/staff of a company, an organisation or association such as the Scouts Association and the University of Hong Kong, which is the applicant/representer/~~commenter~~/further representer of the matter under consideration.
- the Member or his/her spouse is a staff of a Government department which itself is the applicant under consideration.

This also applies to the situation where the subject company has a substantial shareholdings (i.e. 1% or more of the issued share capital) of the company owned by the Member or his/her spouse.

- (c) **The subject matter involves a statutory/public body, club, association, union or other bodies of which the Member or his/her spouse holds a chairmanship or, in some cases, membership, or is the office bearer of an executive board, a board of directors or a management committee.**

For example:

- the Member or his/her spouse is a member of a statutory/public body (including its sub-committee), such as the Hong Kong Housing Society (HKHS), the Hong Kong Housing Authority (HKHA), the Urban Renewal Authority (URA) and the District Council, which is the applicant/representer/~~commenter~~/further representer of the matter under consideration.

This does not apply to the situation where the Member or his/her spouse is just an ordinary member/corporate member of a club, association or other bodies, and the Member or his/her spouse is not involved in the matter under consideration.

- (d) **The Member or his/her spouse has current business dealings and/or business dealings under negotiation with the applicant/-representer/~~commenter~~/further representer of the matter under consideration.**

For example:

- the Member or his/her spouse is at present a consultant/advisor to the applicant/representer/~~commenter~~/further representer's on-going development projects irrespective of whether the dealings are related to the matter under consideration.
- the Member or his/her spouse or the company owned by the Member or his/her spouse was a business partner with the applicant/representer/~~commenter~~/further representer on on-going businesses irrespective of whether the dealings are related to the matter under consideration.

- (e) **The Member who is also a member of the HKHA/HKHS/URA or other public bodies and the subject of a representation/further representation involves a project of such public bodies**

This does not apply to situation where a HKHA/HKHS/URA project is the subject of an amendment to a statutory plan proposed by the Planning Department or where HKHA/HKHS/URA sites are proposed in a new plan.

- II. The following situations would give rise to potential conflict of interest but whether the interest is direct and substantial would depend on the substance, scope and nature of the interest in relation to the case under consideration:

- (a) **The subject matter affects a landed interest held by the Member or his/her spouse.**

For example:

- the Member (and/or his/her spouse) is the sole or part owner or the tenant of a property that may be affected by the development proposal under consideration.

- (b) **The subject matter involves or affects a landed interest held by a “close relative or close friend” of the Member or his/her spouse.**

For example:

- a “close relative or close friend” of the Member or his/her spouse is the sole or part owner or the tenant of the application/representation site under consideration. Members themselves are the best judges of who, in the particular circumstances, is a “close relative or close friend”.

- (c) **A Member or his/her spouse has given personal advice or opinion to an applicant/~~representer/commenter~~/further representer on any occasion on the subject matter under consideration.**

For example:

- the Member or his/her spouse has given personal opinion or advice to the applicant/representer/~~commenter~~/further representer on the matter under consideration, which might lead the public to believe that the Member’s views might be biased or not given impartially.

The situation of Government departments tendering professional advice or stating Government policies to the applicant/representer/~~commenter~~/further representer should not fall within this category as it is incumbent upon the official member to tender advice, which is consistent with the official views of the Government departments or statement of Government policy.

- (d) **The subject matter involves a public or private company or other organisation (including subsidiary or associated companies within the same group) of which the Member’s or his/her spouse’s “close relative or close friend” holds a proprietorship, partnership or directorship, advisory or client relationship, employment or other significant connection.**

For example:

- the Member’s or his/her spouse’s “close relative or close friend” is the owner of a company/organisation and the company is the applicant/representer/~~commenter~~/further representer of the subject matter.
- —the Member’s or his/her spouse’s “close relative or close friend” is the professional consultant tendering professional advice to the applicant/—

representer/~~commenter~~/further representer in the subject matter under consideration.

This is to avoid situations where the public might believe that the Member's advice has been influenced by the closeness of the association. The Members themselves are the best judges of who, in the particular circumstances, is a "close relative or close friend".

(e) The Member or his/her spouse has past business dealings with the applicant/representer/~~commenter~~/further representer of the matter under consideration.

For example:

- the Member or his/her spouse or the company owned by the Member or his/her spouse was previously the professional consultant tendering professional advice to the applicant/representer/~~commenter~~/further representer in the matter under consideration but the Member or his/her spouse or the company owned by the Member or his/her spouse is no longer involved in the matter. The Member should declare **all** such past dealings. If the matter involves a completed project, the Member should be allowed to continue to participate in the discussion. If the matter involves an on-going project, the Member should be required to withdraw from the meeting.
- the Member or his/her spouse has general business dealings with the applicant/representer/~~commenter~~/further representer. If the business dealings are not related to the matter under consideration, the Member should declare only the recent dealings in the past three years, and upon declaration, the Member should be allowed to continue to participate in the discussion.

**Procedures for Handling Gifts/Souvenirs
Given to Members of Town Planning Board in their Official Capacity¹**

Any gift/souvenir received by Members of the Town Planning Board (the Board) in their official capacity is to be disposed of in the following manner:

- (a) if the gift/souvenir is of perishable nature (e.g. food or drink, etc), it may be either be shared among Members on a suitable occasion or donated to a charitable organization as considered appropriate by the Board;
- (b) if the gift/souvenir is a useful item, it may be donated to a charitable organization as considered appropriate by the Board;
- (c) if the gift/souvenir is suitable for display (e.g. a painting, vase, etc), it may be displayed at an appropriate location of the Secretariat of the Board;
- (d) if the gift/souvenir is a personal item of value below HK\$400, such as a plaque or pen inscribed with the name of the recipient, it may be retained by the recipient;
- (e) if the gift/souvenir is a personal item of value above HK\$400 inscribed with the name of the recipient, it should be brought to the attention of the Board for a decision on its disposal; and
- (f) if the gift/souvenir is distributed to all participants in public activities, such as a ball pen, file folder or key clasp, etc, it may be retained by the recipient.

¹ The procedures are based on the “Sample Code of Conduct for Members of Public Councils” prepared by the Corruption Prevention Department of the Independent Commission Against Corruption

**Meeting Arrangements when Rainstorm Warning
or Typhoon Signal is Issued**

Where a Rainstorm Warning or Typhoon Signal is issued, the following arrangements in respect of meetings* of the Town Planning Board and its Planning Committees (including Representation Hearing Committees) will be adopted :

1. Where a Amber/Red Rainstorm Warning or Strong Wind Signal No. 3 or lower is issued, all meetings will be held as scheduled.
2. If Black Rainstorm Warning or Gale/Storm Signal No. 8 or above is cancelled before 7:00a.m. for morning session of the meeting or before 12:30p.m. for afternoon session, the meeting will be held as scheduled.
3. If Black Rainstorm Warning or Gale/Storm Signal No. 8 or above remains in force until 7:00a.m. for morning session of the meeting or until 12:30p.m. for afternoon session, the meeting will be re-scheduled. Notification will be issued by the TPB Secretariat on the re-scheduled session of the meeting.
4. If Black Rainstorm Warning is issued during the meeting, the meeting will continue. However, if a session of the meeting is yet to commence, the meeting will normally be adjourned. The TPB Secretariat will confirm the arrangement with the affected applicants **and**, ~~representerscommenters and/or further representers~~.
5. If Gale/Storm Signal No. 8 or above is issued during the meeting, the meeting will be adjourned immediately and the session of the meeting be re-scheduled. Notification will be issued by the TPB Secretariat on the re-scheduled session of the meeting.

For any enquiry on the above arrangement, please contact the TPB Secretariat at 2231 4810 or 2231 4835.

**Any afternoon session of a meeting shall be regarded as an individual meeting.*

TPB PG-NO. 24C24D

**TOWN PLANNING BOARD GUIDELINES FOR
INTERPRETATION OF EXISTING USE
IN THE URBAN AND NEW TOWN AREAS**

{[Important Note:

The Guidelines are intended for general reference only.

Any enquiry on this pamphlet should be directed to the ~~Planning Information and Technical Administration Unit of the Planning Department, 17th Floor, North Point Government Offices, 333 Java Road, North Point, Hong Kong – Tel. No. 2231 5000.~~ Secretariat of the Town Planning Board (by email: tpbpd@pland.gov.hk; by post: 15th Floor, 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: 17th Floor, NPGO and 14th Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).]

The Guidelines are subject to revision without prior notice.)

1. Introduction

On 22.6.2001, the Town Planning Board (the Board) amended the Covering Notes of the Master Schedule of Notes to Statutory Plan (MSN) for the urban and new town areas mainly to clarify its intention with respect to “existing use” ~~in the urban context~~ **in areas previously not covered by Development Permission Area (DPA) plans.**

~~These Guidelines explain generally the Board’s intention with respect to “existing use” in the urban and new town areas. The Guidelines also set out the Board’s approach to interpret “existing use” in some particular situations.~~

2. Scope and Application

- 2.1 These Guidelines explain generally the Board’s intention with respect to “existing use” in the Covering Notes of the OZP.**
- 2.2 These Guidelines also set out the Board’s approach to interpret “existing use” in some particular situations.**
- 2.3 Any use which may be allowed in terms of the provisions of a plan must also conform to any other relevant legislation and the conditions of the Government lease concerned.**

2.3. Planning Intention on “Existing Use”¹

~~2.13.1~~ ~~The new paragraph (3)(a) of the Covering Notes provides that no action is required to make the “existing use of any land or building” conform to a statutory plan until there is a material change of use or the building is redeveloped; and the new paragraph (3)(c) provides that “existing use of any land or building” means -~~

- (i) before the publication in the Gazette of the notice of the first statutory plan covering the land or building (hereafter referred as ‘the first plan’),
 - a use in existence before the publication of the first plan which has continued since it came into existence; or
 - a use or a change of use approved under the Buildings Ordinance which relates to an existing building²; and
- (ii) after the publication of the first plan,
 - a use permitted under a plan which was effected during the effective period of that plan and has continued since it was effected; or
 - a use or a change of use approved under the Buildings Ordinance which relates to an existing building and permitted under a plan prevailing at the time when the use or change of use was approved.

43.2 The planning intention of these provisions is to allow a land owner, whose land or building may be affected by the imposition of a new land use zoning restriction, to continue the use of his land or building until there is a change of use or the building is redeveloped.

43.3 Generally speaking, the use of any land or building which was in existence at the time when a new statutory plan or a new land use zoning restriction affecting the land or building came into effect will be regarded as the “existing use” of the land or building. The “existing use” of the land or building will be allowed to continue whether or not the use conforms to the new statutory plan or the new land use zoning restriction. However, if the use was effected (i.e. came into existence) when a

¹ Under section 21A of the Town Planning Ordinance as amended in 2023, the Secretary for Development is empowered to designate areas within Outline Zoning Plans (OZPs) but previously not covered by DPA plans as regulated areas (RAs). Where an OZP involves RA, the Covering Notes of the OZP will comprise two parts, viz Part A and Part B to reflect the Board’s intention in the non-RA and RA areas respectively. The Board’s intention on “existing use” is not applicable to the RA portion.

² “Existing building” means a building, including a structure, which is physically existing and is in compliance with any relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.

statutory plan was in force, it must be a use permitted under that statutory plan before the existing use right can be claimed.

43.4 Furthermore, the Board recognized that Hong Kong is a fast changing place and it is not uncommon for the use of a premises to change from one use to another within the same broad use, for example, from retail shop to fast food shop, both within the range of ‘Shop and Services’ use. Therefore, the Board will allow a land owner to continue the use of his building not only for the actual use (e.g. shop use) in existence at the time when the new land use zoning restriction is imposed but also for the use(s) designated on the building plans or the Occupation Permit (OP) of the building approved/issued under the Buildings Ordinance (BO); or any subsequent change of use approved under section 25 of the BO, provided that such use should be a use permitted under the prevailing statutory plan, if any, when the building use was approved under the BO. It should be noted that such existing use right is only applicable to a use or a change of use approved under the BO which relates to an existing building. Uses shown on approved building plans for a proposed building are not regarded as existing uses.

43.5 The right to an existing use of land or building, i.e. “existing use right”, will be forfeited upon a change of use of the land, or a change of use of the building outside the scope approved under the BO, or when the building is redeveloped. Any change of use and any other development or redevelopment of the land or building should conform to the extant statutory plan. Nonetheless, the Board will allow the carrying out of minor alteration works including maintenance works to the building, provided that such works do not constitute a change of use or give rise to any planning implication. For example, the renovation of the external facade or alteration of the internal layout of a building without any change of use will be permitted and no planning permission is required.

3.4. Interpretation of “Existing Use”

54.1 The following are some examples to illustrate the Board’s approach to interpret “existing use” in some particular situations:

Use in existence/approved prior to the publication of the first statutory plan

45.1.1 Some uses of land or building were in existence before the publication of any statutory plan covering the concerned area. These uses may not conform to the statutory plan published for the area. To recognize the “existing use right” of a land owner, the Board will allow such non-conforming uses to continue until there is a change of use or a building is redeveloped. For example, a long-established school in a pure residential neighbourhood which is zoned

“Residential (Group C)” (“R(C)”) will be tolerated until the school building is put to some other uses or the building is redeveloped.

54.1.2 In addition, the Board will also allow a land owner to continue the use of his building as designated on the approved building plans/OP, or as approved under section 25 of the BO, until there is a change of such approved building use or the building is redeveloped. For example, a building approved under the BO for non-domestic use prior to the publication of the first statutory plan will be allowed to be used for such purpose even if the building falls within a “R(C)” zone on a statutory plan subsequently published.

Use in existence/approved during the effective period of a statutory plan

54.1.3 To keep abreast with the community's aspirations or requirements, the planning intention of a site may change as time goes by and that may necessitate amendments to the land use zoning restrictions, which are governed by established public ~~objection~~ **representation** procedures under the Town Planning Ordinance. A use permitted under a previous version of a statutory plan (including the first plan or any subsequent amendment plan) may become a use not permitted in a subsequent version of the statutory plan. In such circumstances, the Board will allow a land owner to continue the use of the land or building which was permitted under the previous statutory plan and effected/realised during the effective period of that plan, provided that the use is continued after it was effected (that is to say, there is no change of use since the use was effected).

54.1.4 Likewise, the Board will allow a land owner to use his building for a use approved under the BO, including a use approved under section 25 of the BO, as long as it conforms to the zoning restrictions on a statutory plan which applied at the time that the use was approved. In determining the "existing use right" of a land owner, the Board will take into account both the approved building use and the permitted uses under that plan. For example, if the approved building use of a premises previously zoned “Residential (Group A)” (“R(A)”) is non-domestic and the premises was subsequently rezoned to “R(C)” for pure domestic use, the Board will allow the land owner to use the premises only for those non-domestic uses which were permitted under the previous “R(A)” zone such as bank, shop and restaurant³². Non-domestic uses such as commercial bathhouse and massage establishment which fall outside the scope of uses permitted under the previous “R(A)” zone will not be allowed in the premises.

³ In determining the permitted uses of a particular zone, reference should be made to the Notes for the zone of the respective statutory plan.

54.2 The above examples only illustrate the Board’s approach to interpret “existing use” in some particular situations whereby such uses may be allowed to continue despite a change in the land use zoning restrictions. Other cases which are not illustrated by examples will be considered by the Board on their own facts.

54.3 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 claim.

~~4. Scope and Application~~

~~These Guidelines apply to those statutory plans which have incorporated the new paragraph (3) in the Covering Notes of the plans.~~

~~Any use which may be allowed in terms of the provisions of a plan must also conform to any other relevant legislation and to the conditions of the Government lease concerned.~~

~~4.~~

~~²In determining the permitted uses of a particular zone, reference should be made to the Notes for the zone of the respective statutory plan.~~

TOWN PLANNING BOARD
~~MAY 2004~~SEPTEMBER 2023

TPB PG-NO. 29BC

**TOWN PLANNING BOARD GUIDELINES ON
SUBMISSION AND PUBLICATION PROCESSING OF REPRESENTATIONS,
~~COMMENTS ON REPRESENTATIONS AND FURTHER REPRESENTATIONS~~
UNDER THE TOWN PLANNING ORDINANCE**

[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 (**by email: tpbpd@pland.gov.hk; by post:** 15th Floor, North Point Government Offices (NPGO), 333 Java Road, North Point, Hong Kong; **or by phone:**—Tel. No. 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:**)(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. Scope and Application

The purpose of this set of Guidelines is to set out the requirements and practices adopted by the Town Planning Board (the Board) regarding the submission and **publication processing** of representations, ~~comments on representations~~ and further representations in relation to the plan-making procedures under the Town Planning Ordinance (Cap. 131) (the Ordinance). The entire plan-making procedures are summarized in the flowchart attached at **Annex 1**.

2. An Overview of the Relevant Statutory Provisions

2.1 The plan-making process is set out in ~~sections 5 to 7 of the Ordinance~~. Under the process, any ~~new draft plan or amendment of plan~~ **(hereafter collectively referred to as “the Plan”)** ~~to draft/approved plan~~¹ will be exhibited **under section 5 or section 7 of the Ordinance** for public inspection for a period of 2 months. During the exhibition period, any person may make representation (whether in support or opposition to the ~~pPlan~~) to the Board in respect of the ~~new draft pPlan or amendment to draft/approved plan~~ (“the draft plan”). Such representation will be made available for public inspection as soon as reasonably practicable **during and** after the expiry of the 2-month period until the Chief Executive in Council (CE in C) has made a decision in respect of the ~~draft pPlan~~ **or part of the Plan to which the representation relates**.

~~2.2 During the first 3 weeks of the public inspection period of the representations, any person may make comment on the representations to the Board. Such comment will be made available for public inspection as soon as reasonably practicable~~

¹ ~~For amendment to draft/approved plan, any reference to “the draft plan” in s6(1) and s6(2)(a) is a reference to the amendment(s).~~

~~after the expiry of the 3 week period until the CE in C has made a decision in respect of the draft plan.~~

- 2.32 The Board² will then hold a meeting (“the hearing”) to hear and consider the representations ~~and comments~~ received in respect of the ~~draft p~~Plan. The person who made the representation (“the representer”) ~~and the person who made the comment on the representation (“the commenter”), including their authorized agent,~~ will be invited to attend the hearing.
- 2.43 After hearing the representations ~~and comments~~, the Board will decide whether to propose amendment(s) to the ~~draft p~~Plan to meet/partially meet the representation(s) in the manner proposed in the representation(s) or in other manner that the Board considers appropriate in meeting the representation(s) (thereafter “the proposed amendment(s)”).
- 2.54 If the Board decides to propose amendments to the ~~draft p~~Plan **to meet the representation(s), the proposed y-amendment(s)** will be made available for public inspection as soon as reasonably practicable until the CE in C has made a decision in respect of the ~~draft p~~Plan **or part of the Plan to which the proposed amendment(s) relates.** During the first 3 weeks of the public inspection period of the proposed amendment(s), any person ~~(other than the representers and commenters relating to the proposed amendment(s)) (further representer)~~ may make further representation (whether in support or opposition to the proposed amendment(s)) to the Board in respect of the proposed amendment(s). Such further representation will be made available for public inspection as soon as reasonably practicable **during and** after the expiry of the above 3-week period until the CE in C has made a decision in respect of the ~~draft p~~Plan **or part of the Plan to which the further representation relates.**
- 2.56 **There will be no hearing for the consideration of the further representations.** If there is no further representation received in respect of the proposed amendment(s) in question, the Board shall, as soon as reasonably practicable, amend the ~~draft p~~Plan by incorporating the proposed amendment(s). In the event that there are further representations but they are not opposing the proposed amendment(s), the Board shall hold a meeting to consider the further representations and to amend the ~~draft p~~Plan by the proposed amendment(s). **For further representations opposing the proposed amendment(s), administrative arrangement would be made such that the Secretariat of the Board will liaise with the relevant District Planning Office to check whether clarification and/or inquiries are needed. Where appropriate, comments on the further representations from government departments concerned and written responses from the further representers on the comments received from relevant government departments will be sought to facilitate the Board’s consideration of the further representations and decide whether to amend the plan in question either by the proposed amendments or by the proposed amendments as varied in such manner as considered appropriate by the Board.** ~~However, the relevant representers/commenters/further~~

² Under section 2A(1) of the Ordinance, the Board may appoint Representation Hearing Committees to consider representations, ~~comments~~ and further representations.

~~representers will not be invited to the meeting and be heard by the Board.~~

~~2.7 If there are opposing further representations, the Board will hold a meeting (“the further hearing”) to hear and consider the further representations. The relevant representers/commenters/further representers (including their authorized agents) will be invited to attend the further hearing.~~

~~2.8 Upon consideration of the further representation, the Board will decide whether to amend the draft plan, either by the proposed amendment(s) or in other manner that the Board considers appropriate. After the Board’s decision to amend the Plan by the proposed amendment(s) or its variation(s), the draft pPlan shall then be read as including the amendment(s) so decided by the Board, and such amendment(s) will be made available for public inspection as soon as reasonably practicable until the CE in C has made a decision in respect of the Plan or the relevant part of the Plan.~~

~~2.695~~ The ~~draft~~ **pPlan**, together with a schedule of the representations/~~comments~~/further representations (if any) made in respect of the ~~draft pPlan~~ as well as any amendment(s) made by the Board, ~~will~~ **must** be submitted to the CE in C for approval within ~~95~~ months after the expiry of the ~~last~~ plan exhibition period. **The statutory time limit may be extended, if appropriate, for a period of 2 months and, in exceptional circumstances, further two more periods of 2 months each by the Secretary for Development.**

3. Submission Requirements

3.1 All representations/~~comments~~/further representations ~~should~~ **must** be **submitted in writing and** forwarded to the “Secretary, Town Planning Board, 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong” by hand, post, fax (2877 0245 or 2522 8426) or e-mail (tpbpd@pland.gov.hk). Under the Ordinance, representations ~~and comments~~ shall be made in such manner as the Board requires. To facilitate processing of the submission, representers/~~commenters~~/further representers are required to provide the necessary information by filling in a submission form (Forms No. S6, ~~S6A~~ and S6D respectively). The forms are available at the Secretariat of the Board or the Planning Enquiry Counters of the Planning Department and can be downloaded from the Board’s website (<http://www.tpbinfo.gov.hk/tpb/>).

3.2 Any representation/~~comment~~/further representation must be made within the statutory time limit for submission. Representations/~~comments~~/further representations which are made after the expiration of their respective statutory time limits set out in paragraph 3.3 below shall be treated as not having been made. It is the duty of the representers/~~commenters~~/further representers to provide sufficient information when making the submission to the Board. Since a clear sequence of procedural requirements under the Ordinance (including publication of the representations/~~comments~~/further representations and submission of ~~draft pPlan~~ to the CE in C for approval) has to be followed within the statutory time frame, there is no provision under the Ordinance for submission of further information to supplement a representation/~~comment~~/further representation after

their respective statutory time limits.

3.3 The statutory time limits for lodging a representation/~~comment~~/further representation are as follows:

- (a) Representation – 2 months from publication of ~~new draft of the Plan or amendment to draft approved plan~~; and
- ~~(b) Comment – 3 weeks from publication of representation; and~~
- ~~(c)~~**(b)** Further representation – 3 weeks from publication of proposed amendment(s).

These statutory time limits will be stated in the relevant notices. Within the stipulated time limit, the representer/~~commenter~~/further representer may make a submission to the Board. The date of submission is taken as follows:

- (a) the receipt date for a submission sent by hand;
- (b) the date of postal chop for a submission sent by post; or
- (c) the receipt date of ~~transmission for~~ an on-line submission or a submission sent by fax/e-mail.

3.4 For the purpose of verifying the identity of the persons or representative(s) of authorized agents, organizations and concern groups making the representations/~~comments~~/further representations, **the** representers/~~commenters~~/further representers and their authorized agents are required to provide their full names as shown on the Hong Kong Identity (HKID) cards/passports³ and their HKID cards/passport numbers (only the first four alphanumeric characters are required) in the submissions. If the submission is made by an authorized agent, the original authorization letter signed by the representers/~~commenters~~/further representers should also be provided. For submission made by **company**/organisations/concern groups, their authorized representative is also required to provide his/her full name as shown on his/her HKID card/passport and HKID card/passport number (only the first four alphanumeric characters are required) in the submission. For submission made by individuals, or representative(s) of authorized agents, **companies**, organisations ~~and or~~ concern groups with no full name, incomplete and/or illegible names or no HKID card/passport number, the representation/~~comment~~/further representation concerned may be treated as not having been made⁴.

3.5 Representers/~~commenters~~/further representers who wish to exercise their rights under sections 6B ~~and 6F~~ of the Ordinance to attend and be heard at the

³ Full name is required to avoid double-counting of representations/~~comments~~/further representations who may be submitted by the same person using different names.

⁴ Under the Ordinance, representations/~~comments~~/further representations shall be made in such manner as the Board requires. Any representation/~~comment~~/further representation which does not comply with any of the requirements may be treated as not having been made.

representation hearing/~~further hearing~~ are required to provide correspondence addresses or e-mail addresses of themselves or their authorized agents in the submissions to facilitate **their** communication ~~between the representers/ commenters/ further representers or their authorized agents~~ with the Secretary to ~~of~~ the Board (Secy/Board)/government departments. Representers/~~commenters/ further representers~~ who did not provide correspondence addresses or e-mail addresses at the time of submission of their representations/~~comments/ further representations~~ will be taken to indicate that they will not exercise their rights under sections 6B and 6F of the Ordinance to attend and be heard at the representation hearing/~~further hearing~~⁵.

3.6 Similarly, further representers should provide correspondence addresses or e-mail addresses of themselves or their authorized agents in the submissions to facilitate their communication with the Secy/Board and government departments. Further representers who did not provide correspondence addresses or e-mail addresses at the time of submission of their further representations will be taken that they do not wish to receive any information/notifications from the Board, including comments of government departments on their further representations⁶.

3.76 The following information is essential for the Board to consider a representation/~~comment/~~further representation, hence should be included in the submission. Otherwise, the Board may refuse to process the representation/~~comment/~~further representation and treat it as not having been made:

Representation⁷:

- (a) the particular matter in the ~~draft p~~Plan to which the representation relates;
- (b) the nature of the representation (i.e. whether it is in support of, or in opposition to, the ~~draft p~~Plan);
- (c) the reasons for the representation; and
- (d) the amendment (if any) proposed to the ~~draft p~~Plan.

Comment⁸:

- ~~(e) the representation to which the comment relates; and~~
- ~~(f) details of the comment.~~

⁵ The Secretariat will not contact those representers/~~commenters/ further representers~~ who only provided phone and/or fax number in their submissions by phone/fax to make arrangement for their attendance at the meeting.

⁶ **The Secretariat will not contact those further representers who only provided phone and/or fax numbers in their submissions by phone/fax.**

⁷ See sections 6(2)(a) and 6(2)(b) of the Ordinance.

⁸ ~~See section 6A(2) of the Ordinance.~~

Further Representation⁹:

- (ge) the proposed amendment(s) to which the further representation relates;
- (fh) the nature of the further representation (i.e. whether it is in support of, or in opposition to, the proposed amendment(s));~~and~~
- (ig) the reasons for the further representation;-

3.8 If, in the opinion of the Board, representations/further representations include any reason concerning compensation or assistance relating to, or arising from resumption/acquisition/clearance/obtaining vacant possession of any land by the Government, the representations/further representations, to the extent that they are made for those reasons, may be treated as not having been made under sections 6(3A) and 6D(3B) of the Ordinance.

3.79 If any submission for representation/further representation contains more than 20 pages or any page larger than A4 sizesupporting information (e.g. colour and/or large size plans, planning studies and technical assessments) is included in the representations/comments/further representations, the representer/further representer is required to provide 4 hard copies and 1 soft copy¹⁰ of the submission and also his/her email address90 copies¹¹ of which shall are required to be provided to the Board for processing circulation and public inspection purposes. They can be written in either English or Chinese, and a summary in English for Chinese submission or vice versa should also be provided. If necessary, additional copies of the supporting information may be required by the Board. All supporting information should preferably use environmentally friendly materials for printing and binding, and printing should be made on both sides of the paper.

4. Publication Arrangement

4.1 During the 2 months when the Plan is exhibited for public inspection, the Board will publish a notice once a week in two daily Chinese and one daily English local newspapers, upload the notice on the Board's website and notify in each issue of the Gazette. The notice will specify the place and hours at which such plan may be inspected, and invite the public to make representation within the said period. For any proposed amendment(s) to meet representation(s) in respect of the Plan, similar publication

⁹ See sections 6D(2)(a) and 6D(2)(b) of the Ordinance.

¹⁰ The soft copy is required to be in form of plain text in an email or file(s) in searchable Portable Document Format (PDF) submitted to the Board by email or any other channel as directed by the Secretariat of the Board. The size of each PDF file should not exceed 200 MB and its name should start with the name of the representer/further representer followed by the nature of the document in the PDF file, with underscores used as separations between words. For example, if the name of the representer/further representer is "Chan Man" and the file is a Planning Statement, the name of the PDF file should be "Chan_Man_Planning_Statement".

¹¹ Or 40 hard copies and 50 soft copiesFor representers/further representers required to submit soft copies, they must provide email addresses for communication.

arrangements for newspaper and website notices will be made during the first 3 weeks when the proposed amendment(s) is made available for public inspection.

4.12 All representations/~~comments~~/further representations and the amendment(s) proposed/made by the Board in respect of the ~~draft p~~**Plan** will be made available for public inspection as soon as reasonably practicable **on the Board's website and** at the Planning Enquiry Counters of the Planning Department during normal office hours until the CE in C has made a decision in respect of the ~~draft p~~**Plan/the part of the Plan to which the concerned amendment relates**. All information (including full name, but excluding HKID card/passport number, correspondence address and telephone number/fax number/e-mail address) included in the representations/~~comments~~/further representations will be made available for public inspection.

~~4.2 During the 2 months when a draft plan is exhibited for public inspection, the Board will publish a notice once a week in two daily Chinese and one daily English local newspapers and notify in each issue of the Gazette. The notice will specify the place and hours at which such plan may be inspected, and invite the public to make representation within the 2-month period.~~

~~4.3 During the first 3 weeks when representations are available for public inspection, the Board will publish a notice once a week in two daily Chinese and one daily English local newspapers. The notice will set out the place and hours at which the representations are available for public inspection, and invite the public to make comment to the Board within a specified period (i.e. the first 3 weeks of the public inspection period). Similar publication arrangements will be made with respect to the proposed amendment(s) to meet the representations to inform the public that the proposed amendment(s) is available for public inspection and further representation may be made to the Board.~~

4.43 Apart from ~~publication in newspaper~~**the above**, nNotices will also be posted at the Secretariat of the Board, the Planning Enquiry Counters of the Planning Department, the relevant District Planning Office, local community centre, District Office, Rural Committee office (where appropriate) and the Board's website to inform the public the place and hours for inspecting **the draft p**~~Plan s/representations~~**and, if any, /proposed amendment(s).**

5. Arrangement of Hearings/~~Further Hearings~~

5.1 Normally, the ~~Secretary to the Secy~~**Secy/Board** will inform the representers/~~commenter/further representer~~ or ~~his/her~~**their** authorized agents who ~~haves~~ provided correspondence addresses or e-mail addresses the tentative date of hearing/~~further hearing~~ to be held by the Board about 4 weeks before the hearing/~~further hearing~~. To facilitate the hearing arrangement, ~~representers/comments/further representers or their authorized agents should confirm their attendance with the Secretariat of the Board by the deadline specified in the Secretary's letter~~ **they will be required to complete the form attached to the invitation letter/email and return it to the Secy/Board within**

10 calendar days from the date of the invitation to provide details of the attendance (including the accompanying person(s), if any), as well as all other information/documents as required in the letter/email and the form. The information, including the tentative hearing date and deadline to notify the Secretariat for joining the hearing, will also be promulgated in the Board's website.—

- 5.2** For those persons who have made representations, ~~comments and/or further representations~~ but have not provided correspondence addresses or e-mail addresses, they may contact the Secretariat before the deadline if they wish to attend the hearing/~~further hearing~~ and make oral submissions. Arrangement will be made for their attendance, subject to verification of their identity.
- 5.3** If a representer is not a natural person (e.g. company, organisation and concern group) and wishes to attend the hearing, the representer may authorize a natural person as its representative for the attendance. For a representer who is a natural person, he/she must attend in person. No authorization of representative to attend on behalf of the representer will be allowed unless prior consent is sought from the Board which will only be granted if the Board is satisfied that the representer is unable to attend the hearing because of exceptional circumstances. In this regard, if the representer is a natural person and wishes to appoint an authorized representative to attend the hearing, the representer is required submit the request for consents to authorization of representatives by completing the form attached to the invitation letter/email and returning it to the Secy/Board. The Board has delegated, under section 2(5)(c) of the Ordinance, its authority to the Secy/Board to consider requests for authorization and decide whether to grant such consent. The criteria for the exceptional circumstances and the procedures for seeking consent are set out in the Board's 'Guidance Notes on Attending the Meeting for Consideration of Representations under the Town Planning Ordinance' (the Guidance Notes) which is available on the Board's website and at the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department.
- 5.42** About 7 days before the hearing/~~further hearing~~, the relevant representers/~~commenters/further representers~~ or their authorized agents will be notified of the time as well as the arrangements of the hearing/~~further hearing~~ and the relevant Board paper will also be made available. **The Board will also notify representers whether their requests for consents to authorization of representatives are granted.**
- 5.35** As the Board has provided sufficient **prior** notice, if ~~the~~ **any** representers/~~commenter/further representer~~ **or their authorized representatives** fails to attend the hearing/~~further hearing~~, the Board may proceed with the hearing/~~further hearing~~ in their absence or, if considered appropriate, adjourn the hearing/~~further hearing~~ to another date.
- 5.46** The hearing/~~further hearing~~ will be held either collectively or individually, as considered appropriate by the Board.

~~5.5~~ ~~The logistics and arrangements of the hearing/further hearing are set out in the 'Guidance Notes on Attending the Meeting for Consideration of Representations, Comments and Further Representations under the Town Planning Ordinance' which is available at the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department or can be downloaded from the Board's website.~~

6. Consideration of Representation, ~~Comment~~ and Further Representation

6.1 Representations/~~comment~~/further representations should be related to the planning context being published for public inspection and submitted in accordance with the relevant provisions of the Ordinance. These submissions will be assessed by the Board on a case-by-case basis and only planning-related considerations will be taken into account. As a general guideline, the Board will primarily consider the following planning issues in considering the representations/~~comment~~ and further representations:-

- (a) the nature (e.g. views in support, against or expressing general concern) of the representations/~~comment~~ and further representations;
- (b) the planning intention, land-use compatibility and impacts (e.g. effects on environment, ecology, traffic, infrastructure, landscape, visual, air ventilation and the local community etc.); and
- (c) other considerations that the Board considers appropriate.

6.2 As indicated in paragraph 3.8 above, any part of representations/further representations concerning compensation or assistance matters may be treated as not having been made.

7. Notification of the Board's Decision

7.1 After confirmation of the minutes of the Board's deliberation, the ~~Secretary to the Secy~~/Board will notify the representers/~~commenters~~/further representers of the Board's decision in writing. The confirmed minutes will also be available at the Board's website.

7.2 ~~p~~After the Board has made a decision, a representer/~~commenter~~/further representer may seek verbal advice on the Board's decision from the ~~Secretary to the Secy~~/Board. A Gist of Decision will also be uploaded to the Board's website shortly after the meeting on the same day.

7.3 Pending formal notification, request for an interim reply on the Board's decision could be made to the ~~Secretary to the Secy~~/Board in writing. The interim reply shall not be treated as a formal notification of the decision of the Board, which will only be issued after confirmation of minutes.

- 7.4 The above notification arrangement does not apply to the Board's decision on Development Scheme Plan (DSP) submitted under the Urban Renewal Authority Ordinance (Cap. 563) (URAO) and representations/~~comments~~/further representations on such DSP submitted under the Ordinance.

8. Notification of the Board's Decision on DSP

- 8.1 The Board's decision on the DSP will be kept confidential for 3 to 4 weeks after the meeting at which the DSP is considered under the provisions of the URAO and will be released when the DSP is published under section 5 of the Ordinance. The same practice also applies to amendment to the DSP made by the Board under section 7 of the Ordinance.
- 8.2 Upon hearing of representations-~~and comments~~ under the Ordinance, the Board's decision will be kept confidential for-~~three~~ **3** to 4 weeks after the meeting concerned and will be released when the proposed amendment(s), if any, to the DSP to meet such representation(s) is published for public inspection under section 6C(1) of the Ordinance. The same practice is also applicable to the Board's decision upon ~~hearing~~ **consideration** of further representations.
- 8.3 Before the Board's decision is released, the gist of decision and the confirmed minutes in respect of the DSP will not be uploaded to the Board's website. Neither will verbal advice nor interim replies to written questions about the Board's decision be given. The representers/~~commenters~~/further representers will only be informed of the Board's decision-~~three~~ **3** to 4 weeks after the meeting concerned once the proposed amendment(s), if any, is published for public inspection.
- 8.4 For DSP with no amendment after the Board's consideration, the Board's decision will also be released-~~three~~ **3** to 4 weeks after the meeting concerned.

9. Important Points to Note

- 9.1 This set of Guidelines is intended to provide general guidance on the submission and ~~publication~~ **processing** of representations, ~~comments on representations~~ and further representations under the Ordinance. It is not meant in any way to restrict the contents of each representation/~~comment~~/further representation, nor to restrict the right of the Board to require further information.
- 9.2 The representations/~~comments~~/further representations submitted to the Board and the Board's decision on the representations/~~comments~~/further representations will be disclosed to the public. The public may make photocopies of the representations/~~comments~~/further representations which are made available for public inspection upon payment of a fee. Apart from the full names of the representers/~~commenters~~/further representers and their authorized agents, no other personal data provided in the submission (including their HKID card/passport number, correspondence address, e-mail address, telephone number and fax number) will be displayed for public inspection.

10. Statement of Collection of Personal Data

10.1 The personal data submitted to the Board will be used by the ~~Secretary to the Secy~~/Board and government departments for the following purposes:

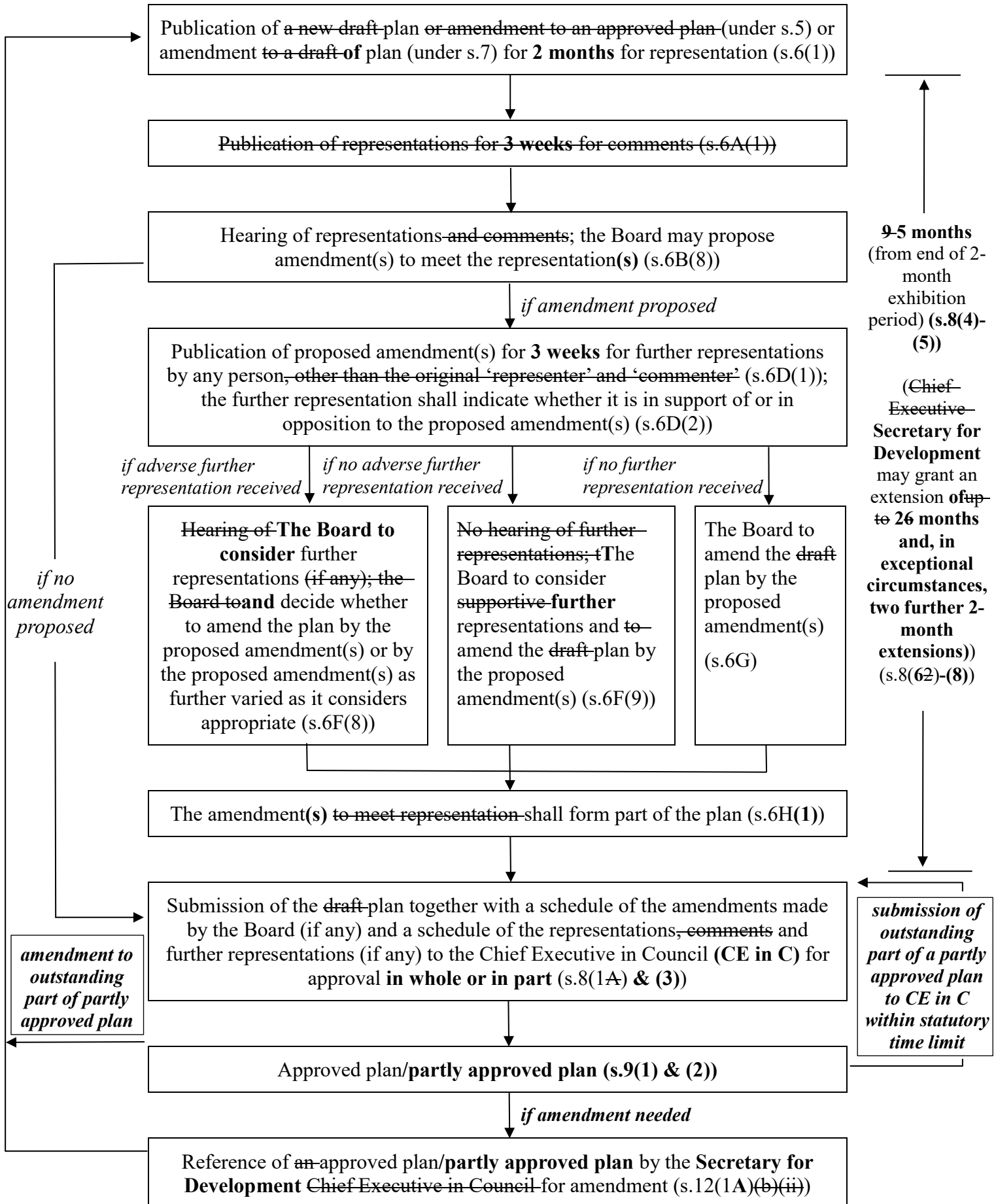
- (a) the processing of the relevant representations,~~comments~~ and further representations which includes making available the full names of the representers/~~commenters~~/further representers for public inspection when making available the relevant representations/~~comments~~/further representations for public inspection;
- (b) facilitating communication between the representers/~~commenters~~/further representers and the ~~Secretary to the Secy~~/Board/government departments; and
- (c) verification of identity of the representers/~~commenters~~/further representers and their authorized agents/**representatives** for attendance at the ~~representation hearing/further hearing~~

in accordance with the provisions of the Ordinance and the relevant Town Planning Board Guidelines.

10.2 The personal data provided by the representers/~~commenters~~/further representers and their authorized agents/**representatives** may also be disclosed to other persons for the purposes mentioned in paragraph 10.1 above.

10.3 A representer/~~commenter~~/further representer and his/her authorized agent/**representative** have a right of access and correction with respect to their personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the ~~Secretary to the Secy~~/Board.

The Plan-Making Process



TPB PG-NO. 30CB

**TOWN PLANNING BOARD GUIDELINES ON
PUBLICATION OF APPLICATIONS FOR ~~AMENDMENT OF PLAN,~~
PLANNING PERMISSION AND REVIEW AND
SUBMISSION OF COMMENTS ON ~~VARIOUS APPLICATIONS~~
UNDER THE TOWN PLANNING ORDINANCE**

[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 (**by email: tpbpd@pland.gov.hk; by post: 15th Floor, North Point Government Offices (NPGO), 333 Java Road, North Point, Hong Kong; or by phone: Tel. No. 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: 17th Floor, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin**).

The Guidelines are subject to revision without prior notice.]

1. Scope and Application

The purpose of this set of Guidelines is to set out the general practices adopted by the Town Planning Board (the Board) regarding the publication of applications for ~~amendment of plan,~~ planning permission and review and submission of comments on ~~various~~ **the** applications under the Town Planning Ordinance (the Ordinance).

2. Publication of ~~Various~~ Applications

2.1 The Ordinance provides statutory mechanism for ~~submitting~~ **making** the following applications **available for public inspection to the Board**:

~~(a) application for amendment of plan made under section 12A of the Ordinance;~~

~~(b)~~**(a)** application for planning permission made under section 16 of the Ordinance;
and

~~(c)~~**(b)** application for review of the Board's decision on a section 16 application made under section 17 of the Ordinance.

2.2 ~~An application for amendment of plan under section 12A and~~ planning application under section 16 of the Ordinance shall be made by filling in an application form or an electronic application form (e-form) to be submitted via electronic submission system (e-submission) via the Board's website. The application form is available at the Secretariat of the Board or Planning Enquiry Counters of Planning Department

and can be downloaded from the Board's website (<http://www.infotpb.gov.hk/tpb/>). As for e-submission, relevant e-forms are available at the Board's website.

- 2.3 All information (including name, but excluding correspondence address, and telephone number/fax number/e-mail address) included in the applications **(including the application form, plans/drawings and supplementary information (SI) such as planning statements and reports on technical assessments)** will be made available for public inspection as soon as reasonably practicable after the applications are made until the Board or its Committee has made a decision on them.
- 2.4 The Board will publish a notice once a week in two daily Chinese and one daily English local newspapers **and on the Board's website** (newspaper/website notice) during the first 3 weeks of the public inspection period or cause a notice (site notice) to be posted in a prominent position on or near the application site at the beginning of the public inspection period.
- 2.5 The newspaper/**website** notice will specify:
 - (a) the place and hours at which the application is available for public inspection (i.e. during normal office hours at the Planning Enquiry Counters of the Planning Department);
 - (b) that any person may make comment to the Board in respect of the application and the time limit for submitting the comment (i.e. within the first 3 weeks of the public inspection period); and
 - (c) the place and hours at which such comment will be available for public inspection (i.e. as soon as reasonably practicable after the expiration of the first 3 weeks of public inspection period).
- 2.6 Generally speaking, as a matter of practice, a newspaper/**website** notice will always be published. In so far as the local circumstances permit, a site notice will be posted unless the application involves a large area or many buildings, the application site is remote and inaccessible by the public, ~~the application is not site specific~~, or the posting of notice is refused by the owner or management office of the application site.
- 2.7 Depending on the circumstances of individual applications, the following practice will be adopted in posting site notices:
 - (a) for applications involving a change of use of the application premises (e.g.

showroom or “shop and services” in an industrial building or kindergarten in an existing building), a site notice of about A2 size (i.e. 16 inches x 23 inches or 420mm x 594mm) will be posted at or near the application premises, preferably on the notice board at the entrance/lobby of the building concerned;

- (b) for applications for development on open land (e.g. open storage or comprehensive development on a vacant site ~~or proposed rezoning of a piece of agricultural land~~), a site notice of about A1 size (i.e. 23 inches x 32 inches or 594mm x 841mm) will be posted at or near the application site;
- (c) for applications of territorial or major local significance, a notice (about 33 inches x 60 inches or 867mm x 1577mm) may also be mounted to a roadside railing in the locality of the application site; and
- (d) other measures as considered appropriate by the Board.

2.8 In addition, as an administrative measure, a notice informing the public about the availability of the application for public inspection will also be:

- ~~(a) — uploaded to the Board’s website until the Board or its Committee has decided on the application in question;~~
- ~~(b)~~(a) posted at the Secretariat of the Board, the Planning Enquiry Counters of the Planning Department, the relevant District Planning Office, local community centre, District Office (DO) and Rural Committee office (where appropriate) during the first 3 weeks of the public inspection period; and
- ~~(c)~~(b) sent to the Owners’ Corporation(s) or other committee(s) of the buildings within 100 feet (around 30m) from the boundary of the application site at the beginning of the public inspection period.

3. Further Information on Applications

Further information to 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 before the application is considered by the Board or its Committee.~~ If the further information does not result in a material change in the nature of the application and is accepted by the Board or its Secretary, it will be made available for public inspection until the Board or its Committee has decided on the application. The availability of the further information for public inspection will also be notified in a like manner as the application. If the further information does not affect the substance of the application, the Board or its Secretary may exempt it from the requirement of publication for public comments. For details on the determination of acceptance of further information and exemption of it from the requirement of publication for public comments, reference shall be made to the Town Planning Board Guidelines on Submission of Further Information in relation to Applications for Amendment of Plan, Planning Permission and Review of Application made under the Ordinance.

4. Submission of Comments on ~~Various~~ Applications

- 4.1 Any comment shall be made in writing (preferably in both English and Chinese, or at least a summary in English for Chinese submission or vice versa should be provided). It shall be forwarded to the “Secretary, Town Planning Board, 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong” by hand, post, fax (2877 0245 or 2522 8426) or e-mail (tpbpd@pland.gov.hk).
- 4.2 The statutory time limits for making comment on ~~various~~ applications (i.e., ~~application for amendment of plan under section 12A,~~ application for permission under section 16 and application for review under section 17) are the same, namely, within the first three weeks when the application is available for public inspection. The time limit will be stated in the relevant notice.
- 4.3 Any comment must be made within the statutory time limit for submission. Comments which are made after the expiration of the statutory time limits shall be treated as not having been made. The date of submission stated in the notice is taken as follows:
 - (a) the receipt date for a submission sent by hand;
 - (b) the date of postal chop for a submission sent by post; or
 - (c) the receipt date of ~~transmission for~~ **an online submission or** a submission sent by fax/e-mail.
- 4.4 In order to facilitate communication with the Secretary of the Board (Secy/Board) and relevant Government departments for the purpose of processing the applications,

commenters are advised to provide their particulars (including name, correspondence address, and telephone number/fax number/e-mail address) in the submission.

- 4.5 The following information is considered essential for the Board to consider a comment, hence should be included in the submission. Otherwise, the Board may refuse to process the comment and treat it as invalid:

- (a) the particular matter in the application to which the comment relates; and
- (b) details of the comment **(including views on the particular matter)**.

- 4.6 The comment (including name, but excluding correspondence address, and telephone number/fax number/e-mail address) will be made available for public inspection during normal office hours at the Planning Enquiry Counters of the Planning Department until the Board or its Committee has decided on the application. ~~A notice informing the public of the availability of the comments for public inspection will be uploaded to the Board's website.~~ Information including the tentative meeting date and the other arrangements concerning the consideration and release of decision on the application is ~~also~~**made** available on the Board's website.

- 4.7 Public comments should be related to the planning context of the application and submitted in accordance with the relevant provisions of the Ordinance. These public comments will be assessed by the Board on a case-by-case basis and only planning-related considerations will be taken into account. As a general guideline, the Board will primarily consider the following planning issues in considering the public comments on the application: -

- (a) the nature (e.g. views in support, against or expressing general concern) of the public comment;
- (b) the planning intention, land-use compatibility and impacts (e.g. effects on environment, ecology, traffic, infrastructure, landscape, visual and the local community etc.);
- (c) comments specific to the proposed scheme; and
- (d) other considerations that the Board considers appropriate.

5. Notification of the Board's Decision

- 5.1 After the Board or its Committee has decided on the application, the Secy/Board will notify the applicant of the decision in writing after confirmation of the minutes (normally 2 weeks after the meeting).
- 5.2 After the meeting, the applicant and the commenter may seek verbal advice on the decision on the application or make reference to the Gist of Decision which is available on the Board's website shortly after the meeting on the same day.
- 5.3 Pending formal notification, request from the applicant for an interim reply on the decision on the application could be made to the Secy/Board in writing. The interim reply should not be treated as a formal notification of the decision of the Board or its Committee, which will only be issued after confirmation of minutes. The date of decision of the Board or its Committee on an application is the date of its meeting, but the time limit for lodging a review and appeal under section 17 and 17B respectively starts from the date of notification of the Committee or the Board's decision.

6. Important Points to Note

- 6.1 This set of Guidelines only provides general guidance on the publication of applications for ~~amendment of plan~~, planning permission and review and submission of comments on the ~~various~~ applications under the Ordinance. It is not meant in any way to restrict the contents of any application or comment made, nor to restrict the right of the Board to require further information.
- 6.2 The information submitted to the Board, except those as mentioned in paragraph 2.3 above, and the decision of the Board or its Committee on the applications would be disclosed to the public. The public may **view the application materials from the Board's website or make photocopies of these submissions** ~~—planning applications and the comments which are made available for public inspection at the Planning Enquiry Counters of the Planning Department~~ upon payment of a fee as the Board determines.

7. Statement of Collection of Personal Data

- 7.1 The personal data submitted to the Board in the application or comment will be used by the Secy/Board and Government departments for the following purposes:
 - (a) the processing of the relevant application and comment which includes making available the name of the applicant/commenter for public inspection when making available the relevant application and comment for public

inspection; and

- (b) facilitating communication between the applicant/commenter and the Secy/Board **and** Government Departments

in accordance with the provisions of the Ordinance and the relevant Town Planning Board Guidelines.

- 7.2 The personal data provided by the applicant/commenter may also be disclosed to other persons for the purposes mentioned in paragraph 7.1 above.
- 7.3 The applicant/commenter has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secy/Board.

TOWN PLANNING BOARD
~~DECEMBER-SEPTEMBER 2023~~15

TPB PG-NO. 31BA

**TOWN PLANNING BOARD GUIDELINES ON SATISFYING
THE ‘OWNER’S CONSENT/NOTIFICATION’ REQUIREMENTS
UNDER SECTIONS 12A AND 16 OF THE TOWN PLANNING ORDINANCE**

[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 (**by email: tpbpd@pland.gov.hk; by post:** 15th Floor, North Point Government Offices (NPGO), 333 Java Road, North Point, Hong Kong; **or by phone:** ~~Tel. No.~~ 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:** ~~17th Floor, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin-).~~

The Guidelines are subject to revision without prior notice.]

1. Introduction

1.1 In submitting an application for amendment of a ~~draft or approved~~ plan under section 12A or planning permission under section 16 of the Town Planning Ordinance (the Ordinance), the applicant must **comply with the requirement under section 12A(3)(a) or 16(2)(a) of the Ordinance by:**

- (a) **obtaining** the consent of or **notifying** each and every ‘current land owner’ of the application site in writing if he is not the ‘current land owner’ or the sole ‘current land owner’ (hereinafter referred to as the ‘owner’s consent’ and ‘owner’s notification’ requirements respectively); or
- (b) **demonstrating** that reasonable steps have been taken to obtain/give the necessary owner’s consent/notification (hereinafter referred to as the ‘reasonable steps’ requirements).

For a section 12A application, besides the above requirements, the applicant must be an eligible person¹ as defined under section 12A(25) of the Ordinance and provide the necessary documentary proof².

¹ The applicant of a section 12A application must be (a) a person whose name is registered in the Land Registry as that of the sole owner or one of the owners of any non-Government land within the application site; (b) a person who has obtained written consent to the application from at least one owner as defined in (a); (c) a person who has obtained written consent to the application from the Director of Lands in relation to any Government land within the application site; (d) a public officer; or (e) a public body as defined by section 2 of the Prevention of Bribery Ordinance (Cap. 201).

² Please refer to the Guidance Notes on Application for Amendment of Plan under Section 12A of the Town Planning Ordinance (Cap. 131) promulgated by the Town Planning Board.

- 1.2 The Town Planning Board (the Board) may refuse to process the concerned application if the applicant fails to satisfy the ‘owner’s consent’, ‘owner’s notification’ and/or ‘reasonable steps’ requirements (hereinafter collectively referred to as the ‘owner’s consent/notification’ requirements) in such form or include such particulars as the Board requires.
- 1.3 These Guidelines provide guidance on the interpretation of ‘current land owner’ as set out in **sections 12A(25) and 16(8)** ~~the relevant provisions~~ of the Ordinance; the documents required to be submitted together with the application to demonstrate the ownership of the application site; and the manner in which the applicant would be considered by the Board to have satisfied the ‘owner’s consent’, ‘owner’s notification’ and/or ‘reasonable steps’ requirements.

2. Interpretation of ‘Current Land Owner’

- 2.1 ‘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 the commencement of such period before the application is made as is specified by the Board by notice published in the Gazette³. According to the Gazette Notice published on 15 April 2005, ‘such period’ is taken as ‘6 weeks’ before the application is made. In satisfying this requirement, more updated record of owner registered in the Land Registry will also be accepted.
- 2.2 It should be noted that ‘land’ includes any premises constructed thereon. Where the boundary of the application site transverses part of any lot/premises, the ‘current land owner’ in respect ~~to~~ **of** such lot/premises should also be included. Also, where any related lot/premises is/are owned by more than one person according to the records at the Land Registry (LR records), each and every such person should be regarded as ‘current land owner’.

3. Documentary Proof of Ownership Status

- 3.1 It is the responsibility of the applicant to comply with the ‘owner’s consent/notification’ requirements. The applicant is required to sign a declaration in

³ **For the purpose of meeting the owner’s consent/notification requirements, the** ~~The~~ definition of ‘current land owner’ does not include the HKSAR Government even though Government land may be included in the application site.

the application form that he has satisfied the ‘owner’s consent/notification’ requirements. The Secretariat of the Board will carry out random check on the submission to ensure that the applicant has fully complied with the requirements. In case of doubt, the Board may require the applicant to verify any information included in the application. In such circumstances, the applicant may be required to provide proof of ownership by supplying a copy of the LR records or by any other means such as statutory declarations.

- 3.2 If the applicant is not the sole ‘current land owner’ of the application site, he is also required to complete the relevant part of the application form on satisfying the ‘owner’s consent/notification’ requirement for section 12A or section 16 application and provide all the required documents.

4. The ‘Owner’s Consent’ Requirements

If the applicant has obtained the consent of any ‘current land owner’ to make a particular application, such information including the number of ‘owner’s consent’ obtained should be included in the relevant part of the application form. He is also required to provide copies of the completed statement of consent signed by the concerned ‘current land owner’. If the ‘current land owner’ is an individual, the statement of consent should state the Hong Kong Identity Card/Passport Number of that person. If it is a corporate entity, the statement of consent should bear the company seal and should be accompanied by a resolution of the board of directors. A sample format of statement of consent for reference by the applicant is shown in **Annex 1**.

5. The ‘Owner’s Notification’ Requirements

- 5.1 If the applicant has notified any ‘current land owner’ of the application, such information including the number of ‘owner’s notification’ given should be included in the relevant part of the application form.
- 5.2 An ‘owner’s notification’ should be in the form of a written notification of the application. Such notification may be sent by registered mail or local recorded delivery mail (e.g. courier service) to the name of individual ‘current land owner’ as appeared in the LR records. The mail may be sent to the postal address of the ‘current land owner’ registered on the LR records (or the company’s office address registered in the Companies Registry if the ‘current land owner’ is a corporate entity), or to the

relevant postal address⁴ of the land/premises under application. A sample format of the notice for reference by the applicant is shown in **Annex 2**. A full set of the record of ‘owner’s notification’ given (e.g. records of registered mail or local recorded delivery mail) should be submitted together with the application.

6. The ‘Reasonable Steps’ Requirement

- 6.1 Apart from obtaining owner’s consent or making notification, an applicant may demonstrate that reasonable steps have been taken to such effect before the application is made to the Board. To facilitate easy checking, the applicant is required to complete the relevant part of the application form. A full set of the relevant documents showing the steps taken should be submitted together with the application.
- 6.2 Subject to paragraph 6.3 below, the applicant is required to take the following steps to obtain owner’s consent or give notification to the ‘current land owner’:
- (a) sending a request for consent to the postal address of each and every ‘current land owner’. Relevant evidence (e.g. records of registered mail or local recorded delivery mail) should be submitted together with the application; or
 - (b) (i) publishing a notice of the application once in two Chinese and one English local newspapers. The newspaper notice should be in the size of not smaller than 30 square centimetres (five square inches). A sample format of the newspaper notice is shown in **Annex 3**. The newspaper notice should be published in the local newspapers specified by the Board. Details can be obtained from the Secretariat of the Board or viewed at the Board’s website; and
 - (ii) either posting a notice(s) of the application in a prominent position on or near the application site/application premises. **Any notices posted before 1.9.2023, The notice should be at least A4 size and legible from a public place. Notices posted on or after 1.9.2023 should comply with the requirements set out in Annex 4. A sample format of the notice** is shown in **Annex 45**); or

⁴ Sending written notification to non-postal address, such as to a lot address is not normally accepted unless successful delivery is proved by advice of receipt.

sending a notice to the postal address of Owners' Corporation(s), Owners' Committee(s), ~~Mutual Aid Committee(s)~~ or management office(s), where applicable, of the building(s) erected on the application site or in which the application premises is located or, where appropriate, to the relevant Rural Committee. Relevant evidence (e.g. records of registered mail or local recorded delivery mail) should be submitted together with the application. A sample format of the notice is shown in **Annex 54**.

- 6.3 Other than the steps set out in paragraph 6.2 above, the applicant may demonstrate to the satisfaction of the Board that he/she has fulfilled the 'reasonable steps' requirement. The Board will take into account the particulars provided in the application and determine whether such other steps taken by the applicant are acceptable on a case-by-case basis.
- 6.4 In satisfying the requirements in paragraph 6.2 above, the applicants of the following three types of applications are exempted from the requirement of publishing newspaper notice, but they are required to undertake both steps set out in paragraph 6.2(b)(ii) above in order to fulfill the 'reasonable steps' requirements:
- (a) change of use of premises within existing buildings;
 - (b) temporary uses with an application site area less than 1 hectare; and
 - (c) New Territories Exempted House/Small House developments.
- 6.5 Generally speaking, the applicant may consider resorting to fulfill the 'reasonable steps' requirements under the following circumstances⁵ :
- (a) where the applicant is unable to contact the 'current land owner' due to the absence/inadequacy of the relevant information, e.g. absence of or incomplete postal address of the 'current land owner' in the LR records, or
 - (b) where the number of 'current land owners' involved in the application is large (~~i.e.~~ **e.g.** above 50), and obtaining individual owner's consent and/or notifying each and every owner becomes too onerous.

⁵ The circumstances in this paragraph are provided as examples under which the applicant would consider resorting to fulfill the 'reasonable steps' requirement. These circumstances are not pre-requisites for the 'reasonable steps' requirement.

7. Validity Period of Owner's Consent/Notification

The Ordinance stipulates that the applicant shall comply with the 'owner's consent/notification' requirements within a reasonable period before the application is made. What constitutes 'reasonable period' will depend on individual circumstances of each case taking into account the justification to be provided by the applicant. In general, one year before the application will be taken as the reasonable validity period of the owner's consent/notification, provided that such owner remains the 'current land owner'. Beyond the reasonable period, the applicant may be required to obtain the consent of or notify the 'current land owner' or satisfy the 'reasonable steps' requirement afresh.

8. Important Points to Note

- 8.1 The above guidelines are for general reference only. In deciding whether the applicant has satisfied the 'owner's consent', 'owner's notification' and/or 'reasonable steps' requirements, the Board will take into account individual circumstances of each case.
- 8.2 The Secretariat of the Board will carry out random check on the submission to ensure the applicant has fully complied with the 'owner's consent/notification' requirements. The Board may also require the applicant to verify any matter or particulars set out or included in the application, whether 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 willfully 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.

9. Guidance Notes

Before making the application, the applicant is also encouraged to make reference to the Guidance Notes for Application for Permission under Section 16 of the Town Planning Ordinance (Cap. 131) or Guidance Notes for Application for Amendment of Plan under Section 12A of the Town Planning Ordinance (Cap. 131), where applicable.

Annex 1

SAMPLE FOR REFERENCE ONLY

Sample statement of consent of 'Current Land Owner'

**Application for Amendment of Plan under Section 12A/
Permission under Section 16* of the Town Planning Ordinance (Chapter 131)**

Consent of Land Owner

Full address/Location of the application site	
Nature of proposal under application	<i>(the subject of amendment should be indicated for a section 12A application, while the proposed use/development and major development parameters such as site area and the proposed plot ratio/gross floor area/site coverage/building height etc. should be indicated for a section 16 application)</i>

I hereby declare that:

(i) according to the record of the Land Registry, I am the registered owner of –

☐ Lot(s) No.
..... in Demarcation District

☐ the premises located at
.....

(ii) I have given consent to the applicant, ... (name of the applicant)....., to make the above application which involves the lot(s)/premises owned by me as specified in paragraph (i) above.

Signature Registered Owner[#]
.....

Name in Block Letter

Identity Document/Certificate of Incorporation No.*
Date

If the registered owner is a 'limited company', the signature should include the company seal and authorized signature. A resolution of the board of directors should also be included.

☐ tick as appropriate

* delete where appropriate

This sample can be downloaded from the TPB's website (<http://www.info.gov.hk/tpb/>).

SAMPLE FOR REFERENCE ONLY

Sample notice to be sent to the 'Current Land Owner' of the application site

**NOTICE OF APPLICATION FOR
AMENDMENT OF PLAN/PLANNING APPLICATION***

Notice is hereby given to *(name of the 'Current Land Owner')* of *(address of the 'Current Land Owner'/address of the relevant lot/premises*)* that I/we* intend(s)* to apply for amendment of plan/planning permission* under section 12A/16* of the Town Planning Ordinance for *(nature of the proposal – the subject of amendment should be indicated for a section 12A application, while the proposed use/development and major development parameters such as site area and the proposed plot ratio/gross floor area/site coverage/building height etc. should be indicated for a section 16 application)* at *(address of the application site)* owned by you. Please forward this notice to the relevant owner if you are not the owner of the aforementioned application site.

(Name of the applicant)

(Date of notification)

** delete where appropriate*

SAMPLE FOR REFERENCE ONLY

Sample notice for publishing on newspaper ~~or posting on application site.~~

**NOTICE OF APPLICATION FOR
AMENDMENT OF PLAN/PLANNING APPLICATION***

Notice is hereby given to the owner(s) of *(location of the application site i.e. address of the relevant lot/premises)* that I/we* intend(s)* to apply for amendment of plan/planning permission* under section 12A/16* of the Town Planning Ordinance for *(nature of the proposal – the subject of amendment should be indicated for a section 12A application, while the proposed use/development and major development parameters such as site area and the proposed plot ratio/gross floor area/site coverage/building height etc. should be indicated for a section 16 application).*

(Name of the applicant)

(Date of notification)

** delete where appropriate*

REQUIREMENTS FOR POSTING BY THE APPLICANT IN RESPECT OF 'REASONABLE STEPS' REQUIREMENT

1. Introduction

- 1.1** Notice should be posted in a prominent position on or near the application site/application premises and legible from a public place. Depending on the circumstances of individual applications, the following practices should be adopted:

Application Site/Premises	Possible Location	Minimum No. of Notices		Minimum Size of Notice
Application Site	- major ingress/egress - major road access - bus terminus/stops - nearby notice board - main gathering points of local residents	site area < 5 ha	3	A3 size (11.7 inches x 16.5 inches or 297mm x 420mm)
		site area: 5-10 ha	5	
		site area > 10 ha	10	
Application Premises	- notice board - lift lobby - main entrance	1		A4 size (8.3 inches x 11.7 inches or 210mm x 297mm)

- 1.2** If there are problems to post notice at the possible locations listed in the above table, the applicant may choose other conspicuous locations with justifications provided.
- 1.3** For application site/application premises involving a large coverage of area, a number of buildings or major ingresses/egresses, additional site notices may be required according to the circumstances of the application site/application premises.

- 1.4 The notice should be posted for at least two weeks before the application is submitted to the Town Planning Board (the Board). If the notice is obliterated, defaced, destroyed or removed during the two-week period, the applicant should replace the notice as appropriate.
- 1.5 The applicant should be responsible for matters in relation to the posting of notice.

2. Information to be Included in the Notice

2.1 The following information should be included in the notice:

- (a) location of the application site/application premises, i.e. address of the relevant lot/premises;
- (b) a plan showing the boundary of the application site or location of the application premises;
- (c) nature of the application: amendment of plan/planning permission under section 12A/16 of the Town Planning Ordinance;
- (d) nature of the proposal: the subject of amendment should be indicated for a section 12A application while the proposed use/development and major development parameters such as site area and the proposed plot ratio/gross floor area/site coverage/building height etc. should be indicated for a section 16 application;
- (e) the time period (the starting and ending dates) of posting the notices; and
- (f) name of the applicant.

2.2 Sample notices are provided at Annex 5 for reference.

3. Documents to be Submitted

- 3.1 The following documents showing that the notice(s) is/are posted in compliance with the abovementioned requirements should be submitted together with the application to the Board:

- (a) The notice(s);**
- (b) a plan indicating the locations of the notice(s) posted;**
- (c) photo(s) taken for each notice posted on site indicating the context of the location and the condition of the object/facility on which the notice(s) is/are posted; and a proof of the date of posting the notice(s), such as the inclusion of a newspaper clipping of the relevant day in the photo. To demonstrate that the notice(s) has/have been posted on the specified locations during the two-week period, three sets of such photos should be provided for the following dates:**
 - (i) the first day of posting notice(s);**
 - (ii) the date in the middle of the notice posting period (i.e. between the sixth and the eighth day); and**
 - (iii) the last day of posting notice(s) (i.e. the fourteenth day).**

SAMPLE FOR REFERENCE ONLY

*Sample notice for posting on **application** site ~~or sending to Owners' Corporation(s)/Owners' Committee(s)/Mutual Aid Committee(s)/management office(s)/Rural Committee(s).~~*

**NOTICE OF APPLICATION FOR
AMENDMENT OF PLAN/PLANNING APPLICATION***



Notice is hereby given to the owner(s) of (location of the application site i.e. address of the relevant lot/premises) that I/we* intend(s)* to apply for amendment of plan/planning permission* under section 12A/16* of the Town Planning Ordinance for (nature of the proposal – the subject of amendment should be indicated for a section 12A application, while the proposed use/development and major development parameters such as site area and the proposed plot ratio/gross floor area/site coverage/building height etc. should be indicated for a section 16 application).

Please post this notice on the notice board of your building/office*, or other conspicuous place as you think fit, to inform the owners about this application.[#] **This notice will be posted from (the 1st day of posting notice) to (the 14th day of posting notice).**

(Date of notification)

(Name of the applicant)

* *delete where appropriate*

~~not applicable for notice to be posted on site by the applicant~~

~~This sample notice can be downloaded from the TPB's website (<http://www.info.gov.hk/tpb/>).~~

SAMPLE FOR REFERENCE ONLY

Sample notice for sending to application premises/Owners' Corporation(s)/Owners' Committee(s)/ management office(s)/Rural Committee(s).

Please ask relevant committee/office to post this notice on the notice board of their building/office, or other conspicuous locations as they think fit to inform the owners of this application.

NOTICE OF APPLICATION FOR AMENDMENT OF PLAN/PLANNING APPLICATION*



Notice is hereby given to the owner(s) of (location of the application site i.e. address of the relevant lot/premises) that I/we* intend(s)* to apply for amendment of plan/planning permission* under section 12A/16* of the Town Planning Ordinance for (nature of the proposal – the subject of amendment should be indicated for a section 12A application, while the proposed use/development and major development parameters such as site area and the proposed plot ratio/gross floor area/site coverage/building height etc. should be indicated for a section 16 application).

This notice will be posted from (the 1st day of posting notice) to (the 14th day of posting notice).

(Name of the applicant)

* delete where appropriate

TPB PG-No. 32BA

**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**

{[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 (**by email: tpbpd@pland.gov.hk; by post: 15th Floor, North Point Government Offices (NPGO), 333 Java Road, North Point, Hong Kong; or by phone: ~~Tel. No.~~ 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: ~~17th Floor, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).~~**

The Guidelines are subject to revision without prior notice.}]

1. Purpose

These Guidelines set out the general practices adopted by the Town Planning Board (the Board) in dealing with further information submitted by an applicant to supplement an:

- (a) application for amendment of plan made under s.12A of the Town Planning Ordinance (**the Ordinance**) (s.12A application);
- (b) application for planning permission made under s.16 of the Ordinance (s.16 application); or
- (c) application for review of the Board's decision on a s.16 application made under s.17 of the Ordinance (s.17 review).

2. Delegation of the powers of the Board

- 2.1** Pursuant to s.2(5)(c) of the Ordinance, the Board has delegated to the Secretary of the Board (Secy/Board) its powers to determine acceptance of further information, **and whether** to exempt it from the requirements in respect of publication for public comments and recounting of the statutory time limit for consideration of the application from the receipt of the further information. ~~—(i.e. The publication and recounting requirement does not apply to s.12A~~

applications).

2.12.2 Under s. 12A(13A), 16(2JA) and 17(2HA) of the Ordinance, the Board *must not accept* any further information given by the applicant to the Board for s.12A application, s.16 application or s.17 review if the further information is given at a time not falling within the specified periods published in the Gazette by the Board on 1.9.2023, i.e. not given within two months after the day of the receipt of the application by the Board or within two months after the day on which the Board decides to defer its decision on the application for the applicant to give further information. Accordingly, the Board will only accept further information within the 2-month period starting from the day after the application is made (e.g. from 2.9.2023 to 1.11.2023 inclusive if the application is made on 1.9.2023). Nevertheless, if the Board decides to defer its decision on the application for the applicant to give further information, the Board will also accept further information within another 2-month period starting from the day after that deferment decision is made (e.g. from 2.12.2023 to 1.2.2024 inclusive if the Board decides to defer its decision on the application on 1.12.2023).

3. Processing of further information

3.1 It is the duty of the applicant to provide sufficient information when making an application to the Board. This would facilitate the Board's consideration and avoid delay in processing the application. However, an applicant may submit further information to the Secy/Board to supplement his application ~~before the application is considered by the Board. Such submission shall be made at least two weeks before the scheduled meeting of the Board.~~ The Secy/Board will determine whether the information could be accepted and, if accepted, whether the information would be exempted from the publication **requirement (such requirement is only applicable to s.16 application and s.17 review)** and the recounting requirement **(applicable to s.12A application, s.16 application and s.17 review)s**. In submitting any further information, the applicant should clearly indicate whether he would proceed with the original application (i.e. without the further information) in case the Secy/Board decides that the further information is not accepted, or such information is accepted but not exempted from the publication **requirement** and/or the recounting requirements, **as the case may be**.

3.2 Submission of further information should not be used as a tactic to delay

consideration of applications. Further information involving various assessments should be submitted in one go and not ~~by in different batches~~. **When the Board decides to defer the consideration of an application for the applicant to submit further information,** ~~the Secy/Board~~ has the discretion to schedule the meeting date for consideration of the application as soon as possible **on a date after the specified period for submission of further information but** before the expiry of the statutory time limit, with a view to expediting the processing of applications. **To comply with the Ordinance and avoid unreasonable delay in processing the application, the Board will refuse to accept further information submitted not falling within the specified periods mentioned in paragraph 2.2 above.**

Whether the information could be accepted

- 3.3 If the further information **is submitted within the specified periods mentioned in paragraph 2.2 above and** does not result in a “material change” of the nature of the application, it will be accepted by the Secy/Board for inclusion into the application and be processed as part of the application in accordance with the relevant provisions of the Ordinance. If the further information is accepted as not resulting in a material change of the nature of the application, then the effect of submitting further information is that the statutory time limit for consideration of the application, i.e. 2 months for ~~a s.12A application and~~ **s.16 application and** ~~3 months for a s.12A application and~~ **3 months for** s.17 review, will be automatically restarted, unless an exemption under sections **12A(15), 16(2L); 12A(15) and 17(2J)** respectively is granted.
- 3.4 Further information resulting in a material change of the nature of the application will not be accepted by the Secy/Board. Under such circumstances, the submitted further information will not be processed. If the applicant wants to proceed with the further information that ~~will result in~~ **will result** in a material change of the nature of application, a fresh application will need to be submitted. If the applicant chooses to proceed with the original application, then he must do so without the further information. In that case, the statutory time limit will run from the original application date and the further information will be ignored. The choice of proceeding without the further information will not prejudice the applicant’s submission of another application in future.
- 3.5 All ~~accepted~~ further information **on s.16 applications and s.17 reviews, if accepted by the Secy/Board,** will be published for public comment, unless an

exemption as mentioned below has been granted by the Secy/Board.

Whether the accepted information could be exempted

- 3.6 If the Secy/Board accepts the further information, he will simultaneously consider whether the accepted information can be exempted from the publication requirement and/or the recounting requirements (as the case may be).
- 3.7 **For s.16 applications and s.17 reviews, –If the further information could be exempted, i.e. need not be published for public comments, the application, together with the further information, will be submitted to the Board for consideration as originally scheduled. On the other hand, if the further information could not be exempted, it would be published for three weeks for public comments and the statutory time limit for consideration of the application will be automatically restarted, unless the applicant has indicated at the outset that the original application should be proceeded with.**
- 3.8 **For s.12A applications, the publication requirement is not applicable and the Secy/Board will decide whether the further information could be exempted from the recounting requirement. If exempted, the application, together with the further information, will be submitted to the Board for consideration as originally scheduled. Otherwise, the statutory time limit for consideration of the application will be automatically restarted, unless the applicant has indicated at the outset that the original application should be proceeded with if the further information could not be exempted from the recounting requirement.**
- 3.97 All accepted further information on s.12A application, s.16 application and s.17 review will be ~~deposited~~ **uploaded to the Board's website and available** at the Planning Enquiry Counters of the Planning Department at 17/F, North Point Government Offices, 333 Java Road, Hong Kong, and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin for public inspection until the application has been considered by the Board.

4. **Types of information that constitute “a material change”**

What constitutes a material change of the nature of the application is a matter of fact and degree and should be assessed on the individual merits of each case. In general, a

material change is involved if the further information will lead to, for a s.12A application, a major change in site area/boundary in question, the proposed zoning, uses and development restrictions and, for a s.16 application and s.17 review, a major change in the area and configuration of the application site (e.g. enlargement of site to include additional lot), proposed use (e.g. from office to hotel), design and layout of the proposed scheme (e.g. substantial change in built-form and disposition of building blocks) and nature of approval sought (e.g. from temporary to permanent). For these types of applications, a change in the proposed site area, plot ratio, gross floor area, site coverage or building height under application exceeding 10% would generally be considered as “material” **(particularly those involving increases in any such development parameters), while the circumstances of each case should be taken into account.**

5. Types of information that could be exempted

Whether an exemption is to be granted should be assessed on the circumstances of each case no matter the proposed scheme is a temporary use or a permanent use. In general, an exemption may be granted to the following types of information:

- (a) minor change in the proposed scheme under application without changing the major development parameters of the proposed scheme such as site area, plot ratio, gross floor area, site coverage, building height. Minor change in the following aspects may be exempted:
 - internal layout/disposition of premises;
 - the location of open space ~~(on the same level only)~~ and ancillary major utility installation;
 - the form of the building blocks;
 - increase in the provision of open space;
 - reduction in car parking spaces with no change in the car parking ratio;
 - location and size of non-building area;
 - Landscape Master Plan regarding preservation and/or planting of more trees;
 - the provision of private indoor recreational facilities; ~~and~~
 - phasing and implementation; **and**
 - **operational details and arrangements (e.g. operation hours).**

In considering whether the changes are minor or not, the Secy/Board may make reference to the relevant categories of amendments as set out in the “Schedule of

Class A Amendments”¹ published by the Board.

- (b) clarification **and supplement** of the background **and supporting** information of the application, e.g. applicant’s identity, site area/boundary, lot number, existing conditions of the site/premises, owner’s consent, notification means, operational aspects of the applicant’s business, lease conditions, application history, compliance with other relevant legislation and Government requirements, surrounding land uses and implementation schedule;
- (c) technical clarification/responses to comments of relevant Government departments **and public comments** without changing the scheme;
- (d) submission of a revised technical assessment without major changes in the assumptions and methodologies, findings and proposed mitigation measures, where appropriate;
- (e) rectification of editorial and transcription errors and miscellaneous minor information; and
- (f) other information which, in the opinion of the Secy/Board, could be exempted.

6. Notification of Secy/Board’s decision

The applicant will be informed of the Secy/Board’s decision on whether the further information could be accepted and exempted, as soon as practicable. Unless the applicant has clearly indicated his intention ~~whether~~ to proceed with the original application at the time of submitting the further information, the statutory time limit for processing the application will be recounted and the applicant will be informed of the rescheduled date for consideration of the application, if the further information is accepted but not exempted from the publication **requirement** and/or recounting requirements **(as the case may be)**. For further information that is not accepted, the original application (i.e. without the further information) will continue to be processed, unless the applicant has indicated otherwise at the time of submission.

¹ Please refer to the Schedule attached to the Town Planning Board Guidelines for Class A and Class B Amendments to Approved Development Proposals.

7. Submission of Consolidated Revised Documents

Where an application involving multiple submissions of further information for planning statement and/or technical assessment(s), and such further information submissions have already been accepted by the Secy/Board, the applicant is required to submit a consolidated version to supersede the previous further information submissions, **preferably** at least two weeks before the scheduled meeting to facilitate the Board's consideration of the application. The applicant should ensure that the consolidated version should not contain any new information other than that already accepted by the Secy/Board. **The consolidated version with no new information will not be treated as new further information.**, and it would generally be exempted from the publication and recounting requirements.

8. Further Information for Representation and, ~~Comment~~, Further Representation

Representation to a **new draft plan or the amendment to a draft/partly approved plan/approved plan**, ~~comment on representation~~ and further representation to amendments proposed by the Board **under section 6B(8)** shall be made to the Board within the relevant statutory time limits stipulated in the Ordinance. Representation, ~~comment~~ and further representation made to the Board after the expiration of the relevant time limits shall be treated as not having been made. Under the Ordinance, there is no provision for the Board to accept further information for representation, ~~comment~~ and further representation submitted to the Board after the expiry of the relevant statutory time limits for making submission.

**TOWN PLANNING BOARD
AUGUST-SEPTEMBER 20243**

TPB PG-No. 33BA

**TOWN PLANNING BOARD GUIDELINES
ON DEFERMENT OF DECISION ON REPRESENTATIONS;
~~COMMENTS~~, FURTHER REPRESENTATIONS AND APPLICATIONS
MADE UNDER THE TOWN PLANNING ORDINANCE**

{[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 (**by email: tpbpd@pland.gov.hk; by post: 15th Floor, North Point Government Offices (NPGO), 333 Java Road, North Point, Hong Kong; or by phone: ~~Tel. No.~~ 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: ~~15th~~ 17th Floor, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).****

The Guidelines are subject to revision without prior notice.}]}

1. Purpose

These Guidelines set out the general procedures and practices adopted by the Town Planning Board (the Board) in considering requests for deferment of a decision on:

- (a) representations to a ~~draft~~ plan (representations) ~~and any comment on them~~;
- (b) further representations to amendments proposed by the Board to meet a representations (further representations);
- (c) an application for amendment of plan made under s.12A of the Town Planning Ordinance (the Ordinance) (s.12A application) ~~and any comment on it~~;
- (d) an application for planning permission made under s.16 of the Ordinance (s.16 application) and any comment on it;
- (e) an application for amendments to planning permission made under s.16A of the Ordinance (s.16A application); and
- (f) an application for review of the Board's decision on a s.16 or s.16A application made under s.17 of the Ordinance (s.17 review).

2. General principles in processing request for deferment

- 2.1 Upon receipt of representations, ~~comments~~, further representations, applications and reviews lodged in accordance with the Ordinance (hereafter collectively referred to as “the submissions”), the Secretary of the Board (Secy/Board) will notify the representers/further representers/~~commenters~~/applicants of the date of the Board’s meeting to consider the submissions. The Board may, under various circumstances and/or upon request of the representers, further representers, ~~commenters~~, applicants or the Planning Department, defer making a decision on the submissions and reschedule the relevant meeting to another date.
- 2.2. Any request for deferment should be addressed in writing to the Secy/Board. As a prerequisite, reasonable grounds must be provided to support the request and the proposed deferment period should not be indefinite. In considering a request for deferment, the Board will take into account all relevant factors and whether the right or interest of other concerned parties will be affected and may specify the maximum period for deferment as it deems appropriate. Normally, the applicant or relevant parties will be given two months for preparation of ~~the~~ submission of further information (if required) upon the Board’s agreement to the deferral request. The case will then be re-submitted to the Board within two months in case of a **s.12A application**/s.16 application or within three months in case of a ~~s.12A application~~/s.17 review upon receipt of the further information. The Secy/Board has the discretion to schedule the meeting date for consideration of the application as soon as practicable before the expiry of the statutory time limit, with a view to expediting the processing of applications. The rescheduled date for consideration of the relevant submissions should be adhered to.

3. Request for deferment in respect of applications and reviews

Reasons for deferment

- 3.1 Each request for deferment will be considered by the Board based on its merits. The Board may, upon consideration of such request or of its own volition, decide to defer a decision on the applications for the following reasons:

(a) Need to Consult Other Relevant Government Departments

Further consultation with relevant Government departments is required to resolve major technical issues directly associated with the case in question.

(b) Provision of Important Supplementary Information

Information which is essential for the consideration of the submissions by the Board is not available but is required to be provided by the relevant parties or Government departments, e.g. **new or revised** assessment to address certain technical issues like Traffic Impact Assessment, Environmental Impact Assessment and Drainage Impact Assessment and refinement to the application to address public comments.

(c) Awaiting Recommendations of Major Government Planning-Related Study or Infrastructure Proposal

A major Government planning-related study due to be completed shortly or a decision on a major infrastructure proposal due to be released soon which might have significant planning implications on the subject site and would affect the decision of the Board.

3.2 Non-planning related reasons (such as the need to assess/re-assess the financial or economic viability of the proposal, or awaiting a better “economic climate”) should normally not be accepted.

3.3. Notwithstanding the above, a decision on the relevant submissions may be deferred under other circumstances. These include:

(a) where the Board accepts any further information to supplement a s.12A application, s.16 application or s.17 review, the meeting arranged to consider the application may need to be rescheduled to allow time for further processing of the information. The Secy/Board will inform the relevant parties of the arrangement accordingly. The general practices are set out in 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”;

(b) a decision on a s.16 application or s.17 review would be deferred if the zoning/**development restrictions** of the subject site ~~is~~**are** still subject to outstanding adverse representation yet to be submitted to Chief Executive in Council (CE in C) for consideration and the substance of the

representation is relevant to the subject application/review; and

(c) any other reasonable grounds as the Board thinks fit.

3.4 Normally the first deferment requested by the applicant would be granted to allow the applicant to prepare further information to address outstanding issue(s). The request for the second deferment would not be acceded to if:

- (a) the applicant fails to demonstrate that reasonable action(s) such as submission of further information has/have been taken to address the outstanding issue(s);
- (b) the application site is the subject of repeated applications involving more or less the same use with similar proposal or the subject of withdrawal applications for the same use at the same site/premises; or
- (c) any other factors pertinent to the application as the Board thinks relevant, such as the nature of public comments received, whether the outstanding issues are fundamental for the Board's consideration or could be dealt with at a later stage, and whether the progress of enforcement actions to be taken by the concerned departments would be affected, etc.

3.5 To avoid delay in processing application/review, the second deferment should be the last deferment. Except under very special circumstances and supported with strong justifications, further request for deferment would not be favourably considered by the Board.

4. Procedures for handling request for deferment of applications and reviews

4.1 The applicant will normally be given two months for preparation of **the** submission of further information upon the Board's agreement to the deferral request. The case will then be re-submitted to the Board within two months in case of a **s.12A application/s.16** application or within three months in case of a ~~s.12A application/s.17~~ review upon receipt of further information. The applicant is advised to submit the further information involving various assessments (if required) in one go as soon as possible. The Secy/Board has the discretion to schedule the meeting date for consideration of the application as soon as practicable before the expiry of the statutory time limit, with a view to

expediting the processing of applications.

- 4.2 For request with reasonable grounds (i.e. those set out in paragraph 3.1 above), if it is received by the Secy/Board before the issue of agenda of the meeting and the relevant paper on the application (normally one week before the scheduled meeting date), a simple paper will be prepared by the Planning Department to seek the Board's agreement to the request. Should the request be received after the issue of the agenda, the Planning Department will report the case at the scheduled meeting. The applicant and/or his/her representative(s) will not be required to attend the meeting in case of a s.12A application/s.17 review. If the Board agrees to the deferment **for the applicant to submit further information**, the applicant will be notified of the ~~two-month~~ period for submission of further information and the rescheduled meeting date. However, if the Board decides not to accede to the request, it may proceed to make a decision on the application at the scheduled meeting if it is a s.16 application, or adjourn the meeting for consideration of the application to the following meeting if it is a s.12A application/s.17 review. The applicant will be informed of the Board's decision on the application or will be invited to attend the rescheduled meeting as the case may be.
- 4.3 However, for request not supported by the Planning Department, e.g. the request is without reasonable grounds, it will be submitted together with the relevant paper on the application to the Board for consideration, regardless of whether the request is received before or after the issue of agenda. In case of s.12A application and s.17 review, the applicant and/or his/her representative(s) will be required to be present before the Board to explain the reasons for the proposed deferment. Should the Board consider that a deferment is not warranted, it may proceed to make a decision on the application/review. If the applicant and/or his/her representative(s) fails to attend the scheduled meeting, the Board may proceed with the meeting in their absence.

S.16A applications

- 4.4 Pursuant to s.2(5)(b) of the Ordinance, the Board has delegated to the Director of Planning (D of Plan) the power to consider s.16A applications. Any request for deferment of decision on such applications shall be submitted to the Secy/Board as early as possible before D of Plan has made a decision on the application. D of Plan will decide on the request in accordance with these Guidelines.

5. Request for deferment in respect of representations, ~~comments~~ and further representations

- 5.1 According to the Ordinance, the Board shall submit a ~~draft~~ plan to the CE in C within a statutory time limit of ~~nine~~ **five months after the expiry of the last plan exhibition period (or with an extension which may be extended, if appropriate, for two months and in exceptional circumstances, further two more periods of 2 months each by the Secretary for Development)** ~~CE) from the expiration of the exhibition period of the draft plan.~~ Deferment of consideration of representations, ~~comments~~ and/or further representations may affect the submission of the plan to CE in C and other parties involved in the hearing **of representations.** Hence, such request would not be entertained unless **there are very strong reasons to do so and consent of other concerned parties has been given** ~~with the consent of other concerned parties and there are very strong reasons to do so.~~ If it is absolutely unavoidable, the Board may only adjourn the meeting for a period up to a maximum of ~~four~~ **two** weeks (counting from the original hearing date) taking into account all relevant considerations and circumstances of each case.
- 5.2 To meet the statutory time limit on submission of a ~~draft~~ plan to the CE in C, any request for deferment should be submitted to the Secy/Board as soon as possible but in any case not later than two weeks before the scheduled meeting date. Upon receipt of a request for deferment, the Planning Department will circulate a simple paper to seek the views of the Board on the request and inform the relevant parties of the decision of the Board on the request accordingly. If the request is not acceptable to the Board, the hearing of ~~the~~ representations/**consideration of** further representations will proceed as scheduled.
- 5.3 If the request is received after the two-week deadline, it will be submitted to the Board for consideration together with the relevant paper on the representations/further representations at the scheduled meeting. **For the hearing of representations,** ~~t~~The relevant parties ~~and/or if applicable,~~ their representative(s) will be required to be present before the Board to explain the reasons for the proposed deferment. Should the Board consider that a deferment is not warranted, the hearing of the representations/~~further representation~~ will

proceed as scheduled. If the **representers** ~~relevant parties and/or~~ their representative(s) fail to attend the meeting, the Board may proceed with the meeting in their absence.

- 5.4 As no hearing will be arranged for consideration of further representations, the Board normally will not entertain any request for deferment of the consideration raised by the further representers.**

6. Notification of request for deferment

It is a statutory requirement that the Board's meetings to consider the relevant submissions, except the part on deliberation of the submissions, shall be open to public. To facilitate the public in tracking the progress of the case, the receipt of a request for deferment will be notified on the Board's website.

TOWN PLANNING BOARD

~~AUGUST 2021~~SEPTEMBER 2023

GUIDANCE NOTES ON ATTENDING THE MEETING FOR CONSIDERATION OF REPRESENTATIONS,— ~~COMMENTS AND FURTHER REPRESENTATIONS~~ UNDER THE TOWN PLANNING ORDINANCE

INTRODUCTION

- 1 The following notes give information and guidance on attending the meeting of the Town Planning Board (~~TPB~~**the Board**)¹ for consideration of the representations ~~and comments~~ under section 6B (~~the hearing~~) ~~and consideration of the further representations under section 6F (further hearing)~~ of the Town Planning Ordinance (the Ordinance). The ~~representer/commenter/further representer~~² who intends to attend the ~~meeting~~ **hearing** should read these notes carefully.
- 2 If further information or assistance is required, please contact the ~~TPB Secretariat of the Board~~ (by email: tpbpd@pland.gov.hk; by post: 15th Floor, 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: 17th Floor, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin) ~~at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810).~~

HEARING BY THE BOARD~~TPB~~

- 3 If any representation relating to a new draft plan or the amendment to a draft/**partly approved plan**/approved plan (**hereinafter collectively known as “draft the plan”**) has been received by ~~TPB~~**the Board** under section 6 of the Ordinance, ~~the Board~~**TPB** will hold a hearing to consider the representations ~~and any comments received in respect of the representations.~~ **For verification, each representer is required to provide his/her full name as shown on the Hong Kong Identity (HKID) card/passport and the first four alphanumeric characters of his/her HKID card/passport number in the submission. Otherwise, the representation shall be treated as not having been made pursuant to sections 6(2)(b) and (3)(b) of the Ordinance. The Secretariat of the Board reserves the right to require the representer, his/her authorized agent and his/her authorized representative to provide identity proof for verification. For further details, please refer to the Town Planning Board Guidelines on Submission and Processing of Representations and Further Representations (TPB PG-No. 29C) which can be downloaded from the Board’s website (<http://www.tpb.gov.hk/>) or obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department (PlanD) (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin**

¹ Under section 2A(1) of the Town Planning Ordinance, the TPB may appoint Representation Hearing Committees to consider representations, ~~comments~~ and further representations.

² A ~~representater, commeter and further representer~~ **are — means a persons who makes a representation —** ~~comment on representation and further representation under section 6(1) of the Ordinance, respectively.~~

Government Offices, 1 Sheung Wo Che Road, Sha Tin) (hereafter collectively known as “the specified platform”).

~~In case that amendments to the draft plan are proposed by TPB after the hearing of the representations and comments and upon publication of the proposed amendments, if further representation is received under section 6D of the Ordinance which is in opposition to the proposed amendments, TPB will hold a further hearing to consider the further representations. If no such opposing further representation is received, no further hearing will be held. TPB will consider any supportive further representation received and amend the draft plan by the proposed amendments.~~

WHO CAN ATTEND

- 4 Pursuant to section 6B(3) of the Ordinance, each representer is entitled to attend the hearing in person.**
- 5 If the representer is not a natural person (e.g. the representer is a company/organisation/group), the representer may authorize a natural person to attend the hearing.**
- 6 If the representer is a natural person, he/she is required to attend the hearing in person. If the Board is satisfied that the representer is unable to attend the hearing due to exceptional circumstances, the representer may authorize another natural person to attend the hearing and speak on his/her behalf. Pursuant to section 2(5)(c) of the Ordinance, the Board has delegated to the Secretary of the Board (Secy/TPB) its power to determine such request for authorization. The Secy/TPB will take into account all relevant factors and circumstances of the case in considering the representer’s request. In general, the following exceptional circumstances would normally be accepted:**
 - (a) medical ground, e.g. sickness or hospitalisation;**
 - (b) not in Hong Kong, e.g. studying abroad or having business trip;**
 - (c) taken into custody or under quarantine; or**
 - (d) other grounds which, in the opinion of the Secy/TPB, are considered acceptable, e.g. summoned to attend court proceedings.**
- 7 Each representer/commenter/further representer³ is entitled to attend the meeting and to be heard either in person or by an authorized representative, under sections 6B and 6F of**

³ ~~For verification, each representer/commenter/further representer and his authorized agent are required to provide their full names as shown on the Hong Kong Identity (HKID) card/passport and the first four alphanumeric characters of their HKID card/passport numbers in the submission. Otherwise, the representation/comment/further representation shall be treated as not having been made. The TPB Secretariat reserves the right to require the representer/commenter/further representer and his authorized agent to provide identity proof for verification.~~

~~the Ordinance, as the case may be To facilitate communication in writing, the representer, commenter or further representer, or his authorized representative, is required to provide a correspondence or email address for receipt of documents issued by the TPB in relation to the processing of the representation, comment or further representation and hearing arrangement⁴. If the (natural person) representer/commenter/further representer decides wishes to appoint an authorized representative to attend the hearing/further hearing, he/she (natural person) representer is required to submit a request for consent to authorization of representative and provide a signed authorization letter information in support of the exceptional circumstances which made his/her attendance at the hearing not possible (with documentary proof, where appropriate), and also the full name and the HKID card/passport number (first four alphanumeric characters only) of the authorized representative as shown on his/her HKID card/passport and the correspondence or email address of that authorized representative, or return a completed authorization in the form attached to the invitation letter, to the TPB Secretariat of the Board by the deadline as specified by the Secretary/ of the TPB. It The representer is also required to provide a copy of the his/her HKID card/passport of the representer/commenter/further representer (showing the full name and the first four alphanumeric characters of the document number) to the TPB Secretariat of the Board for verification purpose. The authorized representative will only be allowed to represent the representer/commenter/further representer at the meeting if his identity is duly verified by the TPB Secretariat prior to attending the meeting. A representer/commenter/further representer who has appointed an authorized representative is also allowed to attend the meeting. Subject to the seating capacity of the venue, he may either enter the TPB meeting room or the designated viewing room (if applicable) for the purpose of viewing the proceedings. The (natural person) representer will be informed of the Secy/TPB's decision on his/her request not less than one week before the scheduled hearing date.~~

~~Each commenter may attend the meeting when the representation in respect of which his comment was made is heard, subject to the seating capacity of the venue. Alternatively, he can observe such meeting in the designated viewing room or via video link facility (if applicable).~~

38 Representers attending the hearing in person and authorized representatives with consents granted by the Secy/TPB to attend the hearing may be accompanied by other person(s), such as those who will assist the elderlies to express their views or those to provide professional support for representers (the accompanying person(s)), subject to their collective speaking time not exceeding the 10-minute limit in paragraph 17 below. Due to the seating capacity of the venue, pre-registration of the accompanying person(s), with procedure set out in paragraph 12 below, is required. The Secy/TPB reserves the right to refuse accompanying person(s) to enter the meeting room out of consideration of ensuring the smooth conduct of hearings.

49 The representatives of the Planning Department (PlanD) and other government bureau(x)/department(s), where appropriate, will also be invited to attend the hearing.

⁴ ~~Representers/commenters/further representers who did not provide correspondence or email address at the time of submission will be taken to indicate that they will not attend the hearing/further hearing. If they wish to attend while did not provide correspondence or email address, they would need to check the information on the TPB website and contact the Secretariat of the TPB on the hearing arrangement.~~

ARRANGEMENT OF HEARING

510 ~~The hearing and further hearing~~ can be held either individually or collectively, as considered appropriate by **the Board**~~TPB~~.

- 611** (a) Individual hearing - the individual representer(s)~~and the related commenter(s) in case of hearing and the further representer(s) and the related representer(s)/commenter(s) in case of further hearing~~ will be invited to attend the hearing/~~further hearing~~ when that particular representation/~~further representation~~ is considered by **the Board**~~TPB~~.
- (b) Collective hearing - all the representer(s)~~and the related commenter(s) in case of hearing and the further representer(s) and the related representer(s)/commenter(s) in case of further hearing~~ will be invited to attend the hearing/~~further hearing~~ at the same time.

PRE-HEARING ARRANGEMENTS

712 **To facilitate communication in writing, representers and authorized representatives are required to provide correspondences or email addresses for receipt of documents issued by the Board in relation to the processing of the representations and hearing arrangement**⁵. Normally, the **Board** ~~TPB~~—Secretariat will inform ~~representers/commenters/further representers or their authorized agents~~ who have provided their correspondence or email addresses the tentative hearing date by letter or email not less than 4 weeks before the hearing/~~further hearing~~. They will be required to complete the form attached to the invitation letter and return it to the **Board** ~~TPB~~ within ~~2 weeks~~ **10 calendar days** from the date of the invitation to **provide** ~~confirm~~ the details ~~and number~~ of the person(s) who will attend the hearing/~~further hearing~~ (**including the accompanying person(s), if any**), as well as to provide all information/documents as required in the letter/email and the form (**including, where appropriate, documentary proof as to why the representer cannot attend in person and needs to appoint an authorised representative to attend on his/her behalf**). For those who ~~have~~ ~~did not~~ provided correspondence or email addresses but wish to attend the hearing/~~meeting~~, they would need to check the information on the **Board's** ~~TPB~~ website and contact the Secretariat of the **Board** ~~TPB~~ by the deadline specified by the Secretary/~~of the~~ ~~TPB~~ for their attendance ~~at the meeting~~. Arrangement will be made for ~~his~~ **their** attendance subject to verification of ~~their~~ identity.

~~8~~ ~~To ensure that the hearing/further hearing will be conducted efficiently, all representers/commenters/further representers who have made their submissions in the form of standard letters are recommended to appoint a spokesman to present their representations/comments/further representations.~~

⁵ **Representers and authorized representatives who have not provided correspondence or email address at the time of submission will be taken to indicate that they will not attend the hearing.**

913 Not less than one week before the scheduled hearing date, the relevant ~~TPB-Board's~~ **Board**TPB's paper will be uploaded to the **Board**TPB's website for viewing/downloading and every concerned representer/~~commenter/further representer/~~authorized representative who has provided his/~~her~~ correspondence or email address, will be informed of the date, time and venue of the hearing/~~further hearing~~. **Those representers who have requested to appoint authorized representatives to attend the hearing will also be notified of the result of the requests.** A ~~h~~Hard copy of the relevant ~~TPB-Board's~~ **Board**TPB's paper will be provided to the representers ~~/commenter/further representer/~~authorized representatives upon request.

DEFERMENT

1014 Under the Ordinance, ~~the Board~~**TPB** is required to submit a ~~draft~~**the** plan to the Chief Executive in Council within 95 months from the expiration of the 2-month plan exhibition period. As such, any request for deferment of consideration of any representation,~~comment and/or further representation~~ would not be entertained unless **there are very strong reasons to do so and with the consent of other concerned parties has been given**~~and there are very strong reasons to do so~~. If it is absolutely unavoidable, ~~the Board~~ **TPB** may ~~only~~ grant a deferment up to a maximum period of 42 weeks (counting from the original hearing date) taking into account all relevant considerations and circumstances of each case. For further details, please refer to **the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33B)** which is available at the specified platform~~can be obtained from the TPB Secretariat and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories) and downloaded from the TPB's website (<http://www.info.gov.hk/tpb/>).~~

REGISTRATION FOR ATTENDANCE

1115 The ~~TPB-Secretariat~~ **of the Board** will check the identity of the attendees prior to attending the ~~meeting-hearing~~ in order to ensure that the persons attending (**i.e.** as representers/~~commenters/further representers~~ or their authorized representatives) are the persons entitled to attend in such capacity. **Representers and authorized representatives of representers will only be allowed to attend the hearing if their identities are duly verified by the Secretariat of the Board prior to attending the hearing.** If representers or their authorized representatives bring accompanying person(s) to attend the hearing, such person(s) must also complete the registration before entering the meeting room. Failure to comply with the above requirement on registration and relevant advice of the Secretariat of the Board on the matter ~~Persons who do not cooperate may be refused entry into the meeting room, although they may still be allowed to observe view~~ the proceedings in the designated viewing room.

PRESENTATION TIME

Setting and Allocation of Speaking Time

- 16 Pursuant to section 2C(4) of the Ordinance, the Board may determine the length of time for a representer, or authorized representative who is authorized by one or more representers, to present his/her/their case(s) at the hearing. The authorized representative may himself/herself be a representer, and may represent also a number of other representers.**

~~1217~~ **While the Board TPB—fully respects the rights of the representers/commenters/further representers to be heard and, as well as the need to ensure procedural fairness, there is a need to ensure efficient conduct of hearings and processing/consideration of representations in accordance with the statutory time limit. In this regard, a maximum presentation time of 10 minutes will be allotted to each representer or his/her authorized representative, on a non-accumulative basis, i.e. regardless of the number of representers the authorized representative is representing, each representer or authorized representative will only be given 10 minutes to speak once in the hearing even when the authorized representative himself/herself is also a representer or there is any accompanying person to speak on the behalf of the representer/authorized representative. Without prejudice to the aforesaid, TPB has to manage efficient and effective hearing session under the circumstances that a large number of representations/comments/further representations in respect to a draft plan were received. Having taken into account all relevant circumstances and matters including the statutory timeframe within which TPB has to submit the draft plan to the Chief Executive in Council, a time limit might be imposed on the oral submission of each representer/commenter/further representer.**

~~13~~ **TPB may initially allot a maximum presentation time of 10 minutes to each representer /commenter/further representer, subject to confirmation of the number of such attendees for the hearing session and the aggregate presentation time required. With a view to ensuring fair treatment, all representers/commenters/further representers (whether they attend in person or through their authorized representatives) will be given the same time limit. TPB has the responsibility of ensuring the smooth conduct of the meetinghearing. In discharging such responsibility, TPB may stop any oral submission which is repetitive, abusive or on any other reasonable grounds even before the allotted time expireshas expired. Where a representer/commenter/further representer has authorized a representative to speak on his behalf, such authorized representative will take over the 10-minute time slot allocated to the representer/commenter/further representer. If a representative is authorized by more than one representer/commenter/further representer to represent them, that authorized representative may use the cumulative time allotted to all the persons he represents to make the oral submission. The authorized representative may himself be a representer/commenter/further representer, and may represent also a number of other representers/commenters/further representers. Such authorized representative will not be allowed to speak longer than the total amount of time allotted to himself and the other representer/commenter/further representer whom he represents cumulatively.**

~~14—~~

1518 For a hearing with more than one session, once the representers/commenters/further

~~representers have been assigned with a session to attend the meeting, their authorized representatives may only use the time slots of the represented persons at the sessions allotted to them in order to avoid affecting the scheduled sessions of other representers/commenters/further representers. However, this is subject to the swapping arrangement set out below. For the convenience of the authorized representative who represents more than one representer/commenter/further representer, arrangement will be made as far as practicable to allot the same session for such authorized representative provided that the TPB Secretariat has been duly notified of the authorizations before the assignment of sessions for the concerned representer/commenter/further representer. Otherwise, the authorized representative will have to make his oral submission at the session(s) of the meeting when his represented representers/commenters/further representers are scheduled to be heard.~~

Swapping of Allotted Time

19 For a hearing that is to be conducted with more than one session, once a representer/authorized representative has been assigned with a specific session, the representer or authorized representatives can only attend the assigned session in order to avoid affecting the convention of other scheduled sessions.

~~16—A representer may swap his/her time slot with another representer in respect of the same draft plan who has been allotted a different session on a one-to-one mutually agreed basis. For any such swapping, the concerned representers should provide the TPB Secretariat of~~
the Board with written notification duly signed by both of them indicating their mutual consent to the swapping arrangement before commencement of the relevant session. **For avoidance of doubt, the 10-minute rule set out in paragraph 17 still applies.**

~~17—The same swapping arrangement is applicable to commenters and further representers, where appropriate.—~~

~~1820~~

Time Keeping

1921 A time-keeper will be appointed by the TPB Secretariat **of the Board** to ring a bell or other similar device 2 minutes before the allotted time is up to alert the representer/**authorized representative**/~~commenter/further representer~~ that the **speaking** time limit is about to expire, and to do so again when the allotted time limit expires. Upon the ringing of this device when the allotted limit is up, the speaker must stop **speaking** immediately.

Presentation by Electronic Media

2022 If, at the ~~meeting~~**hearing**, a representer/~~commenter/further representer~~ or his/authorized representative chooses to present the submission by electronic media such as video/record tape **or PowerPoint slides**, he/she **must do so within** ~~—still will not be allowed to exceed the total allotted time of 10 minutes.~~ **The representer/authorized representative is not allowed to submit electronic media for broadcasting at the hearing if he/she does not attend the hearing in person**~~The submission of such electronic media for broadcasting at the meeting by a representer/commenter/further representer who does not attend the meeting in person or by an authorized representative will not be allowed.~~

Request for Further Time

2123 Request for further time for making oral submission from a representer/~~commenter/further representer~~ or his/**her** authorized representative will be subject to the discretion of **the Board TPB** and such discretion will only be exercised upon sufficient cause shown and after taking into account all relevant circumstances. ~~The representer/commenter/further representer or his authorized representative will be notified of the result of his request at the meeting.~~ If his/**her** request is acceded to, he/**she** will be allowed to make an oral submission continuously **up to the cumulative further time allowed by the Board limit.** If there is more than one hearing session, the representer/~~commenter/further representer~~ or his/authorized representative will be either given further time in the same allotted session to make his/**her** submission (if time permits), or be notified of the date when he/**she** will be invited to return for such purpose.

CONTENT OF ORAL SUBMISSIONS

2224 **To allow time to be used more wisely and effectively, we strongly encourage** ~~Each~~ oral submissions **to respond to the Board's enquiries for clarifications or departments' comments arising from** ~~may elaborate further or highlight the essential points in support of the subject representations/comment/further representation, instead of reciting the points made in the written representations which have already been provided to the Board before the hearing and had been taken into account.~~ Oral ~~Such~~ submissions should **also** be confined to the ground of the written representations/~~comment/further representation~~ already made to **the Board TPB** under the Ordinance.

2325 To ensure a smooth and efficient conduct of the ~~meeting~~**hearing**, the Chairman of **the Board TPB** (the Chairman) may request the representers/~~commenter/further representer~~ or his-authorized representatives not to repeat unnecessarily the same points which have already been presented by others at that ~~meeting~~**hearing**. If a point has already been made by others in the ~~meeting~~**hearing** or is unrelated to the subject matter, the Chairman can in his/**her** discretion disallow repetition and may request ~~the a~~ representer/~~commenter/further representer~~ or his/**her** authorized representative to discontinue.

24 ~~In order not to unnecessarily prolong the meeting process, the oral submissions made in the meeting should avoid reading out or repeating statements contained in the written representations/comments/further representations made under the Ordinance which the TPB Secretariat has already provided to members of TPB.~~

2526 During the ~~meeting~~**hearing**, the representers/~~commenters/further representers~~ or ~~their~~ authorized representatives and representatives of government bureau(x)/department(s) may only address **questions from the members of the Board TPB** at the invitation of the Chairman. The ~~meeting~~**hearing** should not be taken as an occasion for cross-examination among concerned parties.

GENERAL PROCEDURE AT THE MEETING HEARING

2627 The hearing ~~or further hearing~~ is normally held in the following sequence:

- (a) the Chairman will first make an opening remark and explain the procedure of the ~~meeting~~ **hearing**;
- (b) the Chairman will invite the representative(s) of PlanD and/or other relevant government bureau(x)/department(s) to give a summary of the facts, background and PlanD's views on the cases;
- (c) ~~the Chairman will invite the representers/commenters/further representers or their /authorized representatives to make oral submissions in turn. The order of presentation will follow the reference number already given to each representation/comment/further representation⁶. For collective hearing, the group of representers/authorized representatives, as the case may be, will normally be invited to make submissions in turn. :~~
- (d) ~~for individual hearing/further hearing, the representer(s)/further representer(s), as the case may be, will normally be invited to make submission first, followed by the commenter(s) in case of hearing or the representer(s) and then commenter(s) in case of further hearing; and~~
- (e) ~~for collective hearing/further hearing, the group of representers/further representers, as the case may be, will normally be invited to make submissions in turn first. In case of hearing, following the presentation by the representers, commenters in respect of the same representation will be grouped together and then take turns to make submissions. In case of further hearing, after the presentation by the further representers, the representers will be invited to take turns to make submissions, and then followed by the commenters.~~
- (d) after the oral submissions, members of **the BoardTPB** will be invited to ask questions which may require the representers/commenters/further representers or their authorized representatives and/or the representatives of government bureau(x)/department(s) to answer. The Chairman may refer such questions to any of such parties for response; and
- (e) when members of **the BoardTPB** have no further question to ask, the representers/commenters/further representers, their authorized representatives and the government's representatives will be invited to leave the meeting **room**.

2728 The deliberation part of the ~~meeting~~ **hearing** will be conducted behind closed doors under section 2C(1) and 2C(2)(a) of the Ordinance.

⁶ Subject to the progress of the hearing ~~meeting~~, oral submissions by some representers/commenters/further ~~representers~~ may have to be deferred to next ~~meeting~~ **hearing** sessions.

ORDER AND BEHAVIOUR

2829 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~~**hearing**;
- (c) all attendees are expected to show courtesy to ~~each other~~**one another** 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~~**hearing**;
- (e) photo-taking or recording is not allowed in the meeting room; and
- (f) clamour, shouting and commotion are prohibited.

2930 Any person who fails/refuses to follow any of the above rules or causes any disturbance to the conduct of the ~~meeting~~**hearing** 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~~**hearing**, and the Chairman shall have full discretion to consider any application by such person for further opportunities to make oral submissions at the ~~meeting~~**hearing**.

3031 The Chairman has full discretion to control the conduct of the ~~meeting~~**hearing** and all attendees must follow his/~~her~~**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 **as appropriate**, ~~if necessary~~ at the direction of the Chairman.

DECISION OF the Board~~TPB~~

3132 After giving consideration to the representations ~~and comments~~ at the hearing, ~~the BoardTPB~~ will decide whether ~~or not~~ to propose amendment(s) to the ~~draft~~ plan in the manner proposed in the representations, or **to propose amendment(s) to the plan** otherwise in ~~the~~**any other** manner that, in the opinion of **the BoardTPB**, will meet any of the representations. If ~~the BoardTPB~~ decides to propose amendment(s) to the ~~draft~~ plan **under section 6B(8) of the Ordinance**, such proposed amendment(s) shall be published for further representations in accordance with the provisions of the Ordinance.

3233 For any further representations received with respect to the amendment(s) proposed by the Board in accordance with section 6B(8) of the Ordinance, the Board will hold a meeting to consider the further representations, but the related representers and persons who submitted the further representations (**viz. further representer(s)**) will not be invited to attend the relevant Board meeting. After ~~the~~ considering the further representation(s) ~~further hearing~~, the **BoardTPB** will decide

whether ~~or not~~ to amend the ~~draft~~ plan, either by the proposed amendment(s) in question, or by the proposed amendment(s) as further varied in such manner as it considers appropriate. The ~~draft~~ plan incorporating the amendment(s) made by **the BoardTPB** shall be submitted to the Chief Executive in Council for approval in accordance with the provisions of the Ordinance **within the statutory time limit**.

~~3334~~ The decision of **the BoardTPB** will be conveyed to the representers/~~commenters~~/further representers in writing by the Secretary of /TPB as soon as possible after the minutes of **the Board TPB-meetings** have been confirmed.

~~3435~~ Pending formal notification, any representer/~~commenter~~/further representer may refer to the Gist of Decision available on the **BoardTPB**'s website after completion of the consideration and deliberation of the concerned representations/~~comments and~~ further representations. For any other enquires on the decision of **the BoardTPB**, he/~~she~~ may address to the Secretariat of **the BoardTPB**. Any interim reply should not be treated as a formal notification of the decision of **the BoardTPB**.

Secretariat of Town Planning Board-Secretariat
~~July 2019~~September 2023

APPLICATION FOR AMENDMENT OF PLAN UNDER SECTION 12A
OF THE TOWN PLANNING ORDINANCE (CAP. 131)

GUIDANCE NOTES

INTRODUCTION

- 1 The following notes give information and guidance on how to apply for amendment of plan under section 12A of the Town Planning Ordinance (the Ordinance). Please read them carefully. For submissions of planning applications via 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, the relevant form to be used and how to make EPASS submission.
- 2 ~~If~~ Further information is available on the website of the Town Planning Board (the Board) (www.tpb.gov.hk). ~~ø~~ If any assistance is required, please contact the Secretariat of the Board (by email: tpbpd@pland.gov.hk; by post: 15th Floor, 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: 17th Floor, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin) ~~the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).~~

WHEN AN APPLICATION CAN BE MADE

- 3 ~~Any person who wishes to propose~~ For proposed amendments to a statutory plan (the Plan), i.e. an Outline Zoning Plan or a Development Permission Area Plan, ~~may submit~~ an application to the Town Planning Board (the Board) for amendment of plan under section 12A of the Ordinance. ~~An application~~ can be made in respect of any matter shown on the Plan and the provisions in the Notes of the Plan, except for the following:
 - (a) any matter relating to a new draft plan exhibited under section 5 of the Ordinance which has not yet been approved by the Chief Executive in Council (CE in C) under section 9;
 - (b) any matter relating to the amendment(s) incorporated into a draft plan **or partly approved plan** exhibited pursuant to section 12(3) of the Ordinance and the amendment(s) has not yet been approved by the CE in C; or
 - (c) any matter relating to the amendment(s) incorporated into a draft plan **or partly approved plan** exhibited under section 7 of the Ordinance and the amendment(s) has not yet been approved by the CE in C.
- 4 The exceptions set out above are to ensure that there would not be an overlap of procedures

in the plan-making process. When the Board makes a new draft plan or amendments to an approved, **partly approved** or draft plan, section 6 of the Ordinance provides that any person may make representation to the new draft plan or the amendments so exhibited. Any proposal to amend a new draft plan or the amendments under exhibition should be submitted as part of the representation in accordance with section 6(2)(a)(iii) of the Ordinance.

- 5 The application for amendment of plan would be considered by the Board within ~~3~~**2** months of receipt. If the Board agrees to the proposal, the proposed amendment will be incorporated into a draft **or partly approved** plan for exhibition in the normal plan-making process.

WHAT CAN BE APPLIED

- 6 The Plan 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.
- 7 An application for amendment of plan may be submitted in respect of the land use zonings on the Plan, the provisions in the covering Notes, the Column 1 and 2 uses for a particular land use zone and/or the planning intentions and development restrictions stipulated in the Notes. If the application is related to a specific site, it may be supported by an indicative development proposal showing the intended development upon amendment of the Plan. The indicative development proposal should be for reference only and not be regarded as an approved development, even if the Board accepts the application in whole or in part.

PRE-SUBMISSION DISCUSSION

- 8 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 APPLICATION FORM

- 9 An application for amendment of plan 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 (<http://www.infotpb.gov.hk/tpb/>)**. For EPASS submission, the relevant electronic application form is available at the Board's website.

WHO CAN APPLY

- 10 ~~Any~~ **The following** person ~~can~~ **is eligible to** submit an application for amendment of plan under section 12A of the Ordinance:
- (a) **a person whose name is registered in the Land Registry as that of the sole owner or one of the owners of any non-Government land within the application site, when the application is made;**
 - (b) **a person who has obtained written consent¹ to the application from at least one owner as defined in (a) above;**
 - (c) **a person who has obtained written consent to the application from the Director of Lands in relation to any Government land within the application site;**
 - (d) **a public officer; or**
 - (e) **a public body as defined by section 2 of the Prevention of Bribery Ordinance (Cap. 201).**
- 1011** 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.

¹ Consent from a land owner must be obtained normally within 1 year before making the application. For the information required in the consent statement, please refer to Annex A.

HOW TO COMPLETE THE APPLICATION FORM²

- 1412** 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.
- 1413** 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.
- 1414** **Annex A-B** 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

- 1415** A number of guidelines for planning applications have been promulgated by the Board. These guidelines set out the requirements of the Board 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**.

CONSENT OF OR NOTIFICATION TO "CURRENT LAND OWNER"

- 1416** **As required under section 12A(3)(a) of the Ordinance**, ~~W~~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.
- 1417** 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".
- 1418** Instead of obtaining the consent from a "current land owner", **as indicated in paragraph 16 above**, 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

² For EPASS submission, reference should be made to the Guidance Note on EPASS Submission for details.

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.

- 1819** **A**To meet the requirements under section 12A(3)(a) of the Ordinance, 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

- 1920A**The applicant is required to provide signed and completed prescribed application forms³, 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 paragraphs 22 and 23 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.

- 2021** For applications involving any particular use or development that may have implications on the environment, drainage, traffic, infrastructure, landscape, **visual** and topography, etc., technical assessments on the impacts of the proposed use or development may also be required. Please refer to **Annex B-C** for further details.

- 22** **To meet the eligibility requirements stated in paragraph 10(a) to (c), the applicant should provide 1 hard copy of the following documents, if applicable:**

- (a) for the applicant being a land owner as defined in paragraph 10(a) above – copy of documentary proof of ownership (i.e. copy of record issued by the Land Registry within 6 week before the application is made);**
- (b) for the applicant being a person as defined in paragraph 10(b) above – original copy of consent signed by a land owner as defined in paragraph 10(a) above normally within 1 year before the application is made and copy of documentary proof of that land owner’s ownership of non-Government land covered by the part of a plan to which this application relates (i.e. copy of record issued by the Land Registry within 6 week before the application is made); and**
- (c) for the applicant being a person as defined in paragraph 10(c) above – copy of consent signed by the Director of Lands normally within 1 year before the application is made.**

Notwithstanding the above, the applicant will be considered as not eligible for s.12A application if the name of the land owner referred to under (a) or (b), as the case is, is found not in the Land Registry record when the application is made.

³ The prescribed application form (including electronic application forms) can be downloaded/accessed from the Board’s website (https://www.infotpb.gov.hk/tpb/en/forms/forms_related.html).

~~2123~~ 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)”;~~
- ~~(ab) copy of consent signed by “current land owner”; and/or~~
- ~~(be) copy of notification given to “current land owner”.~~

~~2224~~ 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.

~~2325~~ The applicant is ~~encouraged~~ **required** to submit **either via EPASS or in the prescribed manner set out at Annex D** 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., ~~but submission in hard copy only will also be accepted. If soft copy is provided for a new application, all the applicant’s subsequent submissions for the application, including further information submitted under section 12A(13) of the Ordinance, are required to provide soft copies to enable public inspection of all the submission materials on the Board’s website. To this end, for each application, the applicant is required to make all submissions in a way same as that of his first submission, i.e. in hard copy only or providing a soft copy either via EPASS or in the prescribed manner set out at Annex C.~~

~~2426~~ The requirements on the number of copies are as follows:

~~Hard Copy Only Submission~~

- ~~(a) 1 signed original copy of the application form;~~
- ~~(b) 4 copies of the plans/drawings if all are in black and white and not larger than A3 size;~~
- ~~(c) 70 copies of the plans/drawings (which contain any colour or larger than A3 size) and SI;~~
- ~~(d) 1 signed original copy of the authorisation letter and/or 1 hard copy of land/consent/notification documents, if applicable;~~

*~~Hard Copy Submission Supplemented by Soft Copy~~ **Non-EPASS Submission***

- ~~(e)~~**(a)** 1 signed original copy of the application form (in paper form);
- ~~(f)~~**(b)** 4 hard copies and 1 soft copy of all plans/drawings, regardless of the size and colour, and SI;
- ~~(g)~~**(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 Submission*⁴

- ~~(h)~~**(d)** 1 electronic application form completed online on EPASS;
- ~~(i)~~**(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.

2527 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 ~~265~~ above).

2628 Notwithstanding the copy requirement specified in paragraphs ~~256~~ and ~~267~~ above, if considered necessary, additional hard copies of the documents may be required by the Board.

2729 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 DE**; and
- (c) with the resolution of each drawing/plan/photo in the soft copy between 200 DPI⁵ and 300 DPI.

2830 ~~For submission in both hard and soft copies, the~~ 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.

2931 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

~~3032~~ 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 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

⁴ For EPASS submission, reference should be made to the Guidance Notes on EPASS Submission for details.

⁵ Dots Per Inch.

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 **the Board is satisfied that there are reasonable grounds for not changing the date of receipt**~~it is considered unnecessary to publish such further information for public comments.~~ **For considerations on whether the date of receipt should or should not be changed when further information is received,** Please refer to **paragraph 5** of 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.

~~3133~~As stated in paragraph 24 above, ~~the~~ **submission of** further information is ~~required to be made in a way same as that of the first submission of the application.~~ It is also required to comply with the requirements set out in paragraphs ~~243, 25 to 2930 and 343.~~

HOW TO SUBMIT AN APPLICATION

~~3234~~Hard copies ~~submission~~ should be ~~made~~ **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, ~~if any,~~ should be submitted in the prescribed manner set out at **Annex C-D** or via EPASS.

~~3335~~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.

~~3436~~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.

~~3537~~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.

PUBLIC INSPECTION OF APPLICATION ~~FOR COMMENTS~~

~~3638~~~~The~~ **As an administrative measure,** 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 **the eligibility of the applicant,** ~~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 Amendment of Plan, Planning Permission and Review and Submission of Comments on Various Applications under the Town Planning Ordinance.~~

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

3739 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.

3840 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, ~~Comments~~, Further Representations and Applications made under the Town Planning Ordinance.

RIGHT OF HEARING

3941 An applicant and/or his/**her** authorised representative may attend the meeting at which the Board considers his/**her** application and be heard by the Board. The applicant will be notified of the date and time of the meeting and provided with a copy of the paper prepared by the Planning Department on the application 7 days before the meeting.

4042 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.

4143 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 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.

4244 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.

~~434~~**45**The rules for keeping the order inside the meeting room are at **Annex EF**.

HOW TO OBTAIN THE RESULT OF AN APPLICATION

~~444~~**46**In accordance with the Ordinance, all applications for amendment of plan will be considered by the Board within ~~23~~ 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).

~~454~~**7**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.

DECISION OF THE BOARD

~~464~~**8**The Board may accept the application in whole or in part or refuse the application. The applicant will be notified in writing of the Board's decision and the reasons of the decision to accept in part only or to refuse the application. There is no right of review or appeal under the Ordinance regarding the Board's decision on the application.

~~474~~**9**Should the Board accept in whole or in part an application, the Board will incorporate the accepted proposal into the relevant plan. The draft plan **or partly approved plan** incorporating the amendment(s) shall be exhibited for public inspection in accordance with the provisions of the Ordinance, and the amendment(s) shall be subject to the statutory procedures under sections 6 and ~~6BA~~ to 6H of the Ordinance.

IMPORTANT POINTS TO NOTE

~~485~~**0**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.

~~495~~**1**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.

5052 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 Secretariat

15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
(Tel: 2231 4810 or 2231 4835).

Town Planning Board's Website

<http://www.info.gov.hk/tpb/>

Planning Enquiry Counters of the Planning Department

17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories
(Hotline: 2231 5000).

Town Planning Board

February–September 2023

SAMPLE FOR REFERENCE ONLY

Sample written consent of land owner whose name is registered in the Land Registry as that of the sole owner or one of the owners of any non-Government land covered by the part of a plan to which the application relates, when the application is made.

**Application for Amendment of Plan under Section 12A
of the Town Planning Ordinance (Chapter 131)**

Consent of Land Owner for Eligibility of Applicant

Full address/Location of the application site	
Nature of proposal under application	(the subject of amendment should be indicated)

I hereby declare that:

(i) I am a person whose name is registered in the Land Registry as that of the sole owner or one of the owners of the following –

☐ Lot(s) No.
..... in Demarcation District

☐ premises located at Lot(s) No.
..... in Demarcation District

(ii) I have given consent to the applicant, ... (name of the applicant)....., to make the above application which involves the lot(s)/premises owned/partly owned by me as specified in paragraph (i) above.

Signature
Registered
Owner[#]

Name in Block Letter

Identity Document/Certificate of Incorporation No.*
Date

If the registered owner is a 'limited company', the signature should include the company seal and authorized signature. A resolution of the board of directors should also be included.

☐ tick as appropriate

* delete where appropriate

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, and fax number (if any) (Email address is required for **the Secretariat of the Board to provide the hyperlink for soft copy transmission**~~correspondences unless the applicant chooses to receive paper-based correspondences from the Board.~~)

(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, 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**~~correspondences unless the applicant chooses to receive paper-based correspondences from the Board.~~)
- 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 (if the application is site-specific)
(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 all the 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 **details of** the application site ~~details~~, including the boundary, area and address are accurate and consistently mentioned/described in the submission.

(d) Land ownership proof and consent of land owner or the Director of Lands
(Part 4 of the application form)

- If the applicant is the sole land owner or one of the land owners, copy of record issued by the Land Registry within 6 week before the application is made showing the ownership of lot/premises within the application site owned by the applicant
- If the applicant has obtained consent of any land owner or the Director of Lands, copy of such signed consent should be provided. In addition, if the consent is signed by a land owner, instead of the Director of Lands, it is required to provide the documentary proof of land ownership, i.e. copy of record issued by the Land Registry within 6 week before the application is made showing the ownership of lot/premises within the application site owned by the land owner giving consent. For the information required in the consent statement signed by that land owner, please refer to Annex A.
- The Secretariat of the Board will check the land ownership record from the Land Registry to confirm the eligibility when the s.12A application is submitted. If the name of the land owner is not found in the Land Registry record, the applicant will be considered as not eligible for s.12A application.

~~(d)~~(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/**her** 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.

(e)(f) Plan Proposed to be Amended
(Part 6 of the application form)

- Both the name and full number of the 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 2 of the Board.

- All zonings of the Plan to which the application relates must be specified.

~~(f)~~**(g)** Declaration

(Part 10 of the application form)

- The declaration form must be signed. ~~and, for non-EPASS submissions not via EPASS,~~ **the form must also be** accompanied by company chop, where appropriate.

~~(g)~~**(h)** Development Proposal

(Appendix of the application form)

- the breakdown of the Gross Floor Area provided should tally with the total floor area.
- for development involving columbarium use, the table at Annex to Appendix should be completed and the number of niches sold/occupied and the maximum number of sets of ashes interred should be provided.

~~(h)~~**(i)** 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.

Applications to be Supported by Technical Assessments

Environment

For applications involving any use or development that:

- may cause environmental impacts (either due to the nature of the proposed use or development and/or its location(s));
- is sensitive to pollution; or
- is major/large-scale,

applicants may be required to submit, together with their applications, information on environmental impacts and associated measures for their abatement. These may include the following –

- information on and an assessment of any possible activities such as reclamation works and industrial operations, that may produce aerial emissions, noise, wastes and effluents, or that may cause ecological impact, disruption to water circulation, or that are hazardous;
- 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 minimize 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.

For applications which may involve major/large-scale developments, applicants are advised to consult the Environmental Protection Department (EPD) (Tel: 2835 1319) prior to submitting their applications.

Drainage

For applications involving any use or development that may cause drainage impact, **the** applicants may be required to submit, together with their applications, a drainage impact assessment including 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.dsd.gov.hk/EN/Files/Technical_Manual/dsd_Guidelines/Advise_Note_1.pdf) prepared by the Drainage Services Department (DSD) or contact the DSD (Tel : 2594 7018) for details.

Traffic

For applications involving any use or development that may cause traffic impacts, **the** applicants may be required to submit, together with their applications, information on traffic impact assessment and associated measures for their abatement. The report should contain the following information:

- name(s) of the traffic consultants (if any);
- details of the indicative development proposal (including gross floor areas of different uses, provision and layout of parking and loading/unloading facilities, location and layout of run-in 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;
- a plan showing the Assessment Area and existing critical road junctions/sections;
- date of completion of the indicative development proposal and design year for the traffic forecast;
- calculation of additional traffic generated by the indicative development proposal together with the trip generation rates used;
- detailed description of the methodology and findings of the traffic counts, surveys, forecast and analysis conducted;
- detailed plans and description of the proposed road improvement and traffic management measures including preliminary feasibility assessment;
- 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 enquiry, 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

Man-made Slope, Retaining Wall or Natural Terrain

For applications involving any use or development that may affect or be affected by man-made slopes, retaining walls or natural terrain, **the** applicants should make reference to the “GEO Advice Note for Planning Applications”. The Advice Note explains the criteria for submission of a Geotechnical Planning Review Report which is required to support applications for use or development that will affect or be affected by man-made slopes, retaining walls or natural terrain. Applicants are also recommended to refer to GEO Publication No. 1/2011 “Technical Guidelines on Landscape Treatment for Slopes” (https://www.cedd.gov.hk/filemanager/eng/content_151/ep1_2011.pdf) which provides useful guidelines on landscaping of man-made slopes and retaining walls.

Copies of the said Advice Note and further advice can be obtained from the Geotechnical Engineering Office of the Civil Engineering and Development Department (Tel: 2762 5401).

Landscape and Visual

For applications involving any use or development that may cause landscape and/or visual impacts, **the** applicants may be required to submit, together with their applications, information on landscape and visual impacts. On landscape impact, the information may include survey on tree and landscape resources (with site photos showing the existing conditions) and ~~quantification of changes.~~ Illustrations on proposed **changes and** mitigation measures **such as including** compensatory planting and/or other landscape treatments **as appropriate** ~~may be necessary to suit the circumstances of each case.~~ On visual impact, the information may include identification of visual resources and ~~visually~~ sensitive **viewers/receivers**, and illustrations to show visual compatibility or obstruction and proposal of mitigation measures.

For presentation purpose in general, photomontages would be a useful tool in demonstrating the visual and landscape impacts of the proposed development. The viewpoints for the photomontages to be selected should be agreed by the Planning Department before the submission as far as possible. Where necessary, use of computer generated and/or physical models to further demonstrate the visual impact and mitigation measures may be required. For details, please contact the respective District Planning Office of the Planning Department.

Water Gathering Grounds

For applications involving any use or development within the water gathering grounds, applicants may be required to submit, together with their applications, information on the potential impacts on water quality and loss of yield in the water gathering grounds arising from the proposed use or development. 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 (e.g. in case of Small House development, the applicant can demonstrate that the water quality within water gathering grounds will not be affected by the proposed development).

Water Supply

For applications involving any use or development that may cause water supply impacts, applicants may be required to submit, together with their applications, a water supply impact assessment (WSIA). The requirements of the WSIA should be agreed with the Water Supplies Department and contain the following information:

- a detailed demand assessment for potable water and flushing water;
- an estimated annual water demand build-up trend covering the period from initial completion to full development;
- 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;
- assessment of the impacts of the additional water demand generated by the proposed development on the existing/planned waterworks infrastructure; and

- 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.

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

For enquiry, please contact the Construction Division of the Water Supplies Department (Tel: 2829 4500).

Submission of Soft Copy of Application Materials*

~~An applicant who chooses to submit his~~ **Except for EPASS submission, the** application with soft copy 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 a~~ **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 DE**).
- d. Notify the Board via email (**tpbsubmission@pland.gov.hk**) upon completion of the soft copy submission. Unless **with** 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~~**in** 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)
7. Visual Impact Assessment
8. Landscape Impact Assessment
9. Tree Survey
10. Geotechnical Impact Assessment
11. Sewerage & Drainage Impact Assessment
12. Risk Assessment
13. Air Ventilation Assessment
14. Management Plan
15. Social Impact Assessment
16. Heritage Impact Assessment
17. Ecological Impact Assessment
18. Conservation Management Plan
19. Others

B. Naming Rules for Digital Files

[Application No. (e.g. Y_K1_123)]_[FI*(no.) (if applicable)]_[Nature of the Document]_[Part no. (if applicable)]**

Example 1 (New Submission)

Y_K1_123_Drawings_Plans.pdf

Y_K1_123_Traffic_Impact_Assessment_1.pdf**

Y_K1_123_Traffic_Impact_Assessment_2.pdf**

Example 2 (First Further Information)

Y_K1_123_FI(1)_Responses_To_Comments.pdf

Y_K1_123_FI(1)_Traffic_Impact_Assessment.pdf

Y_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.

**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 ~~If~~ **Further information is available on the website of the Town Planning Board (the Board) (www.tpb.gov.hk). If any or assistance is required, please contact the Secretariat of the Board (by email: tpbpd@pland.gov.hk; by post: 15th Floor, 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: 17th Floor, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin) ~~the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).~~**

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 Town Planning Board’s~~ (the Board’s) ~~W~~website (<http://www.tpbinfo.gov.hk/tpb/>). 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	(Tel: 2158 6301) (Fax: 2489 9711)

	Territories	
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 (<http://www.infotpb.gov.hk/tpb>)**. 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.
- 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.

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

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**.

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 29 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 For fire safety reason, a plan in a scale of not less than 1:400 should be provided in the application for commercial use on the ground floor of an existing industrial premises falling within “Industrial”/“Other Specified Uses (Business)”/“Residential (Group E)” zone to show the location of the premises under application in the relevant building, and all means of exit, entry and internal passageway of the premises under application (please refer to **Plan 1** for sample). For the minimum requirements for fire service installations and equipment for the aforesaid commercial uses, the applicant may make reference to the Guidance Notes on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises. The Guidance Notes 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.
- 28 For applications for any particular use or development that may have implications on the environment, drainage, traffic, infrastructure, landscape, **visual** and topography, etc., technical assessments on the impacts of the proposed use or development may also be required. Please refer to **Annex B** for further details. For documents required for application for temporary open storage and port back-up uses in particular, please refer to paragraphs 1 to 3 in **Annex C** for details. However, 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 mandatory 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.
- 29 For each and every lot/premises to which the application relates, the applicant should

² The prescribed application forms (including electronic application forms) can be downloaded/accessed from the Board's website (https://www.infoitpb.gov.hk/tb/en/forms/forms_related.html).

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”.

30 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.

31 The applicant is ~~encouraged~~ **required** to submit **either via EPASS or in the prescribed manner set out at Annex D** 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., ~~but submission in hard copy only will also be accepted. If soft copy is provided for a new application, all the applicant’s subsequent submission for the application, including further information and review application submitted under section 16(2J) and 17 of the Ordinance, are required to provide soft copies to enable public inspection of all the submission materials on the Board’s website. To this end, for each application, the applicant is required to make all submissions in a way same as that of his first submission, i.e. in hard copy only, or providing a soft copy either via EPASS or in the prescribed manner set out at Annex D.~~

32 The requirements on the number of copies are as follows:

~~Hard Copy Only Submission~~

~~1 signed original copy of the application form;~~

~~4 copies of the plans/drawings if all are in black and white and not larger than A3 size;~~

~~70 copies of the plans/drawings (which contain any colour or larger than A3 size) and SI;~~

~~1 signed original copy of the authorisation letter and/or 1 copy of land/consent/notification documents, if applicable;~~

~~(a) Hard Copy Submission Supplemented by Soft Copy Non-EPASS Submission~~

~~(b)~~**(a)** 1 signed original copy of the application form (in paper form);

~~(c)~~**(b)** 4 hard copies and 1 soft copy of all plans/drawings, regardless of the size and colour, and SI;

~~(d)~~**(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 Submission*³

- (e)(d) 1 electronic application form completed online on EPASS;
 - (f)(e) 4 hard copies and 1 soft copy of all plans/drawings, regardless of the size and colour, and SI; and
 - (g)(f) 1 soft copy of the signed authorisation letter and/or land/consent/notification documents, if applicable.
- 33 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 32 above).
- 34 Notwithstanding the copy requirement specified in paragraphs 32 and 33 above, if considered necessary, additional hard copies of the documents may be required by the Board.
- 35 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 E**; and
 - (c) with the resolution of each drawing/plan/photo in the soft copy between 200 DPI⁴ and 300 DPI.
- 36 ~~For submission in both hard and soft copies, the~~ 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.
- 37 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

- 38 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 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**~~after the application is made and before it is considered by the Board.~~ Further information involving various assessments should be submitted in one

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

⁴ Dots Per Inch.

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.

- 39** ~~As stated in paragraph 31 above, the further information submission is required to be made in a way same as that of the first submission of the application. It is also required to comply with the requirements set out in paragraphs 30, 32 to 36 and 40.~~

HOW TO SUBMIT AN APPLICATION

- 40** ~~Hard copies submission~~ should be ~~made~~ **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, ~~if any,~~ should be submitted in the prescribed manner set out at **Annex D** or via EPASS.
- 41** 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.
- 42** 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.
- 43** 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

- 44** 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 Amendment of Plan, Planning Permission and Review and Submission of Comments on Various Applications under the Town Planning Ordinance.

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

- 45 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.
- 46 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, ~~Comments~~, Further Representations and Applications made under the Town Planning Ordinance.

HOW TO OBTAIN THE RESULT OF AN APPLICATION

- 47 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).
- 48 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.

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. For any permission involving commercial use on ground floor of industrial premises, the applicant may also need to refer to the Guidance Notes mentioned in paragraph 27 above for the compliance with approval condition in relation to the provision of fire safety measures.
- 50 For compliance with approval conditions including application for extension of time for compliance with planning conditions for temporary open storage and port back-up uses,

please refer to paragraphs 4 to 12 in **Annex C** for details.

RIGHT OF REVIEW

- 51 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.**
- 52 ~~As stated in paragraph 31 above, the review application is required to be made in a way same as that of the first submission of the original application under section 16 of the Ordinance. It is also required to comply with the requirements set out in paragraphs 30, 32 to 36 and 40 above. However, if the review application is made in the form of hard copy only, 90 hard copies are required to be provided.~~
- 53 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.
- 54 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.
- 55 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.
- 56 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 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.
- 57 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.

58 The rules for keeping the order inside the meeting room are at **Annex F**.

RIGHT OF APPEAL

59 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, of the Town Planning 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

60 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

- 61 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.
- 62 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.

- 63** 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 Secretariat~~

~~15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
(Tel: 2231 4810 or 2231 4835).~~

~~Town Planning Board's Website~~

~~<http://www.info.gov.hk/tpb/>~~

~~Planning Enquiry Counters of the Planning Department~~

~~17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories
(Hotline : 2231 5000).~~

Town Planning Board

February 2022 September 2023

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.**~~correspondences unless the applicant chooses to receive paper-based correspondences from the Board.~~)

(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.**~~correspondences unless the applicant chooses to receive paper-based correspondences from the Board.~~)
- 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 2 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; and renewal of permission for temporary use or development in rural 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/**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/**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 ~~not via EPASS~~, 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.

Applications to be Supported by Technical Assessments

Environment

For applications for any use or development that:

- may cause environmental impacts (either due to the nature of the proposed use or development and/or its location(s));
- is sensitive to pollution; or
- is major/large-scale,

applicants may be required to submit, together with their applications, information on environmental impacts and associated measures for their abatement. These may include the following –

- information on and an assessment of any possible activities such as reclamation works and industrial operations, that may produce aerial emissions, noise, wastes and effluents, or that may cause ecological impact, disruption to water circulation, or that are hazardous;
- 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 minimize 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.

For applications which may involve major/large-scale developments, applicants are advised to consult the Environmental Protection Department (EPD) (Tel: 2835 1319) prior to submitting their applications.

Drainage

For applications for any use or development that may cause drainage impact, applicants may be required to submit, together with their applications, a drainage impact assessment including 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.dsd.gov.hk/EN/Technical_Documents/DSD_Guidelines/index.html) prepared by the Drainage Services Department (DSD) or contact the DSD (Tel: 2594 7018) for details.

Traffic

For applications for any use or development that may cause traffic impacts, applicants may be required to submit, together with their applications, information on traffic impact assessment and associated measures for their abatement. The report should contain the following information:

- name(s) of the traffic consultants (if any);
- details of the indicative development proposal (including gross floor areas of different uses, provision and layout of parking and loading/unloading facilities, location and layout of run-in 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;
- a plan showing the Assessment Area and existing critical road junctions/sections;
- date of completion of the indicative development proposal and design year for the traffic forecast;
- calculation of additional traffic generated by the indicative development proposal together with the trip generation rates used;
- detailed description of the methodology and findings of the traffic counts, surveys, forecast and analysis conducted;
- detailed plans and description of the proposed road improvement and traffic management measures including preliminary feasibility assessment;
- 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 enquiry, 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

Man-made Slope, Retaining Wall or Natural Terrain

For applications for any use or development that may affect or be affected by man-made slopes, retaining walls or natural terrain, applicants should make reference to the “GEO Advice Note for Planning Applications”. The Advice Note explains the criteria for submission of a Geotechnical Planning Review Report which is required to support applications for use or development that will affect or be affected by man-made slopes, retaining walls or natural terrain. Applicants are also recommended to refer to GEO Publication No. 1/2011 “Technical Guidelines on Landscape Treatment for Slope” (<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.

Copies of the said Advice Note and further advice can be obtained from the Geotechnical Engineering Office of the Civil Engineering and Development Department (Tel: 2762 5401).

Landscape and Visual

For applications for any use or development that may cause landscape and/or visual impacts, **the** applicants may be required to submit, together with their applications, information on landscape and visual impacts. On landscape impact, the information may include survey on tree and landscape resources (with site photos showing the existing conditions) and ~~quantification of changes.~~ Illustrations on proposed **changes and** mitigation measures **such as including** compensatory planting and/or other landscape treatment **s as appropriate.** ~~may be necessary to suit the circumstances of each case.~~ On visual impact, the information may include identification of visual resources and ~~visually~~ sensitive **viewers/receivers**, and illustrations to show visual compatibility or obstruction and proposal of mitigation measures.

For presentation purpose in general, photomontages would be a useful tool in demonstrating the visual and landscape impacts of the proposed development. The viewpoints for the photomontages to be selected should be agreed by the Planning Department before the submission as far as possible. Where necessary, use of computer generated and/or physical models to further demonstrate the visual impact and mitigation measures may be required. For details, please contact the respective District Planning Office of the Planning Department.

Water Gathering Grounds

For applications for any use or development within the water gathering grounds, applicants may be required to submit, together with their applications, information on the potential impacts on water quality and loss of yield in the water gathering grounds arising from the proposed use or development. 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 (e.g. in case of Small House development, the applicant can demonstrate that the water quality within water gathering grounds will not be affected by the proposed development).

Water Supply

For applications for any use or development that may cause water supply impacts, applicants may be required to submit, together with their applications, a water supply impact assessment (WSIA). The requirements of the WSIA should be agreed with the Water Supplies Department and contain the following information:

- a detailed demand assessment for potable water and flushing water;
- an estimated annual water demand build-up trend covering the period from initial completion to full development;
- 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;
- assessment of the impacts of the additional water demand generated by the proposed

development on the existing/planned waterworks infrastructure; and

- 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.

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

For enquiry, please contact the Construction Division of the Water Supplies Department (Tel: 2829 4500).

Application for Permission for Temporary Open Storage and Port Back-Up Uses

WHAT DOCUMENTS ARE REQUIRED FOR THE SUBMISSION?

- 1 In submitting planning applications for permission for temporary open storage and port back-up uses, apart from application form, the following documents are required:
 - (a) **Location and Site Plans/Drawings** - clear and accurate location and site layout plans showing the location of the application site and its surrounding area. If the access to the proposed site is via a village track, the submitted plan should cover the entire section of the track from the site to the local feeder road, which should be at least up to single two lane road standard, and the applicant should also submit photographs covering the entire track to show its cross-section, the sightline and the condition of the road pavements. Also, drawings showing the locations of the proposed drainage works, landscape works, noise barriers and boundary wall or fencing, if relevant, should be submitted;
 - (b) **Details of Proposed Uses** - details of the uses and operations proposed to be carried out on the application site. These include information such as the operation hours, the type and stacking height of stored materials, the number of parking spaces for stored vehicles or container tractors/trailers, the industrial or mechanical processes involved, the vehicular access and the vehicular trip generated. Details of any structure(s) proposed to be erected on the application site should also be provided;
 - (c) **Drainage Impact Assessment/Drainage Proposals** - to alleviate the risk of flooding caused by the proposed uses involving activities such as earth filling, hard surface paving and building of structures, drainage proposals are required to demonstrate how the applicants will collect, convey and discharge rain water falling on or flowing to their sites. For application sites larger than 1 hectare, or within flood prone areas such as low-lying areas and flooding blackspots, or adjacent to or encompassing a major stream, channel or river etc, the drainage impact of the proposed uses may be significant and drainage impact assessment (DIA) would normally be required. The primary objective of the DIA is to demonstrate that with the implementation of necessary mitigation measures, the proposed use will not cause unacceptable increase in the risk of flooding in areas upstream of, adjacent to or downstream of the development;
 - (d) **Landscape Proposals** - ~~to ensure that the landscape and visual impacts of the proposed use(s) on the surrounding areas are kept to the absolute minimum,~~ the potential impacts arising from the proposed development on the existing landscape resources and the proposed tree treatments should be illustrated in the landscape proposals. The landscape proposals should also demonstrate how the landscape and visual impact generated by the proposed uses can be properly mitigated and include information such as species, size, spacing, total quantity of each type of the proposed planting and their locations. Planting in movable containers/pots will not be accepted. If mature trees in good health and structural condition are found within the site, the trees should be preserved on site as far as practicable;

- (e) **Noise Impact Assessment/Mitigation Measures** - to ensure that the proposed uses would not cause adverse noise impact to the surrounding sensitive receivers, noise impact assessments should be undertaken for noise generating activities such as those which involve the use of heavy machinery including manoeuvring of heavy vehicles and workshop activities. Proposals on mitigation measures to reduce the noise pollution generated by the proposed uses are required;
 - (f) **Air Quality Proposal** - to demonstrate and ensure that the relevant mitigation measures as stipulated under the latest “Code of Practice on Handling the Environmental Aspects of Temporary Uses & Open Storage Sites” will be followed to avoid or alleviate air nuisance generated by the proposed uses; and
 - (g) **Traffic Impact Assessment** - traffic impact assessment should be carried out for those uses generating substantial volumes of traffic, in particular container trailer/tractor park to ensure that the traffic volumes do not exceed the capacity of the local road network or that proposed mitigation measures such as junction improvements are practical and effective. Analyses of swept paths of appropriate types of goods vehicles at critical bends and junctions should also be included where appropriate. Where there are nearby residential or school developments, information on pedestrian count obtained from pedestrian surveys should be provided.
- 2 In the preparation of submissions as mentioned above, applicants can make reference to the following documents:
- (a) Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (<https://www.info.gov.hk/tpb/en/forms/guideline.html>);
 - (b) “Technical Note on the Submission and Implementation of Landscape Proposals for Compliance with Approval Conditions for Applications for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance” issued by Planning Department (http://pld-homepage.pland.hksarg/pland_en/tech_doc/index.html);
 - (c) “Code of Practice on Handling Environmental Aspects of Temporary Uses & Open Storage Sites” issued by Environmental Protection Department (https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/guide_ref/eia_guidelines.html); and
 - (d) “Technical Note to prepare a Drainage Submission” issued by Drainage Services Department (https://www.dsd.gov.hk/EN/Technical_Documents/DSD_Guidelines/index.html).
- They could also consult the relevant government departments and the DPOs of the Planning Department on the detailed requirements of the submissions.
- 3 In the assessment of planning applications for open storage and port back-up uses, general planning criteria including the planning intention of the area covering the site, compatibility with surrounding land uses, site accessibility and possible impacts generated by the proposed uses will be taken into account. For details on these general planning criteria, applicants can make reference to the “Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town

Planning Ordinance” mentioned in paragraph 2(a) above.

HOW TO COMPLY WITH APPROVAL CONDITIONS?

- 4 In granting planning permission, planning conditions on the **submission**/ resubmission of technical proposals and/or **implementation** of the proposals would be imposed to ensure that the approved open storage/port back-up uses would not generate adverse drainage, landscape, environmental and traffic impacts on the surrounding area and that the proposals would be complied with and/or implemented within a specified time. Depending on the special circumstance of each case, a planning condition requiring the application site be reinstated to an amenity area upon expiry of the planning permission would normally be imposed to ensure that the site would be tidied up, after the expiry of the planning permission, with the provision of suitable landscape treatment. It is imperative that the requirements are duly observed and implemented in accordance with the planning conditions.
- 5 Successful applicants should seek advice and assistance from the respective Government departments and the DPO in the preparation of the detailed technical submissions and implementation of the approval conditions. A list of contacts of the concerned Government departments is attached to the notification letter issued by the Secretariat of the Town Planning Board. Reference can also be made to the relevant documents providing guidance on the fulfillment of conditions mentioned in paragraph 2 above.
- 6 Government departments will give advice on the following aspects:
 - (a) **Planning Department** - preparation and implementation of landscape proposals, their maintenance and detailed reinstatement requirement;
 - (b) **Drainage Services Department** - preparation of drainage impact assessment and drainage proposals; and implementation of drainage facilities;
 - (c) **Transport Department** - provision of vehicular access point, junction improvement, design of parking layout and preparation of traffic impact assessment;
 - (d) **Environmental Protection Department** - preparation of noise impact assessment and implementation of mitigation measures to reduce noise, air quality and water quality impacts; and
 - (e) **Lands Department** - the provision of fencing and paving of the site.

Submission of Technical Proposals

- 7 Successful applicants should submit the technical proposals as soon as they are available. For normal cases where the conditions are required to be complied with within 6 months from date of planning approval, the applicant should submit the proposals at least 6 weeks before expiry of the compliance period to the relevant DPO of the Planning Department for central processing (for landscape proposals, a copy should be sent to the Urban Design & Landscape Section of the Planning Department directly). A copy of the submissions should also be sent to the Secretary, Town Planning Board for record purpose.

- 8 The relevant DPO will circulate the technical proposals to concerned government departments for comments and inform the applicants within 6 weeks upon receipt of the proposals whether the submitted proposals are acceptable. If the proposals do not meet the requirements of the concerned departments, the applicants should revise the proposals and resubmit the proposals for further consideration. In any case, it is important to have the revised proposals accepted by the relevant government–departments within the compliance period. If not, application for extension of time for compliance with the planning conditions should be sought.
- 9 Sometimes the Board may impose a shorter compliance period for implementing the conditions. Applicants should pay particular regard to the length of the compliance period and submit proposals to comply with the conditions as early as possible, and allow at least 6 weeks for departments concerned to vet the proposals.

Implementation of Technical Proposals

- 10 Once the technical proposals are accepted, the applicants should proceed with the implementation works without delay and notify the relevant DPO of the Planning Department and the Secretary, Town Planning Board once the works are completed. All works must be completed at least 6 weeks before the expiry of the specified time limit. For works that do not require the submission of proposals, implementation works should be undertaken once the applications are approved. Upon receipt of the applicants' notification of the completion of the required works, the relevant DPO and government departments will arrange for site inspection and inform the applicants within 6 weeks whether the implemented works are satisfactory. The completed works/landscape/mitigation measures should be properly maintained.

Reinstatement Clause

- 11 If the planning condition contains a requirement to reinstate the application site into an amenity area upon expiry of the planning approval, the applicant is required to undertake reinstatement works which usually include removal of hard paving and planting the site with trees, shrubs and grass, and sometimes demolition of the structure/shelter on the site. Any enquiry on the reinstatement requirement should be directed to the relevant DPO of the Planning Department.

HOW TO APPLY FOR EXTENSION OF TIME FOR COMPLIANCE WITH PLANNING CONDITIONS?

- 12 If the applicants consider that more time is required to comply with the planning conditions, they could submit applications for extension of time for compliance with planning conditions. The application form can be obtained from the Secretariat of the Board or downloaded from the Town Planning Board's website. In submitting the applications, the applicants should demonstrate that genuine efforts have been made in complying with and implementing the conditions by including in the submissions documentation on the technical proposals so far submitted and an account of works undertaken in respect of the planning conditions. Good justifications should also be given on why the planning condition(s) could not be complied with within the prescribed

time limit. Such application should be submitted to the Secretary, Town Planning Board no less than 6 weeks before the expiry of the specified time limit. The general requirements and assessment criteria for this type of application are set out in the 'Town Planning Board Guidelines on "Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development"'.

REVOCATION OF PLANNING APPROVAL

- 13 If the applicants fail to comply with the approval conditions within the specified time limit, the planning permissions granted for the uses will be **revoked** automatically without further notice.
- 14 Continuation of these uses without planning permissions will constitute unauthorised developments subject to enforcement action taken by the Planning Authority.
- 15 To continue the same use(s) on the site, a fresh section 16 planning application needs to be submitted to the Board for consideration. Planning permission would normally not be granted unless the applicants have included in the submissions technical assessments/proposals on such aspects as traffic, landscape, drainage and environmental mitigation to demonstrate that the proposed uses would not generate adverse traffic, landscape, drainage and environmental impacts on the surrounding areas. Furthermore, there should be no major adverse departmental comments and the concerns of the departments and local residents can be addressed through the implementation of approval conditions.

IMPORTANT POINT TO NOTE

- 16 It is **outside the purview** of the Board and the Town Planning Appeal Board to determine any claims in relation to 'existing use'. It is the right of an applicant/operator to bring an action for judicial review in the Court of First Instance if he genuinely believes that he has a valid claim of 'existing use' for a specific site. For further information on this matter, please contact the Central Enforcement & Prosecution Section of the Planning Department.

Annex D

Submission of Soft Copy of Application Materials*

~~An applicant who chooses to submit his~~ **Except for EPASS submission, the** ~~applicant with a soft copy~~ 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 E**).
- 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.

Annex E

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)
7. Visual Impact Assessment
8. Landscape Impact Assessment
9. Tree Survey
10. Geotechnical Impact Assessment
11. Sewerage & Drainage Impact Assessment
12. Risk Assessment
13. Air Ventilation Assessment
14. Management Plan
15. Social Impact Assessment
16. Heritage Impact Assessment
17. Ecological Impact Assessment
18. Conservation Management Plan
19. 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_Drawings_Plans.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.*

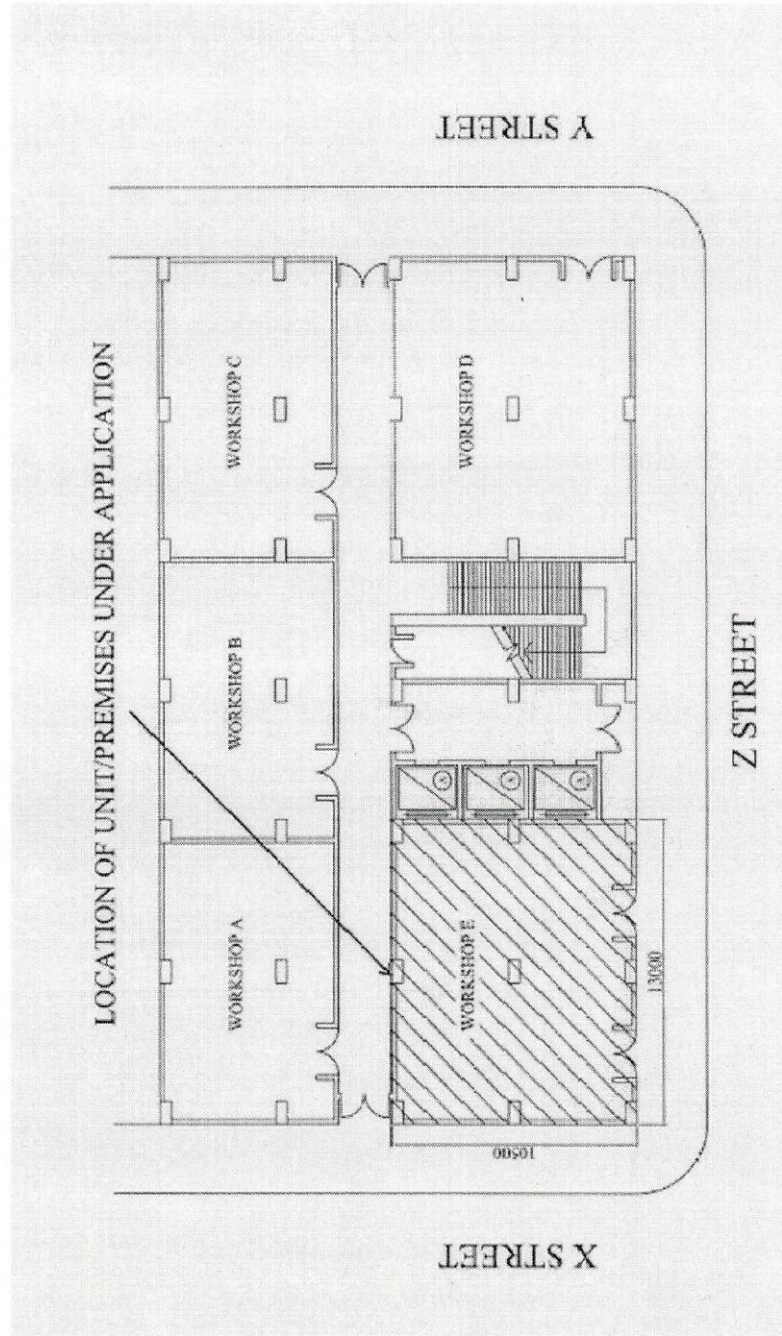
Order and Behaviour inside Meeting Room

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.



APPLICATION FOR CHANGE
OF USE FROM INDUSTRIAL
USE TO SHOP AND SERVICES
WORKSHOP E, G/F,
ABC INDUSTRIAL BUILDING,
No. 8 Z STREET,
KOWLOON BAY

Plan 1

Scale
1:XXX

**APPLICATION FOR AMENDMENT TO PERMISSION UNDER SECTION 16A(2)
OF THE TOWN PLANNING ORDINANCE (CAP. 131)**

GUIDANCE NOTES

INTRODUCTION

- 1 The following notes give information and guidance on how to make an application under section 16A(2) of the Town Planning Ordinance (the Ordinance) for amendment to permission granted under section 16 of the Ordinance. Please read them carefully. For submission of planning applications via Electronic Planning Application Submission System (EPASS submission), reference should also be made to the “Guidance Notes of 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 ~~If further information is available on the website of the Town Planning Board (the Board) (www.tpb.gov.hk).~~ If any ~~or~~ assistance is required, please contact the Secretariat of the Board (by email: tpbpd@pland.gov.hk; by post: 15th Floor, 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: 17th Floor, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin) ~~the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).~~

WHETHER AN APPLICATION IS REQUIRED

- 3 Where a permission is granted by the ~~Town Planning Board (the Board)~~ under section 16 of the Ordinance, amendments to the permission are provided under section 16A. Such amendments are classified as Class A or Class B amendments, as published by notice in Government gazette and reproduced in the Town Planning Board Guidelines on Class A and Class B Amendments to Approved Development Proposals 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 (<http://www.infotpb.gov.hk/tpb/>).~~ Changes falling within Class A amendments do not require further approval from the Board. Class B amendments are, however, subject to the approval of the Board upon application made under section 16A(2) of the Ordinance. For details, please refer to the said Guidelines.
- 4 In determining an application for Class B amendments, reference shall be made to the development proposal previously approved by the Board. No reference shall be made to any Class A amendments, or any previously approved Class B amendments, 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.

- 5 All amendments to a permission other than Class A amendments and Class B amendments shall be submitted in the form of a fresh application under section 16 of the Ordinance.

WHERE TO OBTAIN THE APPLICATION FORM

- 6 An application for Class B amendment to a permission should be made in a form, which 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** (address: <http://www.infotpb.gov.hk/tpb/>). For EPASS submission, the relevant electronic application form is available at the Board's website.

WHO CAN APPLY

- 7 Under section 16A(2) of the Ordinance, an application for Class B amendment to a permission can only be submitted by the person to whom the permission is granted. However, in case there is a change in land ownership, the original applicant may appoint the subsequent owner of the site as his/**her** authorised representative to submit an application for Class B amendments.
- 8 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

- 9 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.
- 10 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.
- 11 **Annex A** lists out the particulars which must be included in an application. If any of these particulars are missing or inconsistent with one another, the Board may refuse to process the application.

WHAT DOCUMENTS ARE REQUIRED FOR THE SUBMISSION

- 12 **The Applicant** is required to provide a signed and completed prescribed application form, and an authorisation letter signed by the applicant, if the application is submitted by an

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

authorised agent on the applicant's behalf. If needed, the application may also provide plans/drawings and supplementary information (SI) such as planning statements and reports on technical assessments.

- 13 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 the Board paper prepared for the application, if any, enclosing these documents may 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.
- 14 The applicant is ~~encouraged~~**required** to submit **either via EPASS or in the prescribed manner set out at Annex B** the soft copy of the plans/drawings and SI of the application to reduce paper consumption, ~~but submission in hard copy only will also be accepted. If soft copy is provided for a new application, all the applicant's subsequent submissions for the application, including review application, are required to provide soft copies. To this end, for each application, the applicant is required to make all submissions in a way same as that of his first submission, i.e. in hard copy only or providing a soft copy either via EPASS or in the prescribed manner set out at Annex B.~~
- 15 The requirements on the number of copies are as follows:

Hard Copy Only Submission

- ~~(a) 1 signed original copy of the application form;~~
- ~~(b) 3 copies of the plans/drawings if all are in black and white and not larger than A3 size;~~
- ~~(c) 12 copies of the plans/drawings (which contain any in colour or larger than A3 size) and SI;~~
- ~~(d) 1 signed original copy of the authorisation letter, if applicable;~~

Hard Copy Submission Supplemented by Soft Copy Non-EPASS Submission

- ~~(e)~~**(a)** 1 signed original copy of the application form (in paper form);
- ~~(f)~~**(b)** 3 hard copies and 1 soft copy of all plans/drawings, regardless of the size and colour, and SI;
- ~~(g)~~**(c)** 1 signed original copy **of** the authorisation letter (in paper form), if applicable;

EPASS Submission²

- ~~(h)~~**(d)** 1 electronic application form completed online on EPASS;
- ~~(i)~~**(e)** 3 hard copies and 1 soft copy of all plans/drawings, regardless of the size and colour, and SI; and
- ~~(j)~~**(f)** 1 soft copy of the signed authorisation letter, if applicable.

- 16 Notwithstanding the copy requirement specified in paragraph 15 above, if considered

² For EPASS submission, reference should be made to the Guidance Notes on EPASS Submission for details.

necessary, additional hard copies of the documents may be required by the Board.

- 17 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 C**; and
 - (c) with the resolution of each drawing/plan/photo in the soft copy between 200 DPI³ and 300 DPI.
- 18 ~~For submission in both hard and soft copies, the~~ 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.
- 19 All hardcopy 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.

HOW TO SUBMIT AN APPLICATION

- 20 ~~Hard copies submission~~ should be ~~made~~ **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, ~~if any,~~ should be submitted in the prescribed manner set out at **Annex B** or via EPASS.
- 21 After receiving an application, the Secretary of the Board will acknowledge receipt and inform the applicant the tentative date of consideration of the application.
- 22 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.
- 23 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.

APPLICATION TO BE CONSIDERED UNDER DELEGATED AUTHORITY

- 24 Normally, an application for Class B amendment to a permission will be considered by the Director of Planning under the Board’s delegated authority. However, the

³ Dots Per Inch.

application will be submitted to the Board for consideration if it is considered unacceptable by any of the concerned government departments or 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 departments and/or the requirement of the GIC facilities is subject to an approval condition.

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

- 25 An applicant may withdraw the submitted application by writing to the Secretary of the Board before the application is considered by the Board or by the Director of Planning under the Board's delegated authority.
- 26 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 application is considered by the Board or by the Director of Planning under the Board's delegated authority. For details, please refer to the Town Planning Board Guidelines on Deferment of Decision on Representations, ~~Comments~~, Further Representations and Applications made under the Town Planning Ordinance.

HOW TO OBTAIN THE RESULT OF AN APPLICATION

- 27 In accordance with the Ordinance, all applications for Class B amendment to permission will be considered within two months of their receipt. If an application is to be considered by the Director of Planning under the Board's delegated authority, the applicant will normally be informed of the Director's decision within 6 weeks of its receipt. If an application is to be submitted to the Board for consideration, 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).
- 28 If an application has been submitted to the Board for consideration and is 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.

COMPLIANCE OF APPROVAL CONDITIONS

- 29 The Board or the Director of Planning 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 AND APPEAL

- 30 An application may be approved, with or without conditions, or refused by the Board. The applicant will be notified in writing of the decision including the approval conditions, if any, or the reasons for refusing the application. If the applicant is aggrieved by the decision, he may, within 21 days of being notified of the decision, 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 under section 17(1A). Failing to do so, the Board must refuse the application under section 17(1B) of the Ordinance.**
- 31 ~~As stated in paragraph 14 above, the review application is required to be made in a way same as that of the first submission of the original application under section 16(A)2 of the Ordinance. It is also required to comply with the requirements set out in paragraphs 13, 15 to 18 and 20 above. However, if the review application is made in the form of hard copy only, 90 hard copies are required to be provided.~~
- 32 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. Details of the review procedures and arrangements are provided in the Guidance Notes on “Application for Permission under section 16 of the Town Planning Ordinance (Cap. 131)”
- 33 If the applicant is aggrieved by the decision of the Board on a review under section 17, the applicant may, within 60 days of being notified of the decision of the review, lodge an appeal to **the Secretary, of the Town Planning Appeal Board Panel (Town Planning) at 17/F, West Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong (Tel: 3509 8844)** with a copy sent to the Secretary of the Board.

IMPORTANT POINTS TO NOTE

- 34 These Guidance Notes serve only as general guidelines for the preparation of an application. 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.
- 35 Applicants are advised that offering any advantage to a Civil Servant and Members of the Board in connection with the application is an offence under the Prevention of Bribery Ordinance.

Secretary, Town Planning Board

15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
(Tel: 2231 4810 or 2231 4835).

Town Planning Board's Website

<http://www.info.gov.hk/tpb/>

Planning Enquiry Counters of the Planning Department

~~17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong~~
~~14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories~~
~~(Hotline: 2231 5000).~~

Town Planning Board
~~February~~ September 2023

Particulars which Must be Included in an Application

The following particulars must be included in an application. 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 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** ~~correspondences unless the applicant chooses to receive paper-based correspondences from the Board.~~)
- (ii) *for an application with an authorised agent*
- name of the applicant
 - 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** ~~correspondences unless the applicant chooses to receive paper-based correspondences from the Board.~~)
 - 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) Particulars of the relevant permission
(Part 3 of the application form)
- An applicant or his/**her** agent must clearly provide the application number of the relevant permission.

Submission of Soft Copy of Application Materials*

~~An applicant who chooses to submit his~~ **Except for EPASS submission, the** application with soft copies is required to follow the steps below for the submission:

New Application

- a. Submit the hard copies first **for the Board's initial checking**.
- 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 a~~ **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 C**).
- d. Notify the Board via email (**tpbsubmission@pland.gov.hk**) upon completion of the soft copy submission. Unless **the** receipt of the email notification, the soft copy submission will not be taken as completed.
- e. If rectification is required, 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.

* 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~~ **in** 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)
7. Visual Impact Assessment
8. Landscape Impact Assessment
9. Tree Survey
10. Geotechnical Impact Assessment
11. Sewerage & Drainage Impact Assessment
12. Risk Assessment
13. Air Ventilation Assessment
14. Management Plan
15. Social Impact Assessment
16. Heritage Impact Assessment
17. Ecological Impact Assessment
18. Conservation Management Plan
19. Others

B. Naming Rules for Digital Files

[Application No. (e.g. A_K1_123)]_[Date of Submission (e.g. YYYY-MM-DD)]_[Nature of the Document]_[Part no.(if applicable)]*

Example

A_K1_123_2021-12-31_Drawings_Plans.pdf

A_K1_123_2021-12-31_Planing_Statement_1.pdf*

A_K1_123_2021-12-31_Planning_Statement_2.pdf*

** 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 planning statement in the Example.*

**ELECTRONIC SUBMISSION FOR APPLICATIONS FOR AMENDMENT OF PLAN,
PERMISSION, AMENDMENT TO PERMISSION AND REVIEW UNDER SECTIONS
12A, 16, 16A(2) AND 17 OF THE TOWN PLANNING ORDINANCE (CAP.131)
RESPECTIVELY AND THE SUBMISSION OF FURTHER INFORMATION**

GUIDANCE NOTES

INTRODUCTION

1. The Electronic Planning Application Submission System (EPASS) is intended to provide an additional channel for the public to make planning/review applications under sections 12A, 16, 16A(2) and 17 of the Town Planning Ordinance (the Ordinance) and the subsequent submission of further information (FI) on these applications online.
2. The following notes give general information and guidance on how to use EPASS to apply for amendment of plan, permission, amendment to permission and review under sections 12A, 16, 16A(2) and 17 of the Ordinance and submit FI. This Guidance Notes should be read together with the other three Guidance Notes on planning applications¹ which give general information/guidance on how to make the corresponding planning applications, including general requirements on applications (including **eligibility of applicant**, consent of or notification to “current land owner” and documents for the submissions), publication of application for comments, withdrawal of applications, request for deferment of decision on applications, right of review and appeal, and other important points to note.
3. ~~If~~ **Further information is available on the website of the Town Planning Board (the Board) (www.tpb.gov.hk). If any assistance is required, please contact the Secretariat of the Board (by email: tpbpd@pland.gov.hk; by post: 15th Floor, 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: 17th Floor, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin)the Planning Enquiry Counters (PEC) of the Planning Department (PlanD) (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).**

¹ The Guidance Notes include those on (i) Application for Amendment of Plan under section 12A of the Ordinance; (ii) Application for Permission under section 16 of the Ordinance; and (iii) Application for Amendment to Permission under section 16A(2) of the Ordinance. They can be viewed at the following link:
http://www.info.tpb.gov.hk/tpb/en/forms/forms_related.html.

TYPES OF SUBMISSIONS THAT CAN BE MADE VIA EPASS

4. Submission of planning applications, review applications and FI for planning/review applications via EPASS (EPASS submission) can be made by completing the relevant electronic application forms (e-forms) online on the ~~Town Planning Board~~ (the Board)'s website:
 - (a) Application for Amendment of Plan under Section 12A of the Ordinance (e-form No. S12A);
 - (b) Application for Permission under Section 16 of the Ordinance – Applicable to Proposal not involving or not only involving:
 - (i) Construction of “New Territories Exempted House(s)”;
 - (ii) Temporary use/development of land and/or building not exceeding 3 years in rural areas/**regulated areas**; and
 - (iii) Renewal of permission for temporary use or development in rural areas(e-form No. S16-I);
 - (c) Application for Permission under Section 16 of the Ordinance – Applicable to Proposal Only Involving Construction of “New Territories Exempted House(s)” (NTEH) (e-form No. S16-II);
 - (d) Application for Permission under Section 16 of the Ordinance – Applicable to Proposal Only Involving Temporary Use/Development of Land and/or Building not Exceeding 3 Years in Rural Areas/**Regulated Areas** or Renewal of Permission for such Temporary Use or Development (e-form No. S16-III);
 - (e) Application for Amendment to Permission under Section 16A(2) of the Ordinance (e-form No. S16A);
 - (f) Application for Review under Section 17 of the Ordinance (~~e-form No. S17~~); and
 - (g) Submission of FI for Planning Applications under the Ordinance (~~e-form No. FI~~).
5. The correct e-form should be used for the corresponding planning/review application or submission of FI. Use of a wrong e-form may delay the application process or lead to refusal of application.

REQUIREMENTS OF MAKING EPASS SUBMISSIONS

6. Before making an EPASS submission, the applicant should have an “iAM Smart +” account² for signing the e-form and ensure that the requirements specified below as well as those at **Annex A** are met:

- (a) the submission should conform to the prescribed manner, format and procedure stipulated in the Gazette Notice made under section 11(2) of the Electronic Transaction Ordinance³;

Form

- (b) signed with “iAM Smart +”;

Attachments

- (c) attachments to the e-form should be in searchable PDF file⁴ with the size of each file not exceeding 200MB (no page limit). If the file size is larger than 200MB, it should be split into two or more PDF files;
- (d) with files each named based on its document nature and the rules set out at **Annex B**; and
- (e) with the resolution of each drawing/plan/photo in the soft copy between 200 DPI⁵ and 300 DPI.
7. Any intended submission other than by the aforesaid prescribed format and/or exceeding the file size will not be accepted by the Board.
8. If plans/drawings and supplementary information (SI), such as planning statement and reports on technical assessments, in support of the application are submitted, the Secretariat

² For details, please refer to <https://www.iamsmart.gov.hk/en/>

³ For details, please refer to https://www.ogcio.gov.hk/en/our_work/regulation/eto/ordinance/submission/

⁴ The applicant should compile documents relating to landownership record, landowner’s consent, request for landowner’s consent and notification to landowner in separate PDF files. The applicant should also provide a signed authorisation letter in a separate PDF file if an authorised agent is engaged for the submission. The said documents should be submitted via EPASS and PDF files need not to be searchable.

⁵ Dots Per Inch.

of the Board will notify the applicant by email to submit 4 hard copies of these documents⁶, together with a print-out of the Board's notification for identification purpose, by hand or by post to the Secretariat of the Board at "15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong".

HOW TO MAKE AN EPASS SUBMISSION

9. The steps/instructions of submission on the Board's website have to be followed and the important points of application should be noted. A video user guide of the submission process is available on the Board's website.
10. All EPASS submissions will be checked by the Secretariat of the Board. The applicant may be required to verify any matters or particulars set out or included in the application. Upon checking, if it is found that the 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 application will be the date when all necessary information and documents are received and checked.
11. For paper saving, correspondences from the Secretariat of the Board and any paper prepared by the Planning Department for the Board's consideration or its link (the documents) will be sent to the email address provided in the submission. No hard copy of the document will be sent to the applicant separately.
12. If the EPASS is made after the office hours of the Secretariat of the Board, it will be treated as having been submitted on the following working day⁷, e.g. if the submission is made at 5:30:01 p.m. on a Tuesday, it will be treated as having been submitted at 9:00:00 a.m. on Wednesday⁸, and if the submission is made at 6:00:01 p.m. on a Friday, it will be treated as having been submitted at 9:00:00 a.m. on the next Monday⁹.

⁶ For applications under Section 16A(2) of the Ordinance, only 3 hard copies are required. Number of copies required for applications is applicable to their corresponding FIs. If considered necessary, additional copies may be required by the Board.

⁷ The office hours of the Secretariat of the Board are from 9:00am to 5:30pm on Monday through Thursday and from 9:00am to 6:00pm on Friday.

⁸ Given that the day is not a public holiday.

⁹ Ditto.

Town Planning Board Secretariat

15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

(Tel: 2231 4810 or 2231 4835), (Fax: 2877 0245/2522 8426) and (Email: tpbpd@pland.gov.hk)

Town Planning Board's Website

Planning Enquiry Counters of the Planning Department

17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories

(Hotline: 2231 5000).

Town Planning Board

February-September 2023

Required Items and System Requirements for EPASS Submissions

Required Items

- (a) a smart phone with “iAM Smart” mobile app;
- (b) register to use “iAM Smart+”¹⁰ version for digital signing; and
- (c) Adobe Reader 8 (or above) for proper display of the downloaded file in PDF format.

System Requirements

- (a) please refer to the System Requirements for “iAM Smart” Mobile App at <http://www.iamsmart.gov.hk/en/faq.html>; and
- (b) please refer to the System Requirements for GovHK Online Services at <http://www.gov.hk/en/about/helpdesk/softwarerequirement/oneservice.htm>.

¹⁰ There are two versions of "iAM Smart" for registration, namely "iAM Smart" and "iAM Smart+". The difference between the two versions is that "iAM Smart+" additionally provides digital signing function. It should be noted that user registered to use “iAM Smart” version only is unable to access to EPASS.

Annex B

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)
7. Visual Impact Assessment
8. Landscape Impact Assessment
9. Tree Survey
10. Geotechnical Impact Assessment
11. Sewerage & Drainage Impact Assessment
12. Risk Assessment
13. Air Ventilation Assessment
14. Management Plan
15. Social Impact Assessment
16. Heritage Impact Assessment
17. Ecological Impact Assessment
18. Conservation Management Plan
19. Others

B. Naming Rules for Digital Files

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

Example 1 (New Submission)***

Drawings_Plans.pdf

Traffic_Impact_Assessment_1.pdf**

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, the 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.

***Application number should be included in the name of the files for s.17 review. For s.16A applications, the application number of the original approved s.16 applications should be included.

**REPRESENTATION IN RESPECT OF
~~DRAFT~~
PLAN— UNDER SECTION 6(1) OF
THE TOWN PLANNING ORDINANCE (CAP. 131)**

根 據 《 城 市 規 劃 條 例 》 (第 131 章)
第 6(1) -條 就 草~~圖~~ 則 作 出 申 述

For Official Use Only 請勿填寫此欄	Reference No. 檔案編號	
	Date Received 收到日期	

1. The representation should be made to the Town Planning Board (the Board) before the expiry of the specified plan exhibition period. The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board, 15/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申述必須於指定的圖則展示期限屆滿前向城市規劃委員會（下稱「委員會」）提出，填妥的表格及支持有關申述的文件（倘有），必須送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會秘書收。
2. Please read the “Town Planning Board Guidelines on Submission and ~~Publication~~ **Processing** of Representations, ~~Comments on Representations~~ and Further Representations” before you fill in this form. The Guidelines can be obtained from the Secretariat of the Board (15/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong – Tel.: 2231 4810 or 2231 4835) and the Planning Enquiry Counters (**PECs**) of the Planning Department (Hotline: 2231 5000) (17/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F., Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories), or downloaded from the Board’s website at <http://www.infetpb.gov.hk/tfb/>.
填寫此表格之前，請先細閱有關「根據城市規劃條例提交及公佈處理申述一對申述的意見及進一步申述」的城市規劃委員會規劃指引。這份指引可向委員會秘書處（香港北角渣華道 333 號北角政府合署 15 樓 - 電話：2231 4810 或 2231 4835 及規劃署的規劃資料查詢處（熱線：2231 5000）（香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓）索取，亦可從委員會的網頁下載（網址：<http://www.infetpb.gov.hk/tfb/>）。
3. This form can be downloaded from the Board’s website, and obtained from the Secretariat of the Board and the ~~Planning Enquiry Counters~~ **PECs** of the Planning Department. The form should be typed or completed in block letters, preferably in both English and Chinese. The representation may be treated as not having been made if the required information is not provided.
此表格可從委員會的網頁下載，亦可向委員會秘書處及規劃署的規劃資料查詢處索取。提出申述的人士須以打印方式或以正楷填寫表格，填寫的資料宜中英文兼備。倘若未能提供所需資料，則委員會可把有關申述視為不曾提出論。
4. In accordance with the Town Planning Ordinance (the Ordinance), the Board will make available all representations received for public inspection as soon as reasonably practicable at the Board’s website and the PECs. The representations will be available for public inspection until the Chief Executive in Council has made a decision on the plan in question under section 9 of the Ordinance.
根據《城市規劃條例》（下稱「條例」），委員會會在合理可行的情況下，盡快將所有收到的申述上載至委員會的網頁及存放於規劃資料查詢處供公眾查閱，直至行政長官會同行政會議根據條例第 9 條就有關圖則作出決定為止。

1. Person Making this Representation (known as “Representer” hereafter) 提出此宗申述的人士（下稱「申述人」） Full Name 姓名 / 名稱 (Mr./Ms./Company/Organization* 先生/女士/公司/機構*) (Note: for submission by person, full name shown on Hong Kong Identity card/Passport must be provided) (注意：若個人提交，須填上與香港身份證／護照所載的全名)

2. Authorized Agent (if applicable)	獲授權代理人(如適用)
Full Name 姓名 / 名稱 (Mr./ Ms./Company/Organization* 先生/女士/公司/機構*)	
(Note: for submission by person, full name shown on Hong Kong Identity card/Passport must be provided) (注意：若個人提交，須填上與香港身份證／護照所載的全名)	

* Delete as appropriate 請刪去不適用者

Please fill in "NA" for not applicable item 請在不適用的項目填寫「不適用」

3. Details of the Representation (use separate sheet if necessary)[#]**申述詳情(如有需要，請另頁說明)[#]**

~~Draft~~ The plan to which the representation relates (please specify the name and number of the ~~draft~~ plan) 與申述相關的草圖則 (請註明草圖則名稱及編號)		
Nature of and reasons for the representation 申述的性質及理由		
Subject matters 有關事項 [@]	Are you supporting or opposing the subject matter? 你支持還是反對有關事項?	Reasons 理由 [^]
	☐ support 支持 ☐ oppose 反對	
	☐ support 支持 ☐ oppose 反對	
	☐ support 支持 ☐ oppose 反對	
Any proposed amendments to the ~~draft~~ plan? If yes, please specify the details. 對草圖則是否有任何擬議修訂? 如有的話，請註明詳情。		

[#] If the representation contains more than 20 pages, or any page larger than A4 size, 4 hard copies and 1 soft copy are required to be provided for the submission. Provision of email address is also required. ~~If supporting documents (e.g. colour and/or large size plans, planning studies and technical assessments) is included in the representations, 90 copies (or 40 hard copies and 50 soft copies) of such information shall be provided.~~

若申述超過 20 頁或有任何一頁大小超過 A4，則須提交硬複本一式四份和一份軟複本。另須提供電郵地址。附有支持其論點的補充資料(例如彩色及／或大尺寸的圖則、規劃研究及技術評估)，則須提供 90 份複本(或 40 印文本和 50 份電子複本)。

[@] Please describe the particular matter in the plan to which the representation relates. Where the representation relates to an amendment

to a plan, please specify the amendment item number provided in the Schedule of Proposed Amendments. 請形容圖則內與申述有關的指定事項，如申述與圖則的修訂有關，請註明在修訂項目附表內的修訂項目編號。

- ^ Please also note that section 6(3A) of the Ordinance provides that any representation received under section 6(1) may be treated as not having been made if, in the opinion of the Board that, the reason for the representation is a reason concerning compensation or assistance relating to, or arising from resumption/acquisition/clearance/obtaining vacant possession of any land by the Government. The above matters should be dealt with in accordance with the relevant statutory provisions on compensation and/or promulgated policy on compensation. Should you have any views on compensation or assistance matters, you may separately raise your views to the Director of Lands or the relevant authority. 請注意，條例第 6(3A)條訂明，如委員會認為根據第 6(1)條收到的任何申述所提出的理由是與政府收回／徵用／清理／取得任何土地的空置管有權而引起的補償或援助有關，則有關申述可被視為不曾提出。上述事項應該按照相關補償的法律條文和／或已公布的補償政策處理。如對補償或援助事宜有意見，可另行向地政總署署長或有關當局提出。

Please fill "NA" for not applicable item 請在不適用的項目填寫「不適用」

☒ at the appropriate box 請在適當的方格內加上 ☒ 號

(This part will not be made available for public inspection)

(這部份不會公開予公眾查閱)

Particulars of "Representer" and Authorized Agent

「申述人」及獲授權代理人的詳細資料

Important Notice 重要告示

1. 申述人須填上香港身份證／護照所載的全名
2. 申述人亦須提供香港身份證／護照號碼的首四個字母數字字符(例子: C668/CC66)
3. 獲授權代理人(如適用)的代表亦須提供香港身份證／護照所載的全名及號碼的首四個字母數字字符(例子: C668/CC66)
4. 如申述由獲授權代理人提交，代理人須提交申述人簽署的委任文書正本
5. 申述人或其獲授權代理人請提供郵寄地址及／或電郵地址以便書信通訊
6. 申述人須詳閱關於「根據《城市規劃條例》提交及處理公布申述一對申述的意見及進一步申述」的城市規劃委員會(下稱「城規會」)規劃指引編號 29CB

申述人若沒有提供上述第 1 至 3 項的資料，則該所提交的申述會視為不曾作出。若沒有提供上述第 4 項的資料文件，則該申述將視為並沒有委任獲授權代理人。沒有提供上述第 5 的項資料(註: 不完整或無法辨識的通訊地址亦視作沒有提供)的申述人將視作無意收到往後相關函件及出席聆聽會議。城規會秘書處保留權利要求申述人提供身份證明以作核實。若有需要，申述人可透過城規會網站取得聆聽會議安排、相關的城規會文件等資料，並聯絡城規會秘書處，以安排出席聆聽會議。

1. Representer must provide the full name shown on Hong Kong Identity (HKID) Card/Passport
2. Representer must provide the first four alphanumeric characters of HKID Card/Passport number (e.g. C668/CC66)
3. The representative of the authorized agent (if applicable) must also provide his/her full name shown on HKID Card/Passport and the first four alphanumeric characters of his/her HKID Card/Passport number (e.g. C668/CC66)
4. For submission made by authorized agent on the representer's behalf, the original signed authorization letter should be provided
5. Representer or his/her authorized agent is requested to provide postal address **and/or** email address to facilitate communication in writing
6. Representer is advised to read the Town Planning Board (TPB) Guidelines No. 29CB on "Submission and **Publication-Processing** of Representations, ~~Comments on Representations~~ and Further Representations under the Town Planning Ordinance" (TPB PG-No. 29CB).

If representer fails to provide the information of items 1 to 3 above, the representation submitted **shall be treated as not having been made**. Failure to provide the document of item 4 above shall be taken as that no authorization agent is appointed for the representation. Failure to provide information of item 5 above (note: incomplete or illegible correspondence may also be treated as not having been provided) will be taken to indicate that the representer is not willing to receive further correspondences and attend the hearing. The Secretariat of the TPB reserves the right to require provision of identity proof for verification. If needed, the representer may check the information regarding the hearing arrangement, relevant papers, etc. on the TPB website, and contact the Secretariat of the TPB to make arrangement for their attendance at the hearing.

1. Representer 「申述人」

Full Name of Representer's Representative (Only applicable to organization/group as a representer)

申述人代表全名(只適用於申述人為機構組織)

(Note: full name shown on HKID Card/Passport must be provided)

(注意:須填上香港身份證／護照所載的全名)

Representer's First 4 Alphanumeric Characters of HKID Card/Passport (e.g. C668/CC66) #

申述人的香港身份證／護照首 4 位字母數字字符(例子: C668/CC66) #

Postal Address 通訊地址@

E-mail Address 電郵地址@

Tel. No. 電話號碼 (Optional 可選擇提供)

Necessary information. If representer is an organization/group, must provide the information of the representative
必須資料。如果申述人為機構組織，須提供其代表的資料

@ Please refer to point no. 5 of Important Notice
請查閱重要告示的第 5 點

2. Authorized Agent (if applicable) 獲授權代理人(如適用)

Full Name of Representative 代表全名

(Only applicable to organization/group as the authorized agent 只適用於獲授權代理人為機構組織)

(Mr./ Ms. * 先生/女士*)

(Note: full name shown on HKID Card/Passport must be provided)

(注意:須填上香港身份證／護照所載的全名)

First 4 Alphanumeric Characters of HKID Card/Passport (e.g. C668/CC66) #

香港身份證／護照首 4 位字母數字字符(例子: C668/CC66) #

Postal Address 通訊地址@

E-mail Address 電郵地址@

Tel. No. 電話號碼 (Optional 可選擇提供)

* Delete as appropriate 請刪去不適用者

If the authorized agent is an organization/group, must provide information of the representative
如果代理人為機構組織，須提供其代表的資料

@ Please refer to point no. 5 of Important Notice
請查閱重要告示的第 5 點

Statement on Personal Data 個人資料的聲明

1. In accordance with the provisions of the Town Planning Ordinance and the relevant Town Planning Board Guidelines, the personal data submitted to the Board in this representation will be used by the Secretary of the Board and Government departments for the following purposes:
 - (a) the verification of identity of the “representer” and the authorized agent;
 - (b) the processing of this representation which includes making available the name of the “representer” for public inspection when making available this representation for public inspection; and
 - (c) facilitating communication between the “representer” and the Secretary of the Board/Government departments

城市規劃委員會就這宗申述所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) 核實「申述人」及獲授權代理人的身份；
 - (b) 處理這宗申述，包括在公布這宗申述供公眾查閱時，公布「申述人」的姓名供公眾查閱；以及
 - (c) 方便「申述人」與委員會秘書及政府部門之間進行聯絡。
2. The personal data provided by the “representer” and the authorized agent in this representation may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.
「申述人」及獲授權代理人就這宗申述提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。
3. The “representer” and the authorized agent have a right of access and correction with respect to their personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong. 根據《個人資料（私隱）條例》（第 486 章）的規定，「申述人」及獲授權代理人有權查閱及更正其個人資料。如欲查閱及更正其個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

**FURTHER REPRESENTATION IN RESPECT OF
PROPOSED AMENDMENTS TO ~~DRAFT~~ PLAN
UNDER SECTION 6D(1) OF
THE TOWN PLANNING ORDINANCE (CAP. 131)**

根據《城市規劃條例》(第131章)
第6D(1)條就草圖則-的建議修訂
作出進一步申述

For Official Use Only 請勿填寫此欄	Reference No. 檔案編號	
	Date Received 收到日期	

- The further representation should be made to the Town Planning Board (the Board) before the expiry of the specified plan exhibition period. The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board, 15/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong.
進一步申述必須於指定的圖則展示期限屆滿前向城市規劃委員會（下稱「委員會」）提出，填妥的表格及支持有關進一步申述的文件（倘有），必須送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會秘書收。
- Please read the “Town Planning Board Guidelines on Submission and ~~Processing Publication~~ of Representations, ~~Comments on Representations~~ and Further Representations” before you fill in this form. The Guidelines can be obtained from the Secretariat of the Board (15/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong – Tel.: 2231 4810 or 2231 4835) and the Planning Enquiry Counters (PECs) of the Planning Department (Hotline: 2231 5000) (17/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F., Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories), or downloaded from the Board’s website at <http://www.infotpb.gov.hk/tpb/>.
填寫此表格之前，請先細閱有關「根據城市規劃條例提交及處理公佈申述、對申述的意見及進一步申述」的城市規劃委員會規劃指引。這份指引可向委員會秘書處（香港北角渣華道 333 號北角政府合署 15 樓 - 電話：2231 4810 或 2231 4835 及規劃署的規劃資料查詢處（熱線：2231 5000）（香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓）索取，亦可從委員會的網頁下載（網址：<http://www.infotpb.gov.hk/tpb/>）。
- This form can be downloaded from the Board’s website, and obtained from the Secretariat of the Board and the ~~Planning Enquiry Counters~~ PECs of the Planning Department. The form should be typed or completed in block letters, preferably in both English and Chinese. The further representation may be treated as not having been made if the required information is not provided.
此表格可從委員會的網頁下載，亦可向委員會秘書處及規劃署的規劃資料查詢處索取。提出進一步申述的人士須以打印方式或以正楷填寫表格，填寫的資料宜中英文兼備。倘若未能提供所需資料，則委員會可把有關進一步申述視為不曾提出論。
- In accordance with the Town Planning Ordinance (the Ordinance), the Board will make available all further representations received for public inspection as soon as reasonably practicable at the Board’s website and the PECs. The further representations will be available for public inspection until the Chief Executive in Council has made a decision on the plan in question under section 9 of the Ordinance.
根據《城市規劃條例》（下稱「條例」），委員會會在合理可行的情況下，盡快將所有收到的進一步申述上載至委員會的網頁及存放於規劃資料查詢處供公眾查閱，直至行政長官會同行政會議根據條例第 9 條就有關圖則作出決定為止。

1. Person Making this Further Representation (known as “Further Representer” hereafter) 提出此宗進一步申述的人士（下稱「進一步申述人」）

Full Name 姓名 / 名稱 (Mr./Ms./Company/Organization* 先生/女士/公司/機構*)

(Note: for submission by person, full name shown on Hong Kong Identity card/Passport must be provided)
(注意：若個人提交，須填上與香港身份證／護照所載的全名)

2. Authorized Agent (if applicable) 獲授權代理人(如適用)

Full Name 姓名 / 名稱 (Mr./ Ms./Company/Organization* 先生/女士/公司/機構*)

(Note: for submission by person, full name shown on Hong Kong Identity card/Passport must be provided)
(注意：若個人提交，須填上與香港身份證／護照所載的全名)

* Delete as appropriate 請刪去不適用者

Please fill in “NA” for not applicable item 請在不適用的項目填寫「不適用」

~~* Delete as appropriate 請刪去不適用者~~
~~Please fill in "NA" for not applicable item 請在不適用的項目填寫「不適用」~~

3. Details of the Further Representation (use separate sheet if necessary) [#] 進一步申述詳情(如有需要，請另頁說明) [#]	
~~Draft p~~ Plan to which the further representation relates (please specify the name and number of the ~~draft~~ plan to which the proposed amendments is make) 與進一步申述相關的草圖則 (請註明建議修訂的圖則草圖名稱及編號)	

~~* Delete as appropriate 請刪去不適用者~~
~~Please fill in "NA" for not applicable item 請在不適用的項目填寫「不適用」~~

3. ~~Details of the Further Representation (Continued)(use separate sheet if necessary)~~ [#] 進一步申述詳情(續)(如有需要,請另頁說明) [#]		
Nature of and reasons for the further representation 進一步申述的性質及理由		
Subject matters 有關事項 [@]	Are you supporting or opposing the subject matter? 你支持還是反對有關事項?	Reason 理由 [^]
	☐ support 支持 ☐ oppose 反對	
	☐ support 支持 ☐ oppose 反對 ~~oppose 反對~~	
	☐ support 支持 ☐ oppose 反對	
	☐ support 支持 ☐ oppose 反對	

[#] If the further representation contains more than 20 pages, or any page larger than A4 size, 4 hard copies and 1 soft copy are required to be provided for the submission. Provision of email address is also required. ~~If supporting documents (e.g. colour and/or large size plans, planning studies and technical assessments) is included in the further representation, 90 copies (or 40 hard copies and 50 soft copies) of such information shall be provided.~~

若進一步申述超過 20 頁或有任何一頁大小超過 A4, 則須提交硬複本一式四份和一份軟複本。另須提供電郵地址。附有支持其論點的補充資料(例如彩色及/或大尺寸的圖則、規劃研究及技術評估), 則須提供 90 份複本(或 40 印文本和 50 份電子複本)。(Chinese translation to be updated)

[@] Please specify the amendment item number provided in the Schedule of Amendments.
請註明在修訂項目附表內的修訂項目編號。

[^] Please also note that section 6D(3)(3B) of the Ordinance provides that any further representation received under section 6D(1) may be treated as not having been made if, in the opinion of the Board that, the reason for the further representation is a reason concerning compensation or assistance, relating to, or arising from resumption/acquisition/clearance/vacant possession of any land by the Government. The above matters should be dealt with in accordance with the relevant statutory provisions on compensation and/or promulgated policy on compensation. Should you have any views on compensation or assistance matters, you may separately raise your views to the Director of Lands or the relevant authority. 請注意, 條例第 6D(3)(3B)條訂明, 如委員會認為根據第 6D(1)條收到的任何進一步申述所提出的理由是與政府收回/徵用/清理/取得任何土地的空置管有權而引起的補償或援助有關, 則有關進一步申述可被視為不曾提出。上述事項應該按照相關補償的法律條文和/或已公布的補償政策處理。如對補償或援助事宜有意見, 可另行向地政總署署長或有關當局提出。

Please fill "NA" for not applicable item 請在不適用的項目填寫「不適用」

☒ at the appropriate box 請在適當的方格內加上 ☒ 號

(This part will not be made available for public inspection)
(這部份不會公開予公眾查閱)

Particulars of “Further Representer” and Authorized Agent
「進一步申述人」及獲授權代理人的詳細資料

Important Notice 重要告示

1. 進一步申述人須填上香港身份證／護照所載的全名
2. 進一步申述人亦須提供香港身份證／護照號碼的首四個字母數字字符(例子: C668/CC66)
3. 獲授權代理人(如適用)的代表亦須提供香港身份證／護照所載的全名及號碼的首四個字母數字字符(例子: C668/CC66)
4. 如進一步申述由獲授權代理人提交，代理人須提交進一步申述人簽署的委任文書正本
5. 進一步申述人或其獲授權代理人請提供郵寄地址及／或電郵地址以便書信通訊
6. 進一步申述人須詳閱關於「根據《城市規劃條例》提交及處理公布申述一對申述的意見及進一步申述」的城市規劃委員會(下稱「城規會」)規劃指引編號 29CB

進一步申述人若沒有提供上述第 1 至 3 項的資料，則該所提交的進一步申述會視為不曾作出。若沒有提供上述第 4 項的資料文件，則該進一步申述將視為並沒有委任獲授權代理人。沒有提供上述第 5 項的資料(註:不完整或無法辨識的通訊地址亦視作沒有提供)的進一步申述人將視作無意收到往後相關函件，包括政府部門就進一步申述所提出意見的函件及出席聆聽會議。城規會秘書處保留權利要求進一步申述人提供身份證明以作核實。若有需要，進一步申述人可透過城規會網站取得聆聽會議安排一相關的城規會文件等資料，並聯絡城規會秘書處，以安排出席聆聽會議。

1. Further representer must provide the full name shown on Hong Kong Identity (HKID) Card/Passport
2. Further representer must provide the first four alphanumeric characters of HKID Card/Passport number (e.g. C668/CC66)
3. The representative of the authorized agent (if applicable) must also provide his/her full name shown on HKID Card/Passport and the first four alphanumeric characters of his/her HKID Card/Passport number (e.g. C668/CC66)
4. For submission made by authorized agent on the further representer's behalf, the signed authorization letter should be provided
5. Further representer or his/her authorized agent is requested to provide postal address and/or email address to facilitate communication in writing
6. Further representer is advised to read the Town Planning Board (TPB) Guidelines No. 29CB on “Submission and ~~Publication~~ **Processing** of Representations, ~~Comments on Representations~~ and Further Representations under the Town Planning Ordinance” (TPB PG-No. 29CB).

If further representer fails to provide the information of items 1 to 3 above, the further representation submitted **shall be treated as not having been made**. Failure to provide the document of item 4 above shall be taken as that no authorization agent is appointed for the further representation. Failure to provide information of item 5 above (note: incomplete or illegible correspondence may also be treated as not having been provided) will be taken to indicate that the further representer is not willing to receive further correspondences, **including those on the comments of government departments on the further representation and attend the hearing**. The Secretariat of the TPB reserves the right to require provision of identity proof for verification. If needed, the further representer may ~~check the information regarding the hearing arrangement, obtain the~~ relevant papers, etc. on the TPB website, ~~and contact the Secretariat of the TPB to make arrangement for their attendance at the hearing.~~

1. Further Representer 「進一步申述人」

Full Name of Further Representer's Representative (Only applicable to organization/group as a further representer)

進一步申述人代表全名(只適用於進一步申述人為機構組織)

(Note: full name shown on HKID Card/Passport must be provided)

(注意:須填上香港身份證／護照所載的全名)

Further Representer's First 4 Alphanumeric Characters of HKID Card/Passport (e.g. C668/CC66) #

進一步申述人#的香港身份證／護照首 4 位字母數字字符(例子: C668/CC66) #

Postal Address 通訊地址@

E-mail Address 電郵地址@
Tel. No. 電話號碼 (Optional 可選擇提供)

- # Necessary information. If further representer is an organization/group, must provide the information of the representative
必須資料。如果進一步申述人為機構組織，須提供其代表的資料
- @ Please refer to point no. 5 of Important Notice
請查閱重要告示的第 5 點

2. Authorized Agent (if applicable) 獲授權代理人(如適用)				
Full Name of Representative 代表全名 (Only applicable to organization/group as the authorized agent 只適用於獲授權代理人為機構組織) (Mr./ Ms. * 先生/女士*) (Note: full name shown on HKID Card/Passport must be provided) (注意:須填上香港身份證／護照所載的全名)				
First 4 Alphanumeric Characters of HKID Card/Passport (e.g. C668/CC66) # 香港身份證／護照首 4 位字母數字字符(例子: C668/CC66) #				
Postal Address 通訊地址@				
E-mail Address 電郵地址@				
Tel. No. 電話號碼 (Optional 可選擇提供)				

* Delete as appropriate 請刪去不適用者

- # If the authorized agent is an organization/group, must provide information of the representative
如果代理人為機構組織，須提供其代表的資料
- @ Please refer to point no. 5 of Important Notice
請查閱重要告示的第 5 點

Statement on Personal Data 個人資料的聲明

- In accordance with the provisions of the Town Planning Ordinance and the relevant Town Planning Board Guidelines, the personal data submitted to the Board in this further representation will be used by the Secretary of the Board and Government departments for the following purposes:
 - the verification of identity of the "further representer" and the authorized agent;
 - the processing of this further representation which includes making available the name of the "further representer" for public inspection when making available this further representation for public inspection; and
 - facilitating communication between the "further representer" and the Secretary of the Board/Government departments

城市規劃委員會就這宗進一步申述所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

 - 核實「進一步申述人」及獲授權代理人的身份；
 - 處理這宗進一步申述，包括在公布這宗進一步申述供公眾查閱時，公布「進一步申述人」的姓名供公眾查閱；以及
 - 方便「進一步申述人」與委員會秘書及政府部門之間進行聯絡。
- The personal data provided by the "further representer" and the authorized agent in this further representation may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.
「進一步申述人」及獲授權代理人就這宗進一步申述提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. The “further representer” and the authorized agent have a right of access and correction with respect to their personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料（私隱）條例》（第 486 章）的規定，「進一步申述人」及獲授權代理人有權查閱及更正其個人資料。如欲查閱及更正其個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

**APPLICATION FOR
AMENDMENT OF PLAN UNDER SECTION 12A OF
THE TOWN PLANNING ORDINANCE
(CAP. 131)**

根據《城市規劃條例》(第131章)
第12A條遞交的修訂圖則申請

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.infotpb.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.infotpb.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

“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 the application is made
「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill “NA” for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	
	Date Received 收到日期	

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有)，送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the “Guidance Notes” carefully before you fill in this form. The document can be downloaded from the Board’s website at <http://www.infotpb.gov.hk/tpb/>. It can also 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) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張，然後填寫此表格。該份文件可從委員會的網頁下載 (網址：<http://www.infotpb.gov.hk/tpb/>)，亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 – 電話：2231 4810 或 2231 4835)及規劃署的規劃資料查詢處(熱線：2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載，亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全，委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱	
(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)	
2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)	
(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)	
3. Application Site 申請地點	
(a) Whether the application directly relates to any specific site? 申請是否直接與某地點有關?	Yes 是 ☐ No 否 ☐ (Please proceed to Part 6-4 請繼續填寫跳到第 46 部分填寫)
(b) Full address/ location/ demarcation district and lot number (if applicable) 詳細地址／地點／丈量約份及地段號碼 (如適用)	
(c) Site Area 申請地點面積	sq.m 平方米 ☐ About 約

(d) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	sq.m 平方米 ☐ About 約
(e) Current use(s) 現時用途	(If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. Eligibility of Applicant “Current Land Owner” of Application Site 申請人資格地點的「現行土地擁有人」

The applicant 申請人 –

☐ (a) is a person whose name is registered in the Land Registry as that of the sole owner or one of the owners of any non-Government land within the application site, when this application is made[&] (if the applicant is the sole owner, there is no need to fill in Part 5). the sole “current land owner”^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
是(a) 是一名人士，其姓名或名稱於提出申請時已在土地註冊處註冊，該註冊顯示申請人為申請地點內任何非政府土地的唯一或其中一名擁有人唯一的「現行土地擁有人」^{#&} (請繼續填寫第 6 部分，並夾附業權證明文件如申請人為唯一擁有人，不用填寫第 5 部分)。

☐ is one of the “current land owners”^{#&} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{#&} (請夾附業權證明文件)。

☐ (b) is not a “current land owner”^{#&} is a person who has obtained consent to this application from at least one owner as defined in (a) above[&].
(b) 並不是「現行土地擁有人」^{#&} 是一名人士，已獲得最少一名上述 (a) 所界定的擁有人同意這宗申請[&]。

☐ (c) is a person who has obtained consent to this application from the Director of Lands in relation to any government land within the application site[&].
(c) 是一名人士，就這宗申請地點內的任何政府土地，已獲得地政總署署長同意這宗申請[&]。

☐ (d) is a public officer.
(d) 是公職人員。

☐ (e) is a public body as defined by section 2 of the Prevention of Bribery Ordinance (Cap. 201).
(e) 是《防止賄賂條例》(第 201 章)第 2 條所界定的公共機構。

☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent from/Notification to “Current Land Owner”[#] 就「現行土地擁有人」[#]的同意/通知土地擁有人的陳述

(a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of “current land owner(s)”[#].
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」[#]。

(b) The applicant 申請人 –

- ☐ has obtained consent(s) of “current land owner(s)”[#].
 已取得 名「現行土地擁有人」[#]的同意。

Details of consent of “current land owner(s)” [#] obtained 取得「現行土地擁有人」 [#] 同意的詳情		
No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼／處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

Parts 3 (Cont'd) 4 and 5, 第3(續)、第4及第5部分

- ☐ has notified “current land owner(s)”[#]
已通知 名「現行土地擁有人」[#]。

Details of the “current land owner(s)” [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to “current land owner(s):
已採取合理步驟以取得「現行土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of “Current Land Owner(s)”[#] 取得「現行土地擁有人」[#] 的同意所採取的合理步驟

- ☐ sent request for consent to the “current land owner(s)”[#] on _____ (DD/MM/YYYY)
於_____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to “Current Land Owner(s)”[#]. 向「現行土地擁有人」[#] 發出通知所採取的合理步驟

- ☐ published notices in local newspapers[&] on _____ (DD/MM/YYYY)
於_____ (日/月/年)在指定報章就申請刊登一次通知[&]
- ☐ posted notice in a prominent position on or near application site/premises[&] on _____ (DD/MM/YYYY)
於_____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners’ corporation(s)/owners’ committee(s)/mutual aid committee(s)/management office(s) or rural committee[&] on _____ (DD/MM/YYYY)
於_____ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Plan Proposed to be Amended 擬議修訂的圖則	
(a) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	
(b) Land use zone(s) involved (if applicable) 涉及的土地用途地帶(如適用)	

7. Proposed Amendments 擬議修訂	
(a) Propose to rezone the application site to the following zone(s)/use(s) (May insert more than one 「✓」) (Please illustrate the details on plan) 建議將申請地點的用途地帶改劃作下列地帶 / 用途 (可在多於一個方格內加上「✓」號)(請在圖則顯示詳情)	
☐ Comprehensive Development Area [] 綜合發展區 [] ☐ Residential (Group ☐ A/ ☐ B/ ☐ C/ ☐ D/ ☐ E) [] 住宅 (☐ 甲類 / ☐ 乙類 / ☐ 丙類 / ☐ 丁類 / ☐ 戊類) [] ☐ Agriculture [] 農業 [] ☐ Industrial (Group D) [] 工業(丁類) [] ☐ Government, Institution or Community [] 政府、機構或社區 [] ☐ Recreation [] 康樂 [] ☐ Country Park [] 郊野公園 [] ☐ Conservation Area [] 自然保育區 [] ☐ Other Specified Uses (☐ Business/ ☐ Industrial Estate/ ☐ Mixed Use/ ☐ Rural Use/ ☐ Petrol Filling Station/ ☐ Others (please specify _____)) [] 其他指定用途 (☐ 商貿 / ☐ 工業邨 / ☐ 混合用途 / ☐ 鄉郊用途 / ☐ 加油站 / ☐ 其他 (請註明: _____)) [] ☐ Road 道路	☐ Commercial [] 商業 [] ☐ Village Type Development [] 鄉村式發展 [] ☐ Industrial [] 工業 [] ☐ Open Storage [] 露天貯物 [] ☐ Open Space [] 休憩用地 [] ☐ Green Belt [] 綠化地帶 [] ☐ Coastal Protection Area [] 海岸保護區 [] ☐ Site of Special Scientific Interest [] 具特殊科學價值地點 [] ☐ Others (please specify _____) 其他 (請註明: _____)
Please insert subzone in [] as appropriate. 請於[]內註明支區，如適用。	

(b) Propose to amend the Notes of the Plan(s) 建議修訂圖則的《註釋》

☐ Covering Notes 《註釋》說明頁☐ Notes of the zone applicable to the Site 適用於申請地點土地用途地帶的《註釋》

Details of the proposed amendment(s) to the Notes of the Plan, where appropriate, are as follows:

(Please use separate sheets if the space below is insufficient)

建議修訂圖則的《註釋》的詳情，如適用：

(如下列空間不足，請另頁說明)

.....

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☐ Proposed Notes of Schedule of Uses of the zone attached

夾附對《註釋》的擬議修訂

8. Details of Proposed Amendment (if any) 擬議修訂詳情 (倘有)☐ Particulars of development are included in the **Appendix**.**附錄**包括一個擬議發展的細節。☐ No specific development proposal is included in this application.

這宗申請並不包括任何指定的擬議發展計劃。

9. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.

現請申請人提供申請理由及支持其申請的資料。如有需要請另頁說明。

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This image shows a full page of primary-ruled paper. It features approximately 28 horizontal dotted lines spaced evenly down the page, providing a guide for handwriting practice. The paper is otherwise blank, with no margins or additional markings.

10. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature

☐ Applicant 申請人 / ☐ Authorised Agent 獲授權代理人

簽署

.....

.....

Name in Block Letters

姓名（請以正楷填寫）

Position (if applicable)

職位（如適用）

Professional Qualification(s) ☐ Member 會員 / ☐ Fellow of 資深會員

專業資格

☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /☐ HKILA 香港園境師學會 / ☐ —HKIUD 香港城市設計學會☐ RPP 註冊專業規劃師

Others 其他

on behalf of

代表

.....

☐ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

..... (DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
- (b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

APPLICATION FOR AMENDMENT OF PLAN UNDER
SECTION 12A OF THE TOWN PLANNING ORDINANCE (CAP. 131)

根據城市規劃條例(第 131 章)第 12A 條遞交的修訂圖則申請

Development Proposal (only for indicative purpose)

擬議發展的發展計劃 (只作指示用途)

1. Development Proposal 擬議發展計劃

☐ Proposed Gross floor area (GFA) 擬議總樓面面積	 sq.m. 平方米	☐ About 約
☐ Proposed plot ratio 擬議地積比率	.....	☐ About 約
☐ Proposed site coverage 擬議上蓋面積	 %	☐ About 約
☐ Proposed number of blocks 擬議座數	.....	
☐ Proposed number of storeys of each block 每座建築物的擬議層數	 storeys 層 ☐ include 包括.....storeys of basements 層地庫 ☐ exclude 不包括.....storeys of basements 層地庫	
☐ Proposed building height of each block 每座建築物的擬議高度	 m 米 mPD 米(主水平基準上)	☐ About 約 ☐ About 約
☐ Domestic part 住用部分		
GFA 總樓面面積	 sq.m. 平方米	☐ About 約
number of units 單位數目	.....	
average unit size 單位平均面積	 sq.m. 平方米	☐ About 約
estimated number of residents 估計住客數目	.....	
☐ Non-domestic part 非住用部分		
☐ hotel 酒店	 sq.m.平方米 ☐ About 約 sq.m.平方米 ☐ About 約 (please specify the number of rooms 請註明房間數目:))	
☐ office 辦公室	 sq.m.平方米	☐ About 約
☐ shop and services/eating place 商店及服務行業/食肆	 sq.m.平方米	☐ About 約
☐ Government, institution or community facilities 政府、機構或社區設施	(please specify the use(s) and concerned land area(s)/GFA(s)) (請註明用途及有關的地面面積/總樓面面積)	
☐ other(s)其他	(please specify the use(s) and concerned land area(s)/GFA(s)) (請註明用途及有關的地面面積/總樓面面積)	
☐ Open space 休憩用地	(please specify land area(s)) (請註明面積)	
☐ private open space 私人休憩用地	 sq.m.平方米	☐ Not less than 不少於
☐ public open space 公共休憩用地	 sq.m.平方米	☐ Not less than 不少於

☐ Transport-related facilities 與運輸有關的設施	
☐ parking spaces 停車位	(please specify type(s) and number(s)) (請註明種類及數目)
Private Car Parking Spaces 私家車車位	.....
Motorcycle Parking Spaces 電單車車位	.....
Light Goods Vehicle Parking Spaces 輕型貨車泊車位	.....
Medium Goods Vehicle Parking Spaces 中型貨車泊車位	.....
Heavy Goods Vehicle Parking Spaces 重型貨車泊車位	.....
Others (Please Specify) 其他 (請列明)	.....
☐ loading/unloading spaces 上落客貨車位	(please specify type(s) and number(s)) (請註明種類及數目)
Taxi Spaces 的士車位	.....
Coach Spaces 旅遊巴車位	.....
Light Goods Vehicle Spaces 輕型貨車車位	.....
Medium Goods Vehicle Spaces 中型貨車車位	.....
Heavy Goods Vehicle Spaces 重型貨車車位	.....
Others (Please Specify) 其他 (請列明)	.....
☐ other transport-related facilities	(please specify type(s) and number(s)) (請註明種類及數目)
其他與運輸有關的設施	.....

Use(s) of different floors (if applicable) 各樓層的用途(如適用)

[Block number] [座數]	[Floor(s)] [層數]	[Proposed use(s)] [擬議用途]
.....		
.....		
.....		
.....		
.....		

Proposed use(s) of uncovered area (if any) 露天地方(倘有)的擬議用途

.....

.....

.....

Any vehicular access to the site? 是否有車路通往地盤?

Yes 是 ☐ There is an existing access. (please indicate the street name, where appropriate)
有一條現有車路。(請註明道路名稱(如適用))

.....

☐ There is a proposed access. (please illustrate on plan and specify the width)
有一條擬議車路。(請在圖則顯示，並註明車路的闊度)

.....

No 否 ☐

For Development involving columbarium use, please complete the table in the Annex to this Appendix.

如發展涉及靈灰安置所用途，請填妥於此附件後附錄的表格。

2. Impacts of Development Proposal 擬議發展計劃的影響

If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures
如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。

Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	Yes 是 No 否	☐ Please provide details 請提供詳情 																													
Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	Yes 是 No 否	☐ (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及/或範圍) ☐ Diversion of stream 河道改道 ☐ Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 ☐ About 約 Depth of filling 填塘深度 m 米 ☐ About 約 ☐ Filling of land 填土 Area of filling 填土面積 sq.m 平方米 ☐ About 約 Depth of filling 填土厚度 m 米 ☐ About 約 ☐ Excavation of land 挖土 Area of excavation 挖土面積..... sq.m 平方米 ☐ About 約 Depth of excavation 挖土深度 m 米 ☐ About 約																													
Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> </table> Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可) 	On environment 對環境	Yes 會 ☐	No 不會 ☐	On traffic 對交通	Yes 會 ☐	No 不會 ☐	On water supply 對供水	Yes 會 ☐	No 不會 ☐	On drainage 對排水	Yes 會 ☐	No 不會 ☐	On slopes 對斜坡	Yes 會 ☐	No 不會 ☐	Affected by slopes 受斜坡影響	Yes 會 ☐	No 不會 ☐	Landscape Impact 構成景觀影響	Yes 會 ☐	No 不會 ☐	Tree Felling 砍伐樹木	Yes 會 ☐	No 不會 ☐	Visual Impact 構成視覺影響	Yes 會 ☐	No 不會 ☐	Others (Please Specify) 其他 (請列明)	Yes 會 ☐	No 不會 ☐
On environment 對環境	Yes 會 ☐	No 不會 ☐																													
On traffic 對交通	Yes 會 ☐	No 不會 ☐																													
On water supply 對供水	Yes 會 ☐	No 不會 ☐																													
On drainage 對排水	Yes 會 ☐	No 不會 ☐																													
On slopes 對斜坡	Yes 會 ☐	No 不會 ☐																													
Affected by slopes 受斜坡影響	Yes 會 ☐	No 不會 ☐																													
Landscape Impact 構成景觀影響	Yes 會 ☐	No 不會 ☐																													
Tree Felling 砍伐樹木	Yes 會 ☐	No 不會 ☐																													
Visual Impact 構成視覺影響	Yes 會 ☐	No 不會 ☐																													
Others (Please Specify) 其他 (請列明)	Yes 會 ☐	No 不會 ☐																													

For Developments involving Columbarium Use, please also complete the following:
如發展涉及靈灰安置所用途，請另外填妥以下資料

Ash interment capacity 骨灰安放容量[@]

Maximum number of sets of ashes that may be interred in the niches

在龕位內最多可安放骨灰的數量

Maximum number of sets of ashes that may be interred other than in niches

在非龕位的範圍內最多可安放骨灰的數量

Total number of niches 龕位總數

Total number of single niches

單人龕位總數

Number of single niches (sold and occupied)

單人龕位數目 (已售並佔用)

Number of single niches (sold but unoccupied)

單人龕位數目 (已售但未佔用)

Number of single niches (residual for sale)

單人龕位數目 (待售)

Total number of double niches

雙人龕位總數

Number of double niches (sold and fully occupied)

雙人龕位數目 (已售並全部佔用)

Number of double niches (sold and partially occupied)

雙人龕位數目 (已售並部分佔用)

Number of double niches (sold but unoccupied)

雙人龕位數目 (已售但未佔用)

Number of double niches (residual for sale)

雙人龕位數目 (待售)

Total no. of niches other than single or double niches (please specify type)

除單人及雙人龕位外的其他龕位總數 (請列明類別)

Number. of niches (sold and fully occupied)

龕位數目 (已售並全部佔用)

Number of niches (sold and partially occupied)

龕位數目 (已售並部分佔用)

Number of niches (sold but unoccupied)

龕位數目 (已售但未佔用)

Number of niches (residual for sale)

龕位數目 (待售)

Proposed operating hours 擬議營運時間

[@] Ash interment capacity in relation to a columbarium means –

就靈灰安置所而言，骨灰安放容量指：

- the maximum number of containers of ashes that may be interred in each niche in the columbarium;
每個龕位內可安放的骨灰容器的最高數目；
- the maximum number of sets of ashes that may be interred other than in niches in any area in the columbarium; and
在該靈灰安置所並非龕位的範圍內，總共最多可安放多少份骨灰；以及
- the total number of sets of ashes that may be interred in the columbarium.
在該骨灰安置所內，總共最多可安放多少份骨灰。

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)

(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置／地址			
Site area 地盤面積	sq. m 平方米 □ About 約 (includes Government land of 包括政府土地 sq. m 平方米 □ About 約)		
Plan 圖則			
Zoning 地帶			
Proposed Amendment(s) 擬議修訂	☐ Amend the Covering Notes of the Plan 修訂圖則《註釋》的說明頁 ☐ Amend the Notes of the zone applicable to the site 修訂適用於申請地點土地用途地帶的《註釋》 ☐ Rezone the application site from _____ to _____ 把申請地點由_____地帶改劃為_____		

Development Parameters (for indicative purpose only) 發展參數(只作指示用途)

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	☐ About 約 ☐ Not more than 不多於	☐ About 約 ☐ Not more than 不多於
	Non-domestic 非住用	☐ About 約 ☐ Not more than 不多於	☐ About 約 ☐ Not more than 不多於
(ii) No. of block 幢數	Domestic 住用		
	Non-domestic 非住用		
	Composite 綜合用途		

(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	m 米 ☐ (Not more than 不多於)	
		mPD 米(主水平基準上) ☐ (Not more than 不多於)	
		Storeys(s) 層 ☐ (Not more than 不多於) (☐ Include 包括 ☐ Exclude 不包括 ☐ Carport 停車間 ☐ Basement 地庫 ☐ Refuge Floor 防火層 ☐ Podium 平台)	
	Non-domestic 非住用	m 米 ☐ (Not more than 不多於)	
		mPD 米(主水平基準上) ☐ (Not more than 不多於)	
		Storeys(s) 層 ☐ (Not more than 不多於) (☐ Include 包括 ☐ Exclude 不包括 ☐ Carport 停車間 ☐ Basement 地庫 ☐ Refuge Floor 防火層 ☐ Podium 平台)	
	Composite 綜合用途	m 米 ☐ (Not more than 不多於)	
		mPD 米(主水平基準上) ☐ (Not more than 不多於)	
		Storeys(s) 層 ☐ (Not more than 不多於) (☐ Include 包括 ☐ Exclude 不包括 ☐ Carport 停車間 ☐ Basement 地庫 ☐ Refuge Floor 防火層 ☐ Podium 平台)	
(iv) Site coverage 上蓋面積	% ☐ About 約		
(v) No. of units 單位數目			
(vi) Open space 休憩用地	Private 私人	sq.m 平方米 ☐ Not less than 不少於	
	Public 公眾	sq.m 平方米 ☐ Not less than 不少於	

(vii) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____	
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數 Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____ _____	

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 英文
<u>Plans and Drawings 圖則及繪圖</u>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	☐	☐
Block plan(s) 樓宇位置圖	☐	☐
Floor plan(s) 樓宇平面圖	☐	☐
Sectional plan(s) 截視圖	☐	☐
Elevation(s) 立視圖	☐	☐
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	☐	☐
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	☐	☐
Others (please specify) 其他 (請註明)	☐	☐

<u>Reports 報告書</u>		
Planning Statement/Justifications 規劃綱領/理據	☐	☐
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	☐	☐
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	☐	☐
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	☐	☐
Visual impact assessment 視覺影響評估	☐	☐
Landscape impact assessment 景觀影響評估	☐	☐
Tree Survey 樹木調查	☐	☐
Geotechnical impact assessment 土力影響評估	☐	☐
Drainage impact assessment 排水影響評估	☐	☐
Sewerage impact assessment 排污影響評估	☐	☐
Risk Assessment 風險評估	☐	☐
Others (please specify) 其他 (請註明)	☐	☐

Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

(This part will not be made available for public inspection)
(這部分不會公開予公眾查閱)

Particulars of Applicant and Authorised Agent
申請人及獲授權代理人的詳細資料

1. Applicant 申請人	
(☐ Identity Document 身份證明文件 / ☐ Business Registration Certificate ⁺ 商業登記證 ⁺ / ☐ Certificate of Incorporation 公司註冊證)	
No 號碼	
Postal Address 通訊地址	
Tel. No. 電話號碼	Fax. No. 圖文傳真號碼
E-mail Address 電郵地址	
Contact Person (only for company) 聯絡人 (只適用於公司)	
Name 姓名 (☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士)	
Position in company 公司職位	

2. Authorised Agent (if applicable) 獲授權代理人 (如適用)	
(☐ Identity Document 身份證明文件 / ☐ Business Registration Certificate ⁺ 商業登記證 ⁺ / ☐ Certificate of Incorporation 公司註冊證)	
No 號碼	
Postal Address 通訊地址	
Tel. No. 電話號碼	Fax. No. 圖文傳真號碼
E-mail Address 電郵地址	
Contact Person (only for company) 聯絡人 (只適用於公司)	
Name 姓名 (☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士)	
Position in company 公司職位	

☐ I would like to receive the correspondences from the Board in Chinese (all the correspondences will be in English if this checkbox is unticked). 我希望所收到來自城規會信函為中文 (如沒有剔選此方格, 所收到的信函將預設為英文。)
☐ ~~My submission is in hard copy only and~~ I would like to receive paper-based correspondences from the Board (for paper saving, email address should be provided and all correspondences will be sent by email if this checkbox is unticked.) 我以硬複本提交申請及希望城規會以書面信件和我通信 (為珍惜紙張, 如沒有剔選此方格, 需要提交電郵地址及所有信函將以電郵寄出)

+ Please provide "Certificate of Incorporation No." instead of "Business Registration Certificate No." if the subject is a "limited company".
如單位屬「有限公司」, 請提供「公司註冊證號碼」, 而不是「商業登記證號碼」。

(This part will not be made available for public inspection)

(這部分不會公開予公眾查閱)

Checklist of Documents 文件核對表

Please indicate if you have enclosed the following documents with this application.

請說明你有否在這宗申請夾附下列文件

- ☐ A signed original copy of the application form*~#. 一份已簽署的申請表格正本*~#。
- ☐ **4 hard copies and 1 soft copy each of the plans/drawings accompanying the application** Plans/drawings (e.g. location plan and site plan) and supplementary information (e.g. planning statement, report on technical assessments such as traffic impact assessment, and report on environmental assessment, etc.).÷
連同申請的圖則／繪圖(例如：位置圖及地盤平面圖)及補充資料(例如：規劃綱領、技術評估報告如交通影響評估及環境評估報告等)，一式四份硬複本及一份軟複本。÷
- ~~**For hard copy submission only 適用於只提交硬複本的申請:**~~
 - ☐ ~~4 copies each of the plans/drawings accompanying the application (if all are in black and white and not larger than A3 size).~~
~~一式四份連同申請的圖則／繪圖(如圖則／繪圖皆為黑白及不超過 A3 大小)。~~
 - ☐ ~~70 copies each of the plans/drawings accompanying the application (if containing any plan/drawing in colour or larger than A3 size), and supplementary information.~~
~~一式 70 份連同申請的圖則／繪圖(如當中有任何彩色或大小超過 A3 的圖則／繪圖)及補充資料。~~
- ~~**For hard copy submission supplemented by soft copy 適用於提交硬複本及輔以軟複本的申請:**~~
 - ☐ ~~4 hard copies and 1 soft copy each of the plans/drawings accompanying the application, and supplementary information.~~
 - ☐ ~~連同申請的圖則／繪圖及補充資料，一式四份硬複本及一份軟複本。~~
- ☐ Particulars of a development proposal.
擬議發展計劃的細節。
- ☐ Original authorisation letter signed by the applicant~, if the application is submitted by an authorised agent on the applicant's behalf.
申請人簽署的授權書正本~(如申請是由申請人授權的代理人遞交)。
- ☐ **Copy/copies of Land Registry's record of land ownership and, if applicable, documentary proof of consent of land owner or the Director of Lands mentioned in Part 4~.**
第 4 部分提及土地擁有人於土地註冊處的土地業權紀錄，以及土地擁有人或地政總署署長的同意書證明文件(如適用)~。
- ☐ ~~Documentary proof of land ownership# (e.g. copy/copies of ownership record(s) issued by the Land Registry) (only applicable to application of which the applicant is the sole or one of the "current land owner(s)").~~
~~土地業權的證明文件# (例如：由土地註冊處發出的業權記錄副本) (只適用於申請人是唯一或其中一名「現行土地擁有人」的申請)。~~
- ☐ ~~Copy/copies of consent(s) obtained from the "current land owner(s)" mentioned in Part 5~# (not applicable to application of which the applicant is the sole "current land owner").~~
~~第 5 部分提及「現行土地擁有人」的同意書副本~# (不適用於申請人是唯一「現行土地擁有人」的申請)。~~
- ☐ ~~Copy/Copies of notification given to the "current land owner(s)" mentioned in Part 5~# (not applicable to application of which the applicant is the sole "current land owner").~~
~~已發給第 5 部分提及的「現行土地擁有人」的通知書副本~# (不適用於申請人是唯一「現行土地擁有人」的申請)。~~
- ☐ Particulars of applicant and authorised agent in the application form*. 申請表格內申請人及獲授權代理人的詳細資料*。

* Documents which must be submitted with the application. 必須連同申請一併遞交的文件。

#~ Soft copy not accepted. 不接受軟複本。

S12A

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

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

Applicable to proposals not involving or not only involving:
適用於建議不涉及或不祇涉及:

- (i) **Construction of “New Territories Exempted House(s)”;**
興建「新界豁免管制屋宇」;
- (ii) **Temporary use/development of land and/or building not exceeding 3 years in rural areas or Regulated Areas; and**
位於鄉郊地區或受規管地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展;及
- (iii) **Renewal of permission for temporary use or development in rural areas or Regulated Areas**
位於鄉郊地區或受規管地區的臨時用途或發展的許可續期

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.infotpb.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.infotpb.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

“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 the application is made
「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill “NA” for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	
	Date Received 收到日期	

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有)，送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the “Guidance Notes” carefully before you fill in this form. The document can be downloaded from the Board’s website at <http://www.infotpb.gov.hk/tpb/>. It can also 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) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張，然後填寫此表格。該份文件可從委員會的網頁下載 (網址：<http://www.infotpb.gov.hk/tpb/>)，亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 – 電話：2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處(熱線：2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓) 索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載，亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全，委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱
(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)
(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

3. Application Site 申請地點	
(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址／地點／丈量約份及地段號碼 (如適用)	
(b) Site area and/or gross floor area involved 涉及的地盤面積及／或總樓面面積	☐ Site area 地盤面積 sq.m 平方米 ☐ About 約 ☐ Gross floor area 總樓面面積.....sq.m 平方米 ☐ About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	 sq.m 平方米 ☐ About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	
(e) Land use zone(s) involved 涉及的土地用途地帶	
(f) Current use(s) 現時用途	(If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. “Current Land Owner” of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

- ☐ is the sole “current land owner”^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{#&} (請繼續填寫第 6 部分，並夾附業權證明文件)。
- ☐ is one of the “current land owners”^{#&} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{#&} (請夾附業權證明文件)。
- ☐ is not a “current land owner”[#].
並不是「現行土地擁有人」[#]。

- ☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

- (a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of “current land owner(s)”[#].
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」[#]。

(b) The applicant 申請人 –

- ☐ has obtained consent(s) of “current land owner(s)”[#].
已取得 名「現行土地擁有人」[#]的同意。

Details of consent of “current land owner(s)” [#] obtained 取得「現行土地擁有人」 [#] 同意的詳情		
No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼／處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified “current land owner(s)”[#]
已通知 名「現行土地擁有人」[#]。

Details of the “current land owner(s)” [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the “current land owner(s)” on _____ (DD/MM/YYYY)^{#&}
於_____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)在指定報章就申請刊登一次通知[&]
- ☐ posted notice in a prominent position on or near application site/premises on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners’ corporation(s)/owners’ committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關係的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別

- ☐ Type (i) Change of use within existing building or part thereof
第(i)類 更改現有建築物或其部分內的用途
- ☐ Type (ii) Diversion of stream / excavation of land / filling of land / filling of pond as required under Notes of Statutory Plan(s)
第(ii)類 根據法定圖則《註釋》內所要求的河道改道／挖土／填土／填塘工程
- ☐ Type (iii) Public utility installation / Utility installation for private project
第(iii)類 公用事業設施裝置/私人發展計劃的公用設施裝置
- ☐ Type (iv) Minor relaxation of stated development restriction(s) as provided under Notes of Statutory Plan(s)
第(iv)類 略為放寬於法定圖則《註釋》內列明的發展限制
- ☐ Type (v) Use / development other than (i) to (iii) above
第(v)類 上述的(i)至(iii)項以外的用途／發展

Note 1: May insert more than one 「✓」.

註 1：可在多於一個方格內加上「✓」號

Note 2: For Development involving columbarium use, please complete the table in the Appendix.

註 2：如發展涉及靈灰安置所用途，請填妥於附件的表格。

(i) For Type (i) application 供第(i)類申請

(a) Total floor area involved 涉及的總樓面面積	sq.m 平方米		
(b) Proposed use(s)/development 擬議用途/發展	(If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)		
(c) Number of storeys involved 涉及層數		Number of units involved 涉及單位數目	
(d) Proposed floor area 擬議樓面面積	Domestic part 住用部分 sq.m 平方米 ☐ About 約		
	Non-domestic part 非住用部分 sq.m 平方米 ☐ About 約		
	Total 總計 sq.m 平方米 ☐ About 約		
(e) Proposed uses of different floors (if applicable) 不同樓層的擬議用途(如適用) (Please use separate sheets if the space provided is insufficient) (如所提供的空間不足，請另頁說明)	Floor(s) 樓層	Current use(s) 現時用途	Proposed use(s) 擬議用途

(ii) <i>For Type (ii) application</i> 供第(ii)類申請	
(a) Operation involved 涉及工程	☐ Diversion of stream 河道改道 ☐ Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 ☐ About 約 Depth of filling 填塘深度 m 米 ☐ About 約 ☐ Filling of land 填土 Area of filling 填土面積 sq.m 平方米 ☐ About 約 Depth of filling 填土厚度 m 米 ☐ About 約 ☐ Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 ☐ About 約 Depth of excavation 挖土深度 m 米 ☐ About 約 (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用圖則顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及／或範圍))
(b) Intended use/development 有意進行的用途／發展	

(iii) <i>For Type (iii) application</i> 供第(iii)類申請													
(a) Nature and scale 性質及規模	☐ Public utility installation 公用事業設施裝置 ☐ Utility installation for private project 私人發展計劃的公用設施裝置 Please specify the type and number of utility to be provided as well as the dimensions of each building/structure, where appropriate 請註明有關裝置的性質及數量，包括每座建築物／構築物(倘有)的長度、高度和闊度 <table border="1"> <thead> <tr> <th>Name/type of installation 裝置名稱／種類</th> <th>Number of provision 數量</th> <th>Dimension of each installation /building/structure (m) (LxWxH) 每個裝置／建築物／構築物的尺寸 (米) (長 x 闊 x 高)</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> (Please illustrate on plan the layout of the installation 請用圖則顯示裝置的布局)	Name/type of installation 裝置名稱／種類	Number of provision 數量	Dimension of each installation /building/structure (m) (LxWxH) 每個裝置／建築物／構築物的尺寸 (米) (長 x 闊 x 高)									
Name/type of installation 裝置名稱／種類	Number of provision 數量	Dimension of each installation /building/structure (m) (LxWxH) 每個裝置／建築物／構築物的尺寸 (米) (長 x 闊 x 高)											

(iv) For Type (iv) application 供第(iv)類申請

- (a) Please specify the proposed minor relaxation of stated development restriction(s) and **also fill in the proposed use/development and development particulars in part (v) below** –
請列明擬議略為放寬的發展限制並填妥於第(v)部分的擬議用途/發展及發展細節 –

- ☐ Plot ratio restriction 地積比率限制 From 由 to 至
- ☐ Gross floor area restriction 總樓面面積限制 From 由 sq. m 平方米 to 至 sq. m 平方米
- ☐ Site coverage restriction 上蓋面積限制 From 由% to 至 %
- ☐ Building height restriction 建築物高度限制
From 由 m 米 to 至 m 米
From 由 mPD 米 (主水平基準上) to 至 mPD 米 (主水平基準上)
From 由 storeys 層 to 至 storeys 層
- ☐ Non-building area restriction 非建築用地限制 From 由 m to 至 m
- ☐ Others (please specify) 其他 (請註明)
.....

(v) For Type (v) application 供第(v)類申請

(a) Proposed use(s)/development
擬議用途/發展

(Please illustrate the details of the proposal on a layout plan 請用平面圖說明建議詳情)

(b) Development Schedule 發展細節表

- Proposed gross floor area (GFA) 擬議總樓面面積 sq.m 平方米 ☐About 約
- Proposed plot ratio 擬議地積比率 ☐About 約
- Proposed site coverage 擬議上蓋面積 % ☐About 約
- Proposed no. of blocks 擬議座數
- Proposed no. of storeys of each block 每座建築物的擬議層數 storeys 層
☐ include 包括.....storeys of basements 層地庫
☐ exclude 不包括.....storeys of basements 層地庫
- Proposed building height of each block 每座建築物的擬議高度 mPD 米(主水平基準上) ☐About 約
..... m 米 ☐About 約

☐ Domestic part 住用部分

GFA 總樓面面積 sq. m 平方米 ☐ About 約

number of Units 單位數目

average unit size 單位平均面積 sq. m 平方米 ☐ About 約

estimated number of residents 估計住客數目

☐ Non-domestic part 非住用部分GFA 總樓面面積

☐ eating place 食肆 sq. m 平方米 ☐ About 約

☐ hotel 酒店 sq. m 平方米 ☐ About 約

(please specify the number of rooms

請註明房間數目)

☐ office 辦公室 sq. m 平方米 ☐ About 約

☐ shop and services 商店及服務行業 sq. m 平方米 ☐ About 約

☐ Government, institution or community facilities (please specify the use(s) and concerned land area(s)/GFA(s) 請註明用途及有關的地面面積／總樓面面積)

政府、機構或社區設施

.....

.....

.....

☐ other(s) 其他 (please specify the use(s) and concerned land area(s)/GFA(s) 請註明用途及有關的地面面積／總樓面面積)

.....

.....

.....

☐ Open space 休憩用地

(please specify land area(s) 請註明地面面積)

☐ private open space 私人休憩用地 sq. m 平方米 ☐ Not less than 不少於

☐ public open space 公眾休憩用地 sq. m 平方米 ☐ Not less than 不少於

(c) Use(s) of different floors (if applicable) 各樓層的用途 (如適用)

[Block number] [座數]	[Floor(s)] [層數]	[Proposed use(s)] [擬議用途]
.....		
.....		
.....		
.....		
.....		

(d) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途

.....

.....

.....

.....

.....

7. Anticipated Completion Time of the Development Proposal**擬議發展計劃的預計完成時間**

Anticipated completion time (in month and year) of the development proposal (by phase (if any)) (e.g. June 2023)

擬議發展計劃預期完成的年份及月份 (分期 (倘有)) (例：2023 年 6 月)

(Separate anticipated completion times (in month and year) should be provided for the proposed public open space and Government, institution or community facilities (if any))

(申請人須就擬議的公眾休憩用地及政府、機構或社區設施 (倘有) 提供個別擬議完成的年份及月份)

8. Vehicular Access Arrangement of the Development Proposal**擬議發展計劃的行車通道安排**

Any vehicular access to the site/subject building? 是否有車路通往地盤／有關建築物？	Yes 是 No 否	☐ There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) ☐ There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示，並註明車路的闊度) ☐
Any provision of parking space for the proposed use(s)? 是否有為擬議用途提供停車位？	Yes 是 No 否	☐ (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示) Private Car Parking Spaces 私家車車位 _____ Motorcycle Parking Spaces 電單車車位 _____ Light Goods Vehicle Parking Spaces 輕型貨車泊車位 _____ Medium Goods Vehicle Parking Spaces 中型貨車泊車位 _____ Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 _____ Others (Please Specify) 其他 (請列明) _____ _____ _____
Any provision of loading/unloading space for the proposed use(s)? 是否有為擬議用途提供上落客貨車位？	Yes 是 No 否	☐ (Please specify type(s) and number(s) and illustrate on plan) 請註明種類及數目並於圖則上顯示) Taxi Spaces 的士車位 _____ Coach Spaces 旅遊巴車位 _____ Light Goods Vehicle Spaces 輕型貨車車位 _____ Medium Goods Vehicle Spaces 中型貨車車位 _____ Heavy Goods Vehicle Spaces 重型貨車車位 _____ Others (Please Specify) 其他 (請列明) _____ _____ _____

9. Impacts of Development Proposal 擬議發展計劃的影響																																	
If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。																																	
Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	Yes 是 No 否	☐ Please provide details 請提供詳情																															
Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程? (Note: where Type (ii) application is the subject of application, please skip this section. 註：如申請涉及第(ii)類申請，請跳至下一條問題。)	Yes 是 No 否	☐ (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及/或範圍) ☐ Diversion of stream 河道改道 ☐ Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 ☐ About 約 Depth of filling 填塘深度 m 米 ☐ About 約 ☐ Filling of land 填土 Area of filling 填土面積 sq.m 平方米 ☐ About 約 Depth of filling 填土厚度 m 米 ☐ About 約 ☐ Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 ☐ About 約 Depth of excavation 挖土深度 m 米 ☐ About 約																															
Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?	<table border="0"> <tr> <td>On environment 對環境</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>On traffic 對交通</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>On water supply 對供水</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>On drainage 對排水</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>On slopes 對斜坡</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>Affected by slopes 受斜坡影響</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>Landscape Impact 構成景觀影響</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>Tree Felling 砍伐樹木</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>Visual Impact 構成視覺影響</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> <tr> <td>Others (Please Specify) 其他 (請列明)</td> <td>Yes 會 ☐</td> <td>No 不會 ☐</td> </tr> </table> _____ _____			On environment 對環境	Yes 會 ☐	No 不會 ☐	On traffic 對交通	Yes 會 ☐	No 不會 ☐	On water supply 對供水	Yes 會 ☐	No 不會 ☐	On drainage 對排水	Yes 會 ☐	No 不會 ☐	On slopes 對斜坡	Yes 會 ☐	No 不會 ☐	Affected by slopes 受斜坡影響	Yes 會 ☐	No 不會 ☐	Landscape Impact 構成景觀影響	Yes 會 ☐	No 不會 ☐	Tree Felling 砍伐樹木	Yes 會 ☐	No 不會 ☐	Visual Impact 構成視覺影響	Yes 會 ☐	No 不會 ☐	Others (Please Specify) 其他 (請列明)	Yes 會 ☐	No 不會 ☐
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Others (Please Specify) 其他 (請列明)	Yes 會 ☐	No 不會 ☐																															
Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)																																	

10. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

This image shows a full page of white paper with horizontal dotted lines, typical of primary-ruled notebook paper. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

11. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion. 本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature

☐ Applicant 申請人 / ☐ Authorised Agent 獲授權代理人

簽署

.....

.....

Name in Block Letters
姓名（請以正楷填寫）

Position (if applicable)
職位（如適用）

Professional Qualification(s)

☐ Member 會員 / ☐ Fellow of 資深會員

專業資格

☐ HKIP 香港規劃師學會 /☐ HKIA 香港建築師學會 /☐ HKIS 香港測量師學會 /☐ HKIE 香港工程師學會 /☐ HKILA 香港園境師學會 /☐ HKIUD 香港城市設計學會☐ RPP 註冊專業規劃師

Others 其他

on behalf of

代表

☐ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

(DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
- (b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

For Developments involving Columbarium Use, please also complete the following:
如發展涉及靈灰安置所用途，請另外填妥以下資料：

Ash interment capacity 骨灰安放容量[@]

Maximum number of sets of ashes that may be interred in the niches

在龕位內最多可安放骨灰的數量

Maximum number of sets of ashes that may be interred other than in niches

在非龕位的範圍內最多可安放骨灰的數量

Total number of niches 龕位總數

Total number of single niches

單人龕位總數

Number of single niches (sold and occupied)

單人龕位數目 (已售並佔用)

Number of single niches (sold but unoccupied)

單人龕位數目 (已售但未佔用)

Number of single niches (residual for sale)

單人龕位數目 (待售)

Total number of double niches

雙人龕位總數

Number of double niches (sold and fully occupied)

雙人龕位數目 (已售並全部佔用)

Number of double niches (sold and partially occupied)

雙人龕位數目 (已售並部分佔用)

Number of double niches (sold but unoccupied)

雙人龕位數目 (已售但未佔用)

Number of double niches (residual for sale)

雙人龕位數目 (待售)

Total no. of niches other than single or double niches (please specify type)

除單人及雙人龕位外的其他龕位總數 (請列明類別)

Number of niches (sold and fully occupied)

龕位數目 (已售並全部佔用)

Number of niches (sold and partially occupied)

龕位數目 (已售並部分佔用)

Number of niches (sold but unoccupied)

龕位數目 (已售但未佔用)

Number of niches (residual for sale)

龕位數目 (待售)

Proposed operating hours 擬議營運時間

[@] Ash interment capacity in relation to a columbarium means –

就靈灰安置所而言，骨灰安放容量指：

- the maximum number of containers of ashes that may be interred in each niche in the columbarium;
每個龕位內可安放的骨灰容器的最高數目；
- the maximum number of sets of ashes that may be interred other than in niches in any area in the columbarium; and
在該靈灰安置所並非龕位的範圍內，總共最多可安放多少份骨灰；以及
- the total number of sets of ashes that may be interred in the columbarium.
在該骨灰安置所內，總共最多可安放多少份骨灰。

Gist of Application 申請摘要			
(Please provide details in both English and Chinese <u>as far as possible</u> . This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.) (請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)			
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置／地址			
Site area 地盤面積	sq. m 平方米 ☐ About 約 (includes Government land of 包括政府土地 sq. m 平方米 ☐ About 約)		
Plan 圖則			
Zoning 地帶			
Applied use/ development 申請用途／發展			
(i) Gross floor area and/or plot ratio 總樓面面積及／或 地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	☐ About 約 ☐ Not more than 不多於	☐ About 約 ☐ Not more than 不多於
	Non-domestic 非住用	☐ About 約 ☐ Not more than 不多於	☐ About 約 ☐ Not more than 不多於
(ii) No. of blocks 幢數	Domestic 住用		
	Non-domestic 非住用		
	Composite 綜合用途		

(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用		m 米 ☐ (Not more than 不多於)
			mPD 米(主水平基準上) ☐ (Not more than 不多於)
			Storeys(s) 層 ☐ (Not more than 不多於) (☐ Include 包括 ☐ Exclude 不包括 ☐ Carport 停車間 ☐ Basement 地庫 ☐ Refuge Floor 防火層 ☐ Podium 平台)
	Non-domestic 非住用		m 米 ☐ (Not more than 不多於)
			mPD 米(主水平基準上) ☐ (Not more than 不多於)
			Storeys(s) 層 ☐ (Not more than 不多於) (☐ Include 包括 ☐ Exclude 不包括 ☐ Carport 停車間 ☐ Basement 地庫 ☐ Refuge Floor 防火層 ☐ Podium 平台)
	Composite 綜合用途		m 米 ☐ (Not more than 不多於)
			mPD 米(主水平基準上) ☐ (Not more than 不多於)
			Storeys(s) 層 ☐ (Not more than 不多於) (☐ Include 包括 ☐ Exclude 不包括 ☐ Carport 停車間 ☐ Basement 地庫 ☐ Refuge Floor 防火層 ☐ Podium 平台)
(iv) Site coverage 上蓋面積	% ☐ About 約		
(v) No. of units 單位數目			
(vi) Open space 休憩用地	Private 私人	sq.m 平方米 ☐ Not less than 不少於	
	Public 公眾	sq.m 平方米 ☐ Not less than 不少於	

(vii) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____	
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數 Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____ _____	

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	<u>Chinese</u> 中文	<u>English</u> 英文
<u>Plans and Drawings 圖則及繪圖</u>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	☐	☐
Block plan(s) 樓宇位置圖	☐	☐
Floor plan(s) 樓宇平面圖	☐	☐
Sectional plan(s) 截視圖	☐	☐
Elevation(s) 立視圖	☐	☐
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	☐	☐
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	☐	☐
Others (please specify) 其他 (請註明)	☐	☐

<u>Reports 報告書</u>		
Planning Statement/Justifications 規劃綱領/理據	☐	☐
Environmental assessment (noise, air and/or water pollutions) 環境評估 (噪音、空氣及／或水的污染)	☐	☐
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	☐	☐
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	☐	☐
Visual impact assessment 視覺影響評估	☐	☐
Landscape impact assessment 景觀影響評估	☐	☐
Tree Survey 樹木調查	☐	☐
Geotechnical impact assessment 土力影響評估	☐	☐
Drainage impact assessment 排水影響評估	☐	☐
Sewerage impact assessment 排污影響評估	☐	☐
Risk Assessment 風險評估	☐	☐
Others (please specify) 其他 (請註明)	☐	☐

Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

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(This part will not be made available for public inspection)

(這部分不會公開予公眾查閱)

Particulars of Applicant and Authorised Agent
申請人及獲授權代理人的詳細資料

1. Applicant 申請人	
(☐ Identity Document 身份證明文件 / ☐ Business Registration Certificate ⁺ 商業登記證 ⁺ / ☐ Certificate of Incorporation 公司註冊證)	
No 號碼	
Postal Address 通訊地址	
Tel. No. 電話號碼	Fax. No. 圖文傳真號碼
E-mail Address 電郵地址	
Contact Person (only for company) 聯絡人 (只適用於公司)	
Name 姓名 (☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士)	
Position in company 公司職位	

2. Authorised Agent (if applicable) 獲授權代理人 (如適用)	
(☐ Identity Document 身份證明文件 / ☐ Business Registration Certificate ⁺ 商業登記證 ⁺ / ☐ Certificate of Incorporation 公司註冊證)	
No 號碼	
Postal Address 通訊地址	
Tel. No. 電話號碼	Fax. No. 圖文傳真號碼
E-mail Address 電郵地址	
Contact Person (only for company) 聯絡人 (只適用於公司)	
Name 姓名 (☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士)	
Position in company 公司職位	

- ☐ I would like to receive the correspondences from the Board in Chinese (all the correspondences will be in English if this checkbox is unticked). 我希望所收到來自城規會信函為中文 (如沒有剔選此方格, 所收到的信函將預設為英文。)
- ☐ ~~My submission is in hard copy only and~~ I would like to receive paper-based correspondences from the Board (for paper saving, email address should be provided and all correspondences will be sent by email if this checkbox is unticked.) 我以硬複本提交申請及希望城規會以書面信件和我通信 (為珍惜紙張, 如沒有剔選此方格, 需要提交電郵地址, 所有信函將以電郵寄出)

⁺ Please provide "Certificate of Incorporation No." instead of "Business Registration Certificate No." if the subject is a "limited company".
如單位屬「有限公司」, 請提供「公司註冊證號碼」, 而不是「商業登記證號碼」。

(This part will not be made available for public inspection)

(這部分不會公開予公眾查閱)

Checklist of Documents 文件核對表

Please indicate if you have enclosed the following documents with this application.

請說明你有否在這宗申請夾附下列文件

- ☐ A signed original copy of the application form*^{@#}.
一份已簽署的申請表格正本*^{@#}。
- ☐ **4 hard copies and 1 soft copy each of the plans/drawings accompanying the application** Plans/drawings (e.g. location plan and site plan) and supplementary information (e.g. planning statement, report on technical assessments such as traffic impact assessment, and report on environmental assessment, etc.):
連同申請的圖則／繪圖(例如：位置圖及地盤平面圖)及補充資料(例如：規劃綱領、技術評估報告如交通影響評估及環境評估報告等)，一式四份硬複本及一份軟複本。 ÷

~~For hard copy submission only 適用於只提交硬複本的申請：~~

- ☐ ~~4 copies each of the plans/drawings accompanying the application (if all are in black and white and not larger than A3 size).~~

~~一式四份連同申請的圖則／繪圖（如圖則／繪圖皆為黑白及不超過 A3 大小）。~~

- ☐ ~~70 copies each of the plans/drawings accompanying the application (if containing any plan/drawing in colour or larger than A3 size), and supplementary information.~~ 一式 70 份連同申請的圖則／繪圖（如當中有任何彩色或大小超過 A3 的圖則／繪圖）及補充資料。

~~For hard copy submission supplemented by soft copy 適用於提交硬複本及輔以軟複本的申請：~~

- ☐ ~~4 hard copies and 1 soft copy each of the plans/drawings accompanying the application, and supplementary information.~~

~~連同申請的圖則／繪圖及補充資料，一式四份硬複本及一份軟複本。~~

- ☐ Particulars of a development proposal
擬議發展計劃的細節。
- ☐ Original authorisation letter signed by the applicant^{@#}, if the application is submitted by an authorised agent on the applicant's behalf.
申請人簽署的授權書正本^{@#} (如申請是由申請人授權的代理人遞交)。
- ☐ Documentary proof of land ownership^{@#} (e.g. copy/copies of ownership record(s) issued by the Land Registry) (only applicable to application of which the applicant is the sole or one of the "current land owner(s)").
土地業權的證明文件^{@#} (例如：由土地註冊處發出的業權記錄副本) (只適用於申請人是唯一或其中一名「現行土地擁有人」的申請)。
- ☐ Copy/copies of consent(s) obtained from the "current land owner(s)"^{@#} (not applicable to application of which the applicant is the sole "current land owner").
「現行土地擁有人」的同意書副本^{@#} (不適用於申請人是唯一「現行土地擁有人」的申請)。
- ☐ Copy/Copies of notification given to the "current land owner(s)"^{@#} (not applicable to application of which the applicant is the sole "current land owner").
已發給「現行土地擁有人」的通知書副本^{@#} (不適用於申請人是唯一「現行土地擁有人」的申請)。
- ☐ Particulars of applicant and authorised agent in the application form*.
申請表格內申請人及獲授權代理人的詳細資料*。

* Documents which must be submitted with the application. 必須連同申請一併遞交的文件。

^{@#} Soft copy not accepted. 不接受軟複本。

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

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

**Applicable to Proposal Only Involving Construction of
“New Territories Exempted House(s)”**

適用於只涉及興建「新界豁免管制屋宇」的建議

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.infotpb.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.infotpb.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form
填寫表格的一般指引及註解

“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 the application is made
「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill “NA” for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	
	Date Received 收到日期	

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有)，送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the “Guidance Notes” carefully before you fill in this form. The document can be downloaded from the Board’s website at <http://www.infotpb.gov.hk/tpb/>. It can also 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) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張，然後填寫此表格。該份文件可從委員會的網頁下載 (網址：<http://www.infotpb.gov.hk/tpb/>)，亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 – 電話：2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處(熱線：2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載，亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全，委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址／地點／丈量約份及地段號碼 (如適用)	
(b) Site area and/or gross floor area involved 涉及的地盤面積及／或總樓面面積	☐ Site area 地盤面積 sq.m 平方米 ☐ About 約 ☐ Gross floor area 總樓面面積.....sq.m 平方米 ☐ About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	 sq.m 平方米 ☐ About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	
(e) Land use zone(s) involved 涉及的土地用途地帶	
(f) Current use(s) 現時用途	(If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. “Current Land Owner” of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

☐ is the sole “current land owner”^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{#&} (請繼續填寫第 6 部分，並夾附業權證明文件)。

☐ is one of the “current land owners”^{#&} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{#&} (請夾附業權證明文件)。

☐ is not a “current land owner”[#].
並不是「現行土地擁有人」[#]。

☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

(a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of “current land owner(s)”[#].
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」[#]。

(b) The applicant 申請人 –

☐ has obtained consent(s) of “current land owner(s)”[#].
已取得 名「現行土地擁有人」[#]的同意。

Details of consent of “current land owner(s)” [#] obtained 取得「現行土地擁有人」 [#] 同意的詳情		
No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼／處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified “current land owner(s)”[#]
已通知 名「現行土地擁有人」[#]。

Details of the “current land owner(s)” [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the “current land owner(s)” on _____ (DD/MM/YYYY)^{#&}
於_____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)在指定報章就申請刊登一次通知[&]
- ☐ posted notice in a prominent position on or near application site/premises on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners’ corporation(s)/owners’ committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號
申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Development Proposal 擬議發展計劃			
(a) Name(s) of indigenous villager(s) (if applicable) 原居民姓名 (如適用)			
(b) 原居民所屬的原居鄉村 (如適用) The related indigenous village of the indigenous villager(s) (if applicable)			
(c) Proposed gross floor area 擬議總樓面面積	 sq.m 平方米 ☐ About 約		
(d) Proposed number of house(s) 擬議房屋幢數		Proposed number of storeys of each house 每幢房屋的擬議層數	
(e) Proposed roofed over area of each house 每幢房屋的擬議上蓋面積	 sq.m 平方米	Proposed building height of each house 每幢房屋的擬議高度	 m 米
(f) Proposed use(s) of uncovered area (if any) 露天地方 (倘有) 的擬議用途	(Please illustrate on plan the total number and dimension of each car parking space, and/or location of septic tank, where applicable) (請在圖則上顯示, 並註明車位總數, 以及每個車位的長度和寬度及/或化糞池的位置 (如適用))		
(g) Any vehicular access to the site/subject building? 是否有車路通往地盤/有關建築物?	Yes 是 No 否	☐ There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) ☐ There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示, 並註明車路的闊度) ☐	
(h) Can the proposed house(s) be connected to public sewer? 擬議的屋宇發展能否接駁至公共污水渠?	Yes 是 ☐ No 否 ☐	(Please indicate on plan the sewerage connection proposal. 請用圖則顯示接駁公共污水渠的路線) (Please indicate on plan the location of the proposed septic tank. 請用圖則顯示化糞池的位置)	

7. Impacts of Development Proposal 擬議發展計劃的影響			
If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。			
Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動?	Yes 是 ☐	Please provide details 請提供詳情	
	No 否 ☐		
Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程?	Yes 是 ☐	(Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地/池塘界線，以及河道改道、填塘、填土及/或挖土的細節及/或範圍) ☐ Diversion of stream 河道改道 ☐ Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 ☐ About 約 Depth of filling 填塘深度 m 米 ☐ About 約 ☐ Filling of land 填土 Area of filling 填土面積 sq.m 平方米 ☐ About 約 Depth of filling 填土厚度 m 米 ☐ About 約 ☐ Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 ☐ About 約 Depth of excavation 挖土深度 m 米 ☐ About 約	
	No 否 ☐		
Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?	On environment 對環境 On traffic 對交通 On water supply 對供水 On drainage 對排水 On slopes 對斜坡 Affected by slopes 受斜坡影響 Landscape Impact 構成景觀影響 Tree Felling 砍伐樹木 Visual Impact 構成視覺影響 Others (Please Specify) 其他 (請列明)	Yes 會 ☐ Yes 會 ☐ Yes 會 ☐ Yes 會 ☐ Yes 會 ☐ Yes 會 ☐ Yes 會 ☐ Yes 會 ☐ Yes 會 ☐ Yes 會 ☐	No 不會 ☐ No 不會 ☐ No 不會 ☐ No 不會 ☐ No 不會 ☐ No 不會 ☐ No 不會 ☐ No 不會 ☐ No 不會 ☐ No 不會 ☐
	..... ..... ..... ..... .....	Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if possible) 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明受影響樹木的數目、及胸高度的樹幹直徑及品種(倘可)	

8. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

9. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.

本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature

☐ Applicant 申請人 / ☐ Authorised Agent 獲授權代理人

簽署

.....

.....

Name in Block Letters

姓名（請以正楷填寫）

Position (if applicable)

職位（如適用）

Professional Qualification(s) ☐ Member 會員 / ☐ Fellow of 資深會員

專業資格

☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他

on behalf of

代表

.....

☐ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

..... (DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- (a) the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and
處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及
- (b) facilitating communication between the applicant and the Secretary of the Board/Government departments.
方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

Gist of Application 申請摘要 (Please provide details in both English and Chinese <u>as far as possible</u> . This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.) (請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)		
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)	
Location/address 位置／地址		
Site area 地盤面積	sq. m 平方米 ☐ About 約 (includes Government land of 包括政府土地 sq. m 平方米 ☐ About 約)	
Plan 圖則		
Zoning 地帶		
Applied use/ development 申請用途／發展	New Territories Exempted House 新界豁免管制屋宇 ☐ Small House 小型屋宇	
(i) Proposed Gross floor area 擬議總樓面面積	sq.m 平方米 ☐ About 約	
(ii) Proposed No. of house(s) 擬議房屋幢數		
(iii) Proposed building height/No. of storeys 建築物高度／層數	m 米 ☐ (Not more than 不多於)	
	Storeys(s) 層	

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	<u>Chinese</u> 中文	<u>English</u> 英文
<u>Plans and Drawings 圖則及繪圖</u>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	☐	☐
Block plan(s) 樓宇位置圖	☐	☐
Floor plan(s) 樓宇平面圖	☐	☐
Sectional plan(s) 截視圖	☐	☐
Elevation(s) 立視圖	☐	☐
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	☐	☐
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	☐	☐
Others (please specify) 其他（請註明）	☐	☐
<u>Reports 報告書</u>		
Planning Statement/Justifications 規劃綱領/理據	☐	☐
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	☐	☐
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	☐	☐
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	☐	☐
Visual impact assessment 視覺影響評估	☐	☐
Landscape impact assessment 景觀影響評估	☐	☐
Tree Survey 樹木調查	☐	☐
Geotechnical impact assessment 土力影響評估	☐	☐
Drainage impact assessment 排水影響評估	☐	☐
Sewerage impact assessment 排污影響評估	☐	☐
Risk Assessment 風險評估	☐	☐
Others (please specify) 其他（請註明）	☐	☐
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

(This part will not be made available for public inspection)

(這部分不會公開予公眾查閱)

Particulars of Applicant and Authorised Agent
申請人及獲授權代理人的詳細資料

1. Applicant 申請人	
☐ Identity Document 身份證明文件 / ☐ Business Registration Certificate ⁺ 商業登記證 ⁺ / ☐ Certificate of Incorporation 公司註冊證)	
No 號碼	
Postal Address 通訊地址	
Tel. No. 電話號碼	Fax. No. 圖文傳真號碼
E-mail Address 電郵地址	
Contact Person (only for company) 聯絡人 (只適用於公司)	
Name 姓名 (☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士)	
Position in company 公司職位	

2. Authorised Agent (if applicable) 獲授權代理人 (如適用)	
☐ Identity Document 身份證明文件 / ☐ Business Registration Certificate ⁺ 商業登記證 ⁺ / ☐ Certificate of Incorporation 公司註冊證)	
No 號碼	
Postal Address 通訊地址	
Tel. No. 電話號碼	Fax. No. 圖文傳真號碼
E-mail Address 電郵地址	
Contact Person (only for company) 聯絡人 (只適用於公司)	
Name 姓名 (☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士)	
Position in company 公司職位	

☐ I would like to receive the correspondences from the Board in Chinese (all the correspondences will be in English if this checkbox is unticked). 我希望所收到來自城規會信函為中文 (如沒有剔選此方格, 所收到的信函將預設為英文。)
☐ ~~My submission is in hard copy only and~~ I would like to receive paper-based correspondences from the Board (for paper saving, email address should be provided and all correspondences will be sent by email if this checkbox is unticked.) 我以硬複本提交申請及希望城規會以書面信件和我通信 (為珍惜紙張, 如沒有剔選此方格, 需要提交電郵地址及所有信函將以電郵寄出)

⁺ Please provide “Certificate of Incorporation No.” instead of “Business Registration Certificate No.” if the subject is a “limited company”.
如單位屬「有限公司」, 請提供「公司註冊證號碼」, 而不是「商業登記證號碼」。

(This part will not be made available for public inspection)

(這部分不會公開予公眾查閱)

Checklist of Documents 文件核對表

Please indicate if you have enclosed the following documents with this application.

請說明你有否在這宗申請夾附下列文件

- ☐ A signed original copy of the application form*^{@#}.
一份已簽署的申請表格正本*^{@#}。
- ☐ **4 hard copies and 1 soft copy each of the plans/drawings accompanying the application** Plans/drawings (e.g. location plan and site plan) and supplementary information (e.g. planning statement, report on technical assessments such as traffic impact assessment, and report on environmental assessment, etc.):
連同申請的圖則／繪圖(例如：位置圖及地盤平面圖)及補充資料(例如：規劃綱領、技術評估報告如交通影響評估及環境評估報告等)，一式四份硬複本及一份軟複本。：

~~For hard copy submission only 適用於只提交硬複本的申請：~~

~~4 copies each of plans/drawings accompanying the application (if all are in black and white and not larger than A3 size).~~

~~一式四份連同申請的圖則／繪圖（如圖則／繪圖皆為黑白及不超過 A3 大小）。~~

~~70 copies each of the plans/drawings accompanying the application (if containing any plan/drawing in colour or larger than A3 size), and supplementary information.~~

~~一式 70 份連同申請的圖則／繪圖（如當中有任何彩色或大小超過 A3 的圖則／繪圖）及補充資料。~~

~~For hard copy submission supplemented by soft copy 適用於提交列印本及輔以軟複本的申請：~~

~~4 hard copies and 1 soft copy each of the plans/drawings accompanying the application, and supplementary information.~~

~~連同申請的圖則／繪圖及補充資料，一式四份硬複本及一份軟複本。~~

- ☐ Particulars of a development proposal
擬議發展計劃的細節。
- ☐ Original authorisation letter signed by the applicant^{@#}, if the application is submitted by an authorised agent on the applicant's behalf.
申請人簽署的授權書正本^{@#} (如申請是由申請人授權的代理人遞交)。
- ☐ Documentary proof of land ownership^{@#} (e.g. copy/copies of ownership record(s) issued by the Land Registry)(only applicable to application of which the applicant is the sole or one of the "current land owner(s)").
土地業權的證明文件^{@#} (例如：由土地註冊處發出的業權記錄副本) (只適用於申請人是唯一或其中一名「現行土地擁有人」的申請)。
- ☐ Copy/copies of consent(s) obtained from the "current land owner(s)"^{@#} (not applicable to application of which the applicant is the sole "current land owner").
「現行土地擁有人」的同意書副本^{@#} (不適用於申請人是唯一「現行土地擁有人」的申請)。
- ☐ Copy/Copies of notification given to the "current land owner(s)"[@] (not applicable to application of which the applicant is the sole "current land owner").
已發給「現行土地擁有人」的通知書副本^{@#} (不適用於申請人是唯一「現行土地擁有人」的申請)。
- ☐ Particulars of applicant and authorised agent in the application form*.
申請表格內申請人及獲授權代理人的詳細資料*。

* Documents which must be submitted with the application. 必須連同申請一併遞交的文件。

^{@#} Soft copy not accepted. 不接受軟複本。

Form No. S16-III
表格第 S16-III 號

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

根據《城市規劃條例》(第131章)
第16條遞交的許可申請

Applicable to Proposal 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*

適用於祇涉及位於鄉郊地區或受規管地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展或該等臨時用途/發展的許可續期的建議*

**Form No. S16-I should be used for other Temporary Use/Development of Land and/or Building (e.g. temporary use/developments in the Urban Area) and Renewal of Permission for such Temporary Use or Development.*

**其他土地上及/或建築物內的臨時用途/發展 (例如位於市區內的臨時用途或發展) 及有關該等臨時用途/發展的許可續期，應使用表格第 S16-I 號。*

Applicant who would like to publish the notice of application in local newspapers to meet one of the Town Planning Board's requirements of taking reasonable steps to obtain consent of or give notification to the current land owner, please refer to the following link regarding publishing the notice in the designated newspapers:
https://www.infotpb.gov.hk/tpb/en/plan_application/apply.html

申請人如欲在本地報章刊登申請通知，以採取城市規劃委員會就取得現行土地擁有人的同意或通知現行土地擁有人所指定的其中一項合理步驟，請瀏覽以下網址有關在指定的報章刊登通知：
https://www.infotpb.gov.hk/tpb/tc/plan_application/apply.html

General Note and Annotation for the Form

填寫表格的一般指引及註解

“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 the application is made

「現行土地擁有人」指在提出申請前六星期，其姓名或名稱已在土地註冊處註冊為該申請所關乎的土地的擁有人的人

& Please attach documentary proof 請夾附證明文件

^ Please insert number where appropriate 請在適當地方註明編號

Please fill “NA” for inapplicable item 請在不適用的項目填寫「不適用」

Please use separate sheets if the space provided is insufficient 如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box 請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	
	Date Received 收到日期	

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有)，送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the “Guidance Notes” carefully before you fill in this form. The document can be downloaded from the Board’s website at <http://www.infotpb.gov.hk/tpb/>. It can also 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) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張，然後填寫此表格。該份文件可從委員會的網頁下載 (網址：<http://www.infotpb.gov.hk/tpb/>)，亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 – 電話：2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處(熱線：2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載，亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全，委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)

(☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organisation 機構)

3. Application Site 申請地點

(a) Full address / location / demarcation district and lot number (if applicable) 詳細地址／地點／丈量約份及地段號碼 (如適用)	
(b) Site area and/or gross floor area involved 涉及的地盤面積及／或總樓面面積	☐ Site area 地盤面積 sq.m 平方米 ☐ About 約 ☐ Gross floor area 總樓面面積.....sq.m 平方米 ☐ About 約
(c) Area of Government land included (if any) 所包括的政府土地面積 (倘有)	 sq.m 平方米 ☐ About 約

(d) Name and number of the related statutory plan(s) 有關法定圖則的名稱及編號	
(e) Land use zone(s) involved 涉及的土地用途地帶	
(f) Current use(s) 現時用途	(If there are any Government, institution or community facilities, please illustrate on plan and specify the use and gross floor area) (如有任何政府、機構或社區設施，請在圖則上顯示，並註明用途及總樓面面積)

4. “Current Land Owner” of Application Site 申請地點的「現行土地擁有人」

The applicant 申請人 –

☐ is the sole “current land owner”^{#&} (please proceed to Part 6 and attach documentary proof of ownership).
是唯一的「現行土地擁有人」^{#&} (請繼續填寫第 6 部分，並夾附業權證明文件)。

☐ is one of the “current land owners”^{#&} (please attach documentary proof of ownership).
是其中一名「現行土地擁有人」^{#&} (請夾附業權證明文件)。

☐ is not a “current land owner”[#].
並不是「現行土地擁有人」[#]。

☐ The application site is entirely on Government land (please proceed to Part 6).
申請地點完全位於政府土地上 (請繼續填寫第 6 部分)。

5. Statement on Owner's Consent/Notification

就土地擁有人的同意/通知土地擁有人的陳述

(a) According to the record(s) of the Land Registry as at (DD/MM/YYYY), this application involves a total of “current land owner(s)”[#].
根據土地註冊處截至 年 月 日的記錄，這宗申請共牽涉 名「現行土地擁有人」[#]。

(b) The applicant 申請人 –

☐ has obtained consent(s) of “current land owner(s)”[#].
已取得 名「現行土地擁有人」[#]的同意。

Details of consent of “current land owner(s)” [#] obtained 取得「現行土地擁有人」 [#] 同意的詳情		
No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where consent(s) has/have been obtained 根據土地註冊處記錄已獲得同意的地段號碼/處所地址	Date of consent obtained (DD/MM/YYYY) 取得同意的日期 (日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has notified “current land owner(s)”[#]
已通知 名「現行土地擁有人」[#]。

Details of the “current land owner(s)” [#] notified 已獲通知「現行土地擁有人」 [#] 的詳細資料		
No. of ‘Current Land Owner(s)’ 「現行土地擁有人」數目	Lot number/address of premises as shown in the record of the Land Registry where notification(s) has/have been given 根據土地註冊處記錄已發出通知的地段號碼／處所地址	Date of notification given (DD/MM/YYYY) 通知日期(日/月/年)

(Please use separate sheets if the space of any box above is insufficient. 如上列任何方格的空間不足，請另頁說明)

- ☐ has taken reasonable steps to obtain consent of or give notification to owner(s):
已採取合理步驟以取得土地擁有人的同意或向該人發給通知。詳情如下：

Reasonable Steps to Obtain Consent of Owner(s) 取得土地擁有人的同意所採取的合理步驟

- ☐ sent request for consent to the “current land owner(s)” on _____ (DD/MM/YYYY)^{#&}
於_____ (日/月/年)向每一名「現行土地擁有人」[#]郵遞要求同意書[&]

Reasonable Steps to Give Notification to Owner(s) 向土地擁有人發出通知所採取的合理步驟

- ☐ published notices in local newspapers on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)在指定報章就申請刊登一次通知[&]
- ☐ posted notice in a prominent position on or near application site/premises on
_____ (DD/MM/YYYY)[&]
於_____ (日/月/年)在申請地點／申請處所或附近的顯明位置貼出關於該申請的通知[&]
- ☐ sent notice to relevant owners’ corporation(s)/owners’ committee(s)/mutual aid committee(s)/management office(s) or rural committee on _____ (DD/MM/YYYY)[&]
於_____ (日/月/年)把通知寄往相關的業主立案法團/業主委員會/互助委員會或管理處，或有關係的鄉事委員會[&]

Others 其他

- ☐ others (please specify)
其他（請指明）

Note: May insert more than one 「✓」.

Information should be provided on the basis of each and every lot (if applicable) and premises (if any) in respect of the application.

註：可在多於一個方格內加上「✓」號

申請人須就申請涉及的每一地段（倘適用）及處所（倘有）分別提供資料

6. Type(s) of Application 申請類別	
(A) Temporary Use/Development of Land and/or Building Not Exceeding 3 Years in Rural Areas or Regulated Areas 位於鄉郊地區或受規管地區土地上及/或建築物內進行為期不超過三年的臨時用途/發展 (For Renewal of Permission for Temporary Use or Development in Rural Areas or Regulated Areas, please proceed to Part (B)) (如屬位於鄉郊地區或受規管地區臨時用途/發展的規劃許可續期，請填寫(B)部分)	
(a) Proposed use(s)/development 擬議用途/發展	 (Please illustrate the details of the proposal on a layout plan) (請用平面圖說明擬議詳情)
(b) Effective period of permission applied for 申請的許可有效期	☐ year(s) 年 ☐ month(s) 個月
(c) Development Schedule 發展細節表 Proposed uncovered land area 擬議露天土地面積 sq.m ☐ About 約 Proposed covered land area 擬議有上蓋土地面積 sq.m ☐ About 約 Proposed number of buildings/structures 擬議建築物／構築物數目 Proposed domestic floor area 擬議住用樓面面積 sq.m ☐ About 約 Proposed non-domestic floor area 擬議非住用樓面面積 sq.m ☐ About 約 Proposed gross floor area 擬議總樓面面積 sq.m ☐ About 約 Proposed height and use(s) of different floors of buildings/structures (if applicable) 建築物/構築物的擬議高度及不同樓層的擬議用途 (如適用) (Please use separate sheets if the space below is insufficient) (如以下空間不足，請另頁說明)	
Proposed number of car parking spaces by types 不同種類停車位的擬議數目 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明)	
Proposed number of loading/unloading spaces 上落客貨車位的擬議數目	

Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明)		
Proposed operating hours 擬議營運時間 Part 6 第6部分		
(d) Any vehicular access to the site/subject building? 是否有車路通往地盤／有關建築物？	Yes 是 No 否	☐ There is an existing access. (please indicate the street name, where appropriate) 有一條現有車路。(請註明車路名稱(如適用)) ☐ There is a proposed access. (please illustrate on plan and specify the width) 有一條擬議車路。(請在圖則顯示，並註明車路的闊度) ☐
(e) Impacts of Development Proposal 擬議發展計劃的影響 (If necessary, please use separate sheets to indicate the proposed measures to minimise possible adverse impacts or give justifications/reasons for not providing such measures. 如需要的話，請另頁註明可盡量減少可能出現不良影響的措施，否則請提供理據/理由。)		
(i) Does the development proposal involve alteration of existing building? 擬議發展計劃是否包括現有建築物的改動？	Yes 是 No 否	☐ Please provide details 請提供詳情
(ii) Does the development proposal involve the operation on the right? 擬議發展是否涉及右列的工程？	Yes 是 No 否	☐ (Please indicate on site plan the boundary of concerned land/pond(s), and particulars of stream diversion, the extent of filling of land/pond(s) and/or excavation of land) (請用地盤平面圖顯示有關土地／池塘界線，以及河道改道、填塘、填土及／或挖土的細節及/或範圍) ☐ Diversion of stream 河道改道 ☐ Filling of pond 填塘 Area of filling 填塘面積 sq.m 平方米 ☐ About 約 Depth of filling 填塘深度 m 米 ☐ About 約 ☐ Filling of land 填土 Area of filling 填土面積 sq.m 平方米 ☐ About 約 Depth of filling 填土厚度 m 米 ☐ About 約 ☐ Excavation of land 挖土 Area of excavation 挖土面積 sq.m 平方米 ☐ About 約 Depth of excavation 挖土深度 m 米 ☐ About 約 ☐

(iii) Would the development proposal cause any adverse impacts? 擬議發展計劃會否造成不良影響?	On environment 對環境	Yes 會 ☐	No 不會 ☐
	On traffic 對交通	Yes 會 ☐	No 不會 ☐
	On water supply 對供水	Yes 會 ☐	No 不會 ☐
	On drainage 對排水	Yes 會 ☐	No 不會 ☐
	On slopes 對斜坡	Yes 會 ☐	No 不會 ☐
	Affected by slopes 受斜坡影響	Yes 會 ☐	No 不會 ☐
	Landscape Impact 構成景觀影響	Yes 會 ☐	No 不會 ☐
	Tree Felling 砍伐樹木	Yes 會 ☐	No 不會 ☐
	Visual Impact 構成視覺影響	Yes 會 ☐	No 不會 ☐
	Others (Please Specify) 其他 (請列明)	Yes 會 ☐	No 不會 ☐
Please state measure(s) to minimise the impact(s). For tree felling, please state the number, diameter at breast height and species of the affected trees (if 請註明盡量減少影響的措施。如涉及砍伐樹木，請說明: Part 6 (Cont'd) 第6部分(續) 幹直徑及品種(倘可)			

(B) Renewal of Permission for Temporary Use or Development in Rural Areas or Regulated Areas 位於鄉郊地區或受規管地區臨時用途/發展的許可續期	
(a) Application number to which the permission relates 與許可有關的申請編號	A/_____/_____
(b) Date of approval 獲批給許可的日期	 (DD 日/MM 月/YYYY 年)
(c) Date of expiry 許可屆滿日期	 (DD 日/MM 月/YYYY 年)
(d) Approved use/development 已批給許可的用途/發展	

(e) Approval conditions 附帶條件	☐ The permission does not have any approval condition 許可並沒有任何附帶條件 ☐ Applicant has complied with all the approval conditions 申請人已履行全部附帶條件 ☐ Applicant has not yet complied with the following approval condition(s): 申請人仍未履行下列附帶條件： _____ _____ _____ Reason(s) for non-compliance: 仍未履行的原因： _____ _____ _____ (Please use separate sheets if the space above is insufficient) (如以上空間不足，請另頁說明)
(f) Renewal period sought 要求的續期期間	☐ year(s) 年 ☐ month(s) 個月

Part 6 (Cont'd) 第 6 部分(續)

7. Justifications 理由

The applicant is invited to provide justifications in support of the application. Use separate sheets if necessary.
現請申請人提供申請理由及支持其申請的資料。如有需要，請另頁說明。

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

8. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.

本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature

☐ Applicant 申請人 / ☐ Authorised Agent 獲授權代理人

簽署

.....

.....

.....

Name in Block Letters

姓名（請以正楷填寫）

Position (if applicable)

職位（如適用）

Professional Qualification(s) ☐ Member 會員 / ☐ Fellow of 資深會員

專業資格

☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /

☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /

☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會

☐ RPP 註冊專業規劃師

Others 其他

on behalf of

代表

.....

☐ Company 公司 / ☐ Organisation Name and Chop (if applicable) 機構名稱及蓋章（如適用）

Date 日期

..... (DD/MM/YYYY 日/月/年)

Remark 備註

The materials submitted in this application and the Board's decision on the application would be disclosed to the public. Such materials would also be uploaded to the Board's website for browsing and free downloading by the public where the Board considers appropriate.

委員會會向公眾披露申請人所遞交的申請資料和委員會對申請所作的決定。在委員會認為合適的情況下，有關申請資料亦會上載至委員會網頁供公眾免費瀏覽及下載。

Warning 警告

Any person who knowingly or wilfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

- The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

- the processing of this application which includes making available the name of the applicant for public inspection when making available this application for public inspection; and

處理這宗申請，包括公布這宗申請供公眾查閱，同時公布申請人的姓名供公眾查閱；以及

- facilitating communication between the applicant and the Secretary of the Board/Government departments.

方便申請人與委員會秘書及政府部門之間進行聯絡。

- The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

- An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料(私隱)條例》(第 486 章)的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

Gist of Application 申請摘要 (Please provide details in both English and Chinese <u>as far as possible</u> . This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.) (請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)	
Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)
Location/address 位置／地址	
Site area 地盤面積	sq. m 平方米 □ About 約 (includes Government land of 包括政府土地 sq. m 平方米 □ About 約)
Plan 圖則	
Zoning 地帶	
Type of Application 申請類別	☐ Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區的臨時用途/發展為期 ☐ Year(s) 年 _____ ☐ Month(s) 月 _____ ☐ Renewal of Planning Approval for Temporary Use/Development in Rural Areas or Regulated Areas for a Period of 位於鄉郊地區或受規管地區臨時用途/發展的規劃許可續期為期 ☐ Year(s) 年 _____ ☐ Month(s) 月 _____
Applied use/ development 申請用途/發展	

(i) Gross floor area and/or plot ratio 總樓面面積及／或地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	☐ About 約 ☐ Not more than 不多於	☐ About 約 ☐ Not more than 不多於
	Non-domestic 非住用	☐ About 約 ☐ Not more than 不多於	☐ About 約 ☐ Not more than 不多於
(ii) No. of blocks 幢數	Domestic 住用		
	Non-domestic 非住用		
(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	m 米 ☐ (Not more than 不多於)	
		Storeys(s) 層 ☐ (Not more than 不多於)	
	Non-domestic 非住用	m 米 ☐ (Not more than 不多於)	
		Storeys(s) 層 ☐ (Not more than 不多於)	
(iv) Site coverage 上蓋面積	% ☐ About 約		
(v) No. of parking spaces and loading / unloading spaces 停車位及上落客貨車位數目	Total no. of vehicle parking spaces 停車位總數 Private Car Parking Spaces 私家車車位 Motorcycle Parking Spaces 電單車車位 Light Goods Vehicle Parking Spaces 輕型貨車泊車位 Medium Goods Vehicle Parking Spaces 中型貨車泊車位 Heavy Goods Vehicle Parking Spaces 重型貨車泊車位 Others (Please Specify) 其他 (請列明) _____ _____		
	Total no. of vehicle loading/unloading bays/lay-bys 上落客貨車位／停車處總數 Taxi Spaces 的士車位 Coach Spaces 旅遊巴車位 Light Goods Vehicle Spaces 輕型貨車車位 Medium Goods Vehicle Spaces 中型貨車車位 Heavy Goods Vehicle Spaces 重型貨車車位 Others (Please Specify) 其他 (請列明) _____ _____		

Submitted Plans, Drawings and Documents 提交的圖則、繪圖及文件		
	Chinese 中文	English 英文
<u>Plans and Drawings 圖則及繪圖</u>		
Master layout plan(s)/Layout plan(s) 總綱發展藍圖／布局設計圖	☐	☐
Block plan(s) 樓宇位置圖	☐	☐
Floor plan(s) 樓宇平面圖	☐	☐
Sectional plan(s) 截視圖	☐	☐
Elevation(s) 立視圖	☐	☐
Photomontage(s) showing the proposed development 顯示擬議發展的合成照片	☐	☐
Master landscape plan(s)/Landscape plan(s) 園境設計總圖／園境設計圖	☐	☐
Others (please specify) 其他（請註明）	☐	☐
<u>Reports 報告書</u>		
Planning Statement/Justifications 規劃綱領/理據	☐	☐
Environmental assessment (noise, air and/or water pollutions) 環境評估（噪音、空氣及／或水的污染）	☐	☐
Traffic impact assessment (on vehicles) 就車輛的交通影響評估	☐	☐
Traffic impact assessment (on pedestrians) 就行人的交通影響評估	☐	☐
Visual impact assessment 視覺影響評估	☐	☐
Landscape impact assessment 景觀影響評估	☐	☐
Tree Survey 樹木調查	☐	☐
Geotechnical impact assessment 土力影響評估	☐	☐
Drainage impact assessment 排水影響評估	☐	☐
Sewerage impact assessment 排污影響評估	☐	☐
Risk Assessment 風險評估	☐	☐
Others (please specify) 其他（請註明）	☐	☐
Note: May insert more than one 「✓」. 註：可在多於一個方格內加上「✓」號		

Note: The information in the Gist of Application above is provided by the applicant for easy reference of the general public. Under no circumstances will the Town Planning Board accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, reference should always be made to the submission of the applicant.

註：上述申請摘要的資料是由申請人提供以方便市民大眾參考。對於所載資料在使用上的問題及文義上的歧異，城市規劃委員會概不負責。若有任何疑問，應查閱申請人提交的文件。

(This part will not be made available for public inspection)

(這部分不會公開予公眾查閱)

Particulars of Applicant and Authorised Agent 申請人及獲授權代理人的詳細資料

1. Applicant 申請人	
☐ Identity Document 身份證明文件 / ☐ Business Registration Certificate ⁺ 商業登記證 ⁺ / ☐ Certificate of Incorporation 公司註冊證)	
No 號碼	
Postal Address 通訊地址	
Tel. No. 電話號碼	Fax. No. 圖文傳真號碼
E-mail Address 電郵地址	
Contact Person (only for company) 聯絡人 (只適用於公司)	
Name 姓名 (☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士)	
Position in company 公司職位	

2. Authorised Agent (if applicable) 獲授權代理人 (如適用)	
☐ Identity Document 身份證明文件 / ☐ Business Registration Certificate ⁺ 商業登記證 ⁺ / ☐ Certificate of Incorporation 公司註冊證)	
No 號碼	
Postal Address 通訊地址	
Tel. No. 電話號碼	Fax. No. 圖文傳真號碼
E-mail Address 電郵地址	
Contact Person (only for company) 聯絡人 (只適用於公司)	
Name 姓名 (☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士)	
Position in company 公司職位	

- | |
|--|
| ☐ I would like to receive the correspondences from the Board in Chinese (all the correspondences will be in English if this checkbox is unticked). 我希望所收到來自城規會信函為中文 (如沒有剔選此方格, 所收到的信函將預設為英文。) |
| ☐ ~~My submission is in hard copy only and~~ I would like to receive paper-based correspondences from the Board (for paper saving, email address should be provided and all correspondences will be sent by email if this checkbox is unticked.) 我以硬複本提交申請及希望城規會以書面信件和我通信 (為珍惜紙張, 如沒有剔選此方格, 需要提交電郵地址及所有信函將以電郵寄出) |

⁺ Please provide "Certificate of Incorporation No." instead of "Business Registration Certificate No." if the subject is a "limited company".
如單位屬「有限公司」, 請提供「公司註冊證號碼」, 而不是「商業登記證號碼」。

(This part will not be made available for public inspection)
(這部分不會公開予公眾查閱)

Checklist of Documents 文件核對表

Please indicate if you have enclosed the following documents with this application.

請說明你有否在這宗申請夾附下列文件

- ☐ A signed original copy of the application form*^{@#}.
一份已簽署的申請表格正本*^{@#}。
- ☐ **4 hard copies and 1 soft copy each of the plans/drawings accompanying the application** Plans/drawings (e.g. location plan and site plan) and supplementary information (e.g. planning statement, report on technical assessments such as traffic impact assessment environmental assessment, etc.);
連同申請的圖則／繪圖(例如：位置圖及地盤平面圖)及補充資料(例如：規劃綱領、技術評估報告如交通影響評估及環境評估報告等)，一式四份硬複本及一份軟複本。：

~~For hard copy submission only 適用於只提交硬複本的申請：~~

- ☐ ~~4 copies each of the plans/drawings accompanying the application (if all are in black and white and not larger than A3 size).~~

~~一式四份連同申請的圖則／繪圖（如圖則／繪圖皆為黑白及不超過 A3 大小）。~~

- ☐ ~~70 copies each of the plans/drawings accompanying the application (if containing any plan/drawing in colour or larger than A3 size), and supplementary information.~~ 一式 70 份連同申請的圖則／繪圖（如當中有任何彩色或大小超過 A3 的圖則／繪圖）及補充資料。

~~For hard copy submission supplemented by soft copy 適用於提交硬複本及輔以軟複本的申請：~~

- ☐ ~~4 hard copies and 1 soft copy each of the plans/drawings accompanying the application, and supplementary information.~~

~~連同申請的圖則／繪圖及補充資料，一式四份硬複本及一份軟複本。~~

- ☐ Particulars of a development proposal
擬議發展計劃的細節。
- ☐ Original authorisation letter signed by the applicant^{@#}, if the application is submitted by an authorised agent on the applicant's behalf.
申請人簽署的授權書正本^{@#} (如申請是由申請人授權的代理人遞交)。
- ☐ Documentary proof of land ownership^{@#} (e.g. copy/copies of ownership record(s) issued by the Land Registry)(only applicable to application of which the applicant is the sole or one of the "current land owner(s)").
土地業權的證明文件^{@#} (例如：由土地註冊處發出的業權記錄副本) (只適用於申請人是唯一或其中一名「現行土地擁有人」的申請)。
- ☐ Copy/copies of consent(s) obtained from the "current land owner(s)"^{@#} (not applicable to application of which the applicant is the sole "current land owner").
「現行土地擁有人」的同意書副本^{@#} (不適用於申請人是唯一「現行土地擁有人」的申請)。
- ☐ Copy/Copies of notification given to the "current land owner(s)"^{@#} (not applicable to application of which the applicant is the sole "current land owner").
已發給「現行土地擁有人」的通知書副本^{@#} (不適用於申請人是唯一「現行土地擁有人」的申請)。
- ☐ Particulars of applicant and authorised agent in the application form*.
申請表格內申請人及獲授權代理人的詳細資料*。

* Documents which must be submitted with the application. 必須連同申請一併遞交的文件。

^{@#} Soft copy not accepted. 不接受軟複本。

Form No. S16A
表格第 S16A 號

**APPLICATION FOR AMENDMENT TO
PERMISSION UNDER SECTION 16A(2) OF
THE TOWN PLANNING ORDINANCE (CAP. 131)**

根據《城市規劃條例》(第131章)
第16A(2)條遞交的修訂許可申請

General Note and Annotation for the Form 填寫表格的一般指引及註解

Please fill "NA" for inapplicable item.
請在不適用的項目填寫「不適用」。

Please use separate sheets if the space provided is insufficient.
如所提供的空間不足，請另頁說明

Please insert a 「✓」 at the appropriate box.
請在適當的方格內上加上「✓」號

For Official Use Only 請勿填寫此欄	Application No. 申請編號	
	Date Received 收到日期	

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board, 15/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填悉的申請表格及其他支持申請的文件（倘有）送交北角渣華道 333 號北角政府合署 15 樓城市規劃委員會秘書收。
- Please read the “Guidance Notes” and the “Town Planning Board Guidelines on Class A and Class B Amendments to Approved Development Proposals” carefully before you fill in this form. Both documents can be downloaded from the Town Planning Board’s (the Board’s) website at <http://www.infotpb.gov.hk/tpb/>. They can also 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) (17/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F., Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張及有關「對核准發展計劃作出 A 類及 B 類修訂」的城市規劃委員會規劃指引，然後填寫此表格。這兩份文件均可從城市規劃委員會（下稱「委員會」）的網頁下載（網址：<http://www.infotpb.gov.hk/tpb/>），亦可向委員會秘書處（香港北角渣華道 333 號北角政府合署 15 樓 - 電話：2231 4810 或 2231 4835）及規劃署的規劃資料查詢處（熱線：2231 5000）（香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓）索取。
- This form can be downloaded from the Board’s website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters, preferably in both English and Chinese. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載，亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格，填寫的資料宜中英文兼備。如果申請人所提交的資料或文件的副本不齊全，委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名 / 名稱 (☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organization 機構*)	
2. Name of Authorised Agent (if applicable) 獲授權代理人姓名 / 名稱（如適用） (☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士 / ☐ Company 公司 / ☐ Organization 機構*)	
3. Relevant Permission Granted under the Town Planning Ordinance 按《城市規劃條例》批給的有關許可	
Application number to which the permission relates 與許可有關的申請編號	
Date of approval 獲批給許可的日期	
Full address/Location of the application site 申請地點的詳細地址／地點	
Approved use/development 已批給的用途／發展	

* Applicant of this application must be the person to whom the relevant permission mentioned in Part 3 is granted. In case there is a change in land ownership, the original applicant may appoint the subsequent owner of the site as his/her authorised representative to submit this application.
這宗申請的申請人必須是上述第 3 部分提及的獲批給有關許可的人士。若土地擁有權有所改變，原申請人可授權該用地其後的擁有人為其代表，提交這宗申請。

4. Amendment(s) to Permission Sought 要求修訂許可的事項				
(a) Proposed amendments which can be quantified 可量化的擬議修訂				
Amendment(s) sought 要求修訂事項	Amount approved 已獲許可的數量 [a]	Amount sought 現要求的數量 [b]	Change 改變	
			Amount 數量 [b] - [a]	% $\frac{[b] - [a]}{[a]} \times 100$
☐ Increase in total gross floor area (sq. m.) 總樓面面積有所增加 (平方米)				
☐ Increase in plot ratio 地積比率有所增加				
☐ Change in gross site area (sq. m.) 地盤總面積有所改變 (平方米)				
☐ Change in number of units 單位數目有所改變				
☐ Change in number of building blocks 樓宇數目有所改變				
☐ Increase in 以下項目有所增加： ☐ absolute building height (m.) 建築物的實際高度 (米) ☐ number of storeys 層數 ☐ meters above Principal Datum (mPD) 主水平基準上米數				
☐ Increase in site coverage (%) 上蓋面積有所增加 (%)				
☐ Change in gross floor area distribution from domestic to non-domestic (sq. m.) 把住用樓面面積改為非住用用途 (平方米)				
☐ Change in gross floor area distribution from non-domestic to domestic (sq. m.) 把非住用樓面面積改為住用用途 (平方米)				
☐ Change in gross floor area for non-domestic uses for one category to another as set out in # below: from to 把非住用用途的總樓面面積改作#所列另一類別的用途：..... 改作.....				
☐ Change in floor area(s) of government, institution or community facilities (sq. m.) (Please specify the type(s) of facilities) 政府、機構或社區設施的樓面面積有所改變 (平方米) (請註明設施類別)				
☐ Reduction in total area of public open space (sq. m.) 公眾休憩用地的總面積有所減少 (平方米)				
☐ Change in area of active/passive public open space : 動態／靜態公眾休憩用地的面積有所改變： ☐ change in area of active public open space (sq. m.) 動態公眾休憩用地的面積有所改變 (平方米) ☐ change in area of passive public open space (sq. m.) 靜態公眾休憩用地的面積有所改變 (平方米)				

#The categories of non-domestic uses include (1) hotel, (2) office and (3) other commercial uses, including but not limited to kindergarten, child care centre and public car park.

非住用用途類別包括(1)酒店、(2)辦公室及(3)其他商業用途，包括但不限於幼稚園、幼兒中心及公眾停車場。

4. Amendment(s) to Permission Sought (Continued) 要求修訂許可的事項 (續)**(a) Proposed amendments which can be quantified (continued) 可量化的擬議修訂 (續)**

Amendment(s) sought 要求修訂事項	Amount approved 已獲許可的數量 [a]	Amount sought 現要求的數量 [b]	Change 改變	
			Amount 數量 [b] - [a]	% $\frac{[b] - [a]}{[a]} \times 100$
☐ Reduction in total area of private open space (sq. m.) 私人休憩用地的總面積有所減少 (平方米)				
☐ Change in number of the followings: 以下項目的數目有所改變: ☐ parking spaces (please specify the type(s) and number(s)) 停車位 (請註明車位類別及數目) ☐ loading and unloading spaces (please specify the type(s) and number(s)) 上落客貨車位 (請註明車位類別及數目) ☐ ingress/egress point(s) 入口/出口				
☐ Change in size of the followings, not initiated by the relevant government departments: 以下項目的大小有所改變, 而有關改變並非由相關政府部門提出: ☐ non-building area (m.) 非建築用地 (米) ☐ setback (m.) 後移範圍 (米) ☐ building gap (m.) 建築物間距 (米)				
☐ Change in number of the followings: 以下項目的數目有所改變: ☐ increase in number of trees to be felled 砍伐樹木的數目有所增加 ☐ decrease in number of preserved trees 保存樹木的數目有所減少				
☐ Change in floor area of public indoor recreational facilities (sq. m.) 公眾室內康樂設施的樓面面積有所改變 (平方米)				

(b) ☐ To extend the time for commencement of approved development for more month(s).
將展開獲批准發展的期限延長多.....個月。

☐ To extend the time for compliance with planning condition(s) for more month(s).
將履行規劃許可附帶條件的期限延長多.....個月。
(please specify the planning condition(s) involved 請註明涉及的規劃條件)

.....
.....
.....

4. Amendment(s) to Permission Sought (Continued) 要求修訂許可的事項 (續)	
(c) Other proposed amendments (please illustrate on plan, if necessary) 其他擬議修訂 (如需要的話, 請在圖則顯示)	
Amendment(s) sought 要求修訂事項	Details 詳情
☐ Change in building blocks 樓宇有所改變 ☐ change in form of building(s) where the affected portion(s) of the concerned block(s) is(are) the subject of environmental mitigation measures (多幢) 建築物的外形有所改變, 而有關的 (多幢) 樓宇的受影響部分與環境緩解措施有關 ☐ minor change in disposition of building block(s) (other than house, New Territories Exempted House/ Small House) 輕微改變樓宇 (屋宇、新界豁免管制屋宇 / 小型屋宇除外) 的布局	
☐ Change in : 以下項目有所改變 : ☐ internal layout of premises 處所的內部設計 ☐ disposition of premises 處所的布局	
☐ Change in provision of government, institution or community facilities 政府、機構或社區設施的供應有所改變 ☐ change in types of the facilities 改變設施的種類 ☐ change in locations of the facilities 改變設施的位置 ☐ deletion of facilities initiated by the relevant government departments 由有關政府部門提出刪除設施 (please specify the type(s) of facilities 請註明設施類別)	
☐ Change in 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 在同一街道 / 平台層調動公眾休憩用地的位置, 而有關公眾休憩用地的位置與環境緩解措施有關	
☐ Change in location of the private open space 私人休憩用地的位置有所改變	
☐ Change in location of : 以下項目的位置有所改變 : ☐ ingress/egress point(s) 入口 / 出口 ☐ footbridge(s)/subway(s) 行人天橋 / 行人隧道 ☐ public transport terminus 公共車輛總站 ☐ car park 停車場 ☐ loading/unloading area/lay-bys 上落客貨車處 / 避車處	

4. Amendment(s) to Permission Sought (Continued) 要求修訂許可的事項 (續)	
(c) Other proposed amendments (continued) (please illustrate on plan, if necessary) 其他擬議修訂 (續) (如需要的話, 請在圖則顯示)	
Amendment(s) sought 要求修訂事項	Details 詳情
☐ Change in layout of emergency vehicular access 緊急車輛通道的布局設計有所改變	
☐ Change in location of the followings, not initiated by the relevant government departments: 以下項目的位置有所改變, 而有關改變並非由相關政府部門提出: ☐ non-building area 非建築用地 ☐ setback 後移範圍 ☐ building gap 建築物間距	
☐ Change in tree preservation and landscape proposals/master plan: 樹木的保存及園景設計建議/總圖有所改變: ☐ change in soft/hard landscape design 種植花卉樹木/園景建築設計有所改變 ☐ change in implementation programme 實施計劃有所改變 ☐ change in individual trees identified for preservation 已選定的予以保存的個別樹木有所改變	
☐ Change in provision of public indoor recreational facilities other than floor area (e.g. location, layout and type) 除了樓面面積外, 公眾室內康樂設施的供應有所改變 (例如: 位置、布局設計及種類)	
☐ Change in provision of ancillary major utility installation: 主要附屬公用設施裝置的提供應有所改變: ☐ change in location of the facility 設施的位置有所改變 ☐ deletion of the facility initiated by the relevant government departments 由有關政府部門提出刪除設施	
☐ Minor change in phasing or implementation schedule affecting: 輕微改變分期推行計劃或實施時間表, 以致影響: ☐ the provision of government, institution or community facilities 政府、機構或社區設施 ☐ the provision of public open space 公眾休憩用地的供應	

5. Justifications 理由

The applicant is invited to provide justifications in support of the application (Preferably not more than 500 words in English and/or Chinese. Use separate sheets if necessary).

現請申請人提供申請理由及支持其申請的資料（篇幅宜不超過 500 個英文字及／或中文字，如有需要，請另頁說明。）

[illegible]

6. Plans, Drawings and Documents 圖則、繪圖及文件

Please list plans, drawings and other documents submitted with the application.

請列明連同申請一併遞交的圖則、繪圖及文件。

.....

.....

.....

7. Declaration 聲明

I hereby declare that the particulars given in this application are correct and true to the best of my knowledge and belief.
本人謹此聲明，本人就這宗申請提交的資料，據本人所知及所信，均屬真實無誤。

I hereby grant a permission to the Board to copy all the materials submitted in this application and/or to upload such materials to the Board's website for browsing and downloading by the public free-of-charge at the Board's discretion.
本人現准許委員會酌情將本人就此申請所提交的所有資料複製及/或上載至委員會網站，供公眾免費瀏覽或下載。

Signature

簽署

.....

☐ Applicant / ☐ Authorised Agent

申請人 / 獲授權代理人

.....

Name in Block Letters

姓名（請以正楷填寫）

Position (if applicable)

職位（如適用）

Professional ☐ Member 會員 / ☐ Fellow of 資深會員Qualification(s) ☐ HKIP 香港規劃師學會 / ☐ HKIA 香港建築師學會 /專業資格 ☐ HKIS 香港測量師學會 / ☐ HKIE 香港工程師學會 /☐ HKILA 香港園境師學會 / ☐ HKIUD 香港城市設計學會-☐ RPP 註冊專業規劃師

Others 其他

on behalf of

代表.....

☐ Company / ☐ Organization Name and Chop (if applicable)

公司 / 機構名稱及蓋章（如適用）

Date

日期..... (DD/MM/YYYY 日/月/年)

Warning 警告

Any person who knowingly or willfully makes any statement or furnish any information in connection with this application, which is false in any material particular, shall be liable to an offence under the Crimes Ordinance.

任何人在明知或故意的情況下，就這宗申請提出在任何要項上是虛假的陳述或資料，即屬違反《刑事罪行條例》。

Statement on Personal Data 個人資料的聲明

1. The personal data submitted to the Board in this application will be used by the Secretary of the Board and Government departments for the following purposes:

(a) the processing of this application; and

(b) facilitating communication between the applicant and the Secretary of the Board/Government departments

in accordance with the provisions of the Town Planning Ordinance and the relevant Town Planning Board Guidelines.

委員會就這宗申請所收到的個人資料會交給委員會秘書及政府部門，以根據《城市規劃條例》及相關的城市規劃委員會規劃指引的規定作以下用途：

(a) 處理這宗申請；以及

(b) 方便申請人與委員會秘書及政府部門之間進行聯絡。

2. The personal data provided by the applicant in this application may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.

申請人就這宗申請提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。

3. An applicant has a right of access and correction with respect to his/her personal data as provided under the Personal Data (Privacy) Ordinance (Cap. 486). Request for personal data access and correction should be addressed to the Secretary of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.

根據《個人資料（私隱）條例》（第 486 章）的規定，申請人有權查閱及更正其個人資料。如欲查閱及更正個人資料，應向委員會秘書提出有關要求，其地址為香港北角渣華道 333 號北角政府合署 15 樓。

Particulars of Applicant and Authorised Agent 申請人及獲授權代理人的詳細資料

1. Applicant 申請人	
☐ Identity Document 身份證明文件 / ☐ Business Registration Certificate 商業登記證* / ☐ Certificate of Incorporation 公司註冊證)	
Number 號碼	
Postal Address 通訊地址	
Tel. No. 電話號碼	Fax. No. 圖文傳真號碼
E-mail Address 電郵地址	
Contact Person 聯絡人 (only for company 只適用於公司)	
Name 姓名 (☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士)	
Position in company 公司職位	
2. Authorised Agent (if applicable) 獲授權代理人 (如適用)	
☐ Identity Document 身份證明文件 / ☐ Business Registration Certificate 商業登記證* / ☐ Certificate of Incorporation 公司註冊證)	
Number 號碼	
Postal Address 通訊地址	
Tel. No. 電話號碼	Fax. No. 圖文傳真號碼
E-mail Address 電郵地址	
Contact Person 聯絡人 (only for company 只適用於公司)	
Name 姓名 (☐ Mr. 先生 / ☐ Mrs. 夫人 / ☐ Miss 小姐 / ☐ Ms. 女士)	
Position in company 公司職位	
☐ I would like to receive the correspondences from the Board in Chinese (all the correspondences will be in English if this checkbox is unticked). 我希望所收到來自城規會信函為中文 (如沒有剔選此方格, 所收到的信函將預設為英文。) ☐ ~~My submission is in hard copy only and~~ I would like to receive paper-based correspondences from the Board (for paper saving, email address should be provided and all correspondences will be sent by email if this checkbox is unticked.) 我以硬 複本提交申請及希望城規會以書面信件和我通信 (為珍惜紙張, 如沒有剔選此方格, 需要提交電郵地址及所有信函 將以電郵寄出)	

+ Please provide "Certificate of Incorporation No." instead of "Business Registration Certificate No." if the subject is a "limited company".
 如單位屬「有限公司」, 請提供「公司註冊證號碼」, 而不是「商業登記證號碼」。

Checklist of Documents 文件核對表

Please indicate if you have enclosed the following documents with this application.
請說明你有否在這宗申請夾附下列文件。

- ☐ A signed original copy of the application form*^{@#}.
一份已簽署的申請表格正本*^{@#}。

- ☐ **3 hard copies and 1 soft copy each of the plans/drawings accompanying the application** Plans/drawings (e.g. location plan and site plan) and supplementary information (e.g. planning statement, report on technical assessments such as traffic impact assessment, and report on environmental assessment, etc.):
連同申請的圖則／繪圖(例如：位置圖及地盤平面圖)及補充資料(例如：規劃綱領、技術評估報告如交通影響評估及環境評估報告等)，一式三份硬複本及一份軟複本。：

~~*For hard copy submission only 適用於只提交硬複本的申請：*~~

 - ☐ ~~3 copies each of the plans/drawings accompanying the application (if all are in black and white and not larger than A3 size).~~
~~一式三份連同申請的圖則／繪圖（如圖則／繪圖皆為黑白及不超過 A3 大小）。~~

 - ☐ ~~12 copies each of the plans/drawings accompanying the application (if containing any plan/drawing in colour or larger than A3 size), and supplementary information.~~
~~一式 12 份連同申請的圖則／繪圖（如當中有任何彩色或大小超過 A3 的圖則／繪圖）及補充資料。~~

~~*For hard copy submission supplemented by soft copy 適用於提交硬複本及輔以軟複本的申請：*~~

 - ☐ ~~3 hard copies and 1 soft copy each of the plans/drawings accompanying the application, and supplementary information.~~
~~連同申請的圖則／繪圖及補充資料，一式三份硬複本及一份軟複本。~~

- ☐ Original authorisation letter signed by the applicant^{@#}, if the application is submitted by an authorised agent on the applicant's behalf.
申請人簽署的授權書正本^{@#} (如申請是由申請人授權的代理人遞交)。

- ☐ Particulars of applicant and authorised agent in the application form*.
申請表格內申請人及獲授權代理人的詳細資料*。

* Documents which must be submitted with the application. 必須連同申請一併遞交的文件。

^{@#} Soft copy not accepted. 不接受軟複本。

How to Participate in Statutory Plan-making Process

Introduction

The Town Planning Ordinance, as amended by the Town Planning (Amendment) Ordinance 2004 in 2023 introduces a new statutory plan-making process (**Figure 1**). This pamphlet aims to briefly explain how the public can participate in such process.

Readers are reminded that this pamphlet is for reference only and should not be regarded as a formal interpretation of the law. Enquiries on this pamphlet should be addressed to the Secretariat of the Town Planning Board (the Board) or the Planning Enquiry Counters of the Planning Department.

Secretariat of the Board

Address : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
Tel : 2231 4810 or 2231 4835
Fax : 2877 0245 or 2522 8426
E-mail address : tpbpd@pland.gov.hk

Planning Enquiry Counters of the Planning Department

Addresses : 17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
or
14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories
Hotline : 2231 5000
E-mail address : enquire@pland.gov.hk

Representation Relating to ~~Draft~~ a Plan

All new plans, ~~amendments to approved plans or amendments to draft plans (hereafter referred to as “draft plan”)~~ and amendments to plans will be exhibited for two months for public inspection. During this exhibition period, any person may make representations (either supportive or adverse) to the Board in respect of the ~~draft new plan or the amendments~~.

~~Comment on Representation~~

~~All representations received by the Board during the plan exhibition period will be published for public inspection.~~

~~During the first 3 weeks of the public inspection period of the representations, any person may make comment on the representations (either supportive or adverse) to the Board.~~

First Hearing of Representations

The Board or its Representation Hearing Committee (RHC) will hold a hearing to consider the **valid** representations ~~and comments~~ received. The persons who have submitted representations ~~or comments~~ may attend the hearing and be heard by the Board/RHC. **If the representer is not a natural person (e.g. the representer is a company/organization/group), the representer may authorize a natural person to attend the hearing. If the representer is a natural person, he/she is required to attend the hearing in person. If the TPB is satisfied that the representer is unable to attend the hearing due to exceptional circumstances, the representer may authorize another natural person to attend the hearing and speak on his/her behalf.**

After the hearing, the Board/RHC will decide whether to propose amendment(s) to the ~~draft~~ plan to meet the representations.

Further Representation in Respect of Proposed Amendment(s)

Any amendment(s) proposed by the Board/RHC after the ~~first~~ hearing will be published for public inspection.

During the first 3 weeks of the public inspection period of the proposed amendment(s), any person (~~other than the persons who have submitted representations and comments related to the proposed amendments~~) may make further representations in respect of the proposed amendment(s) (either supportive or adverse) to the Board. **The Board/RHC will consider the further representation and decide whether to make amendment(s) to the plan.**

Further Hearing

~~If opposing further representations are received, the Board/RHC will hold a further hearing to consider the further representations, at which the persons who have submitted the relevant representations, comments and further representations may attend and be heard by the Board/RHC.~~

~~After the further hearing, the Board/RHC will decide whether to make amendments to the draft plan.~~

~~If there is no further representation or no opposing further representation is received, the Board/RHC will hold a meeting to consider the~~ **any supportive** further representation **received** ~~(if any) and to amend the draft plan by the proposed amendment(s). The persons who have submitted the relevant representations, comments and further representations will not be invited to the meeting. If no further representation is received, the Board/RHC will amend the draft plan by the proposed amendment(s).~~

Submission to Chief Executive in Council

Upon completion of the representation consideration process, the Board is required to submit the ~~draft~~ plan incorporating the amendments together with the representations, ~~comments~~ and further representations to the Chief Executive in Council (CE in C) for approval ~~within 9 months of the expiry of the 2-month plan exhibition period (or within a further 6-month period as may be extended by the Chief Executive)~~ **within five months from the expiry of the last plan exhibition period (or as extended by the Secretary for Development (SDev) by a period of two months and thereafter, further extended by the SDev for two more periods (of 2 months each) under exceptional circumstances).**

Submission Requirements

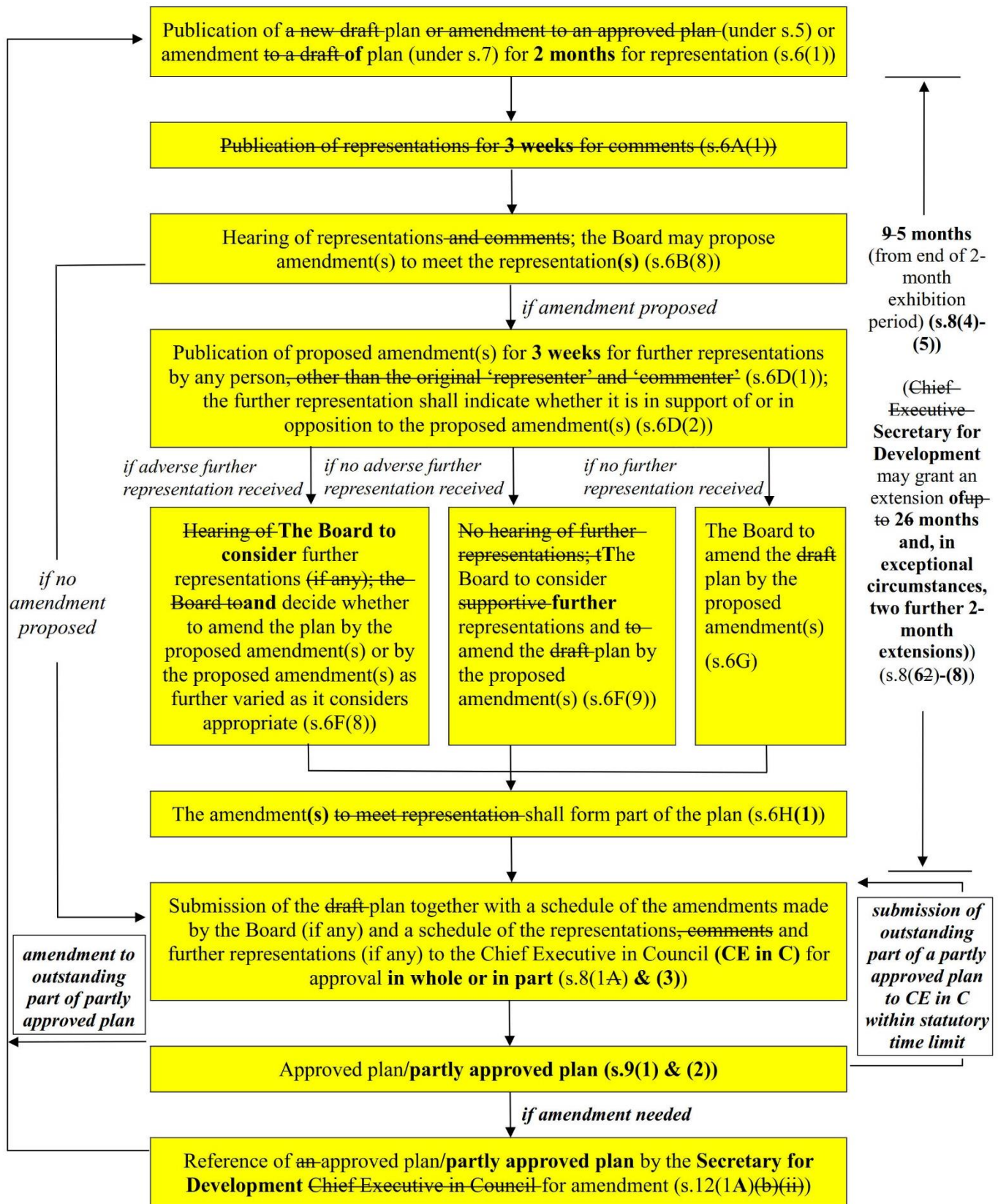
All representations/~~comments~~/further representations must be made within the statutory time limit. They should be forwarded to the Secretary, **of the** Town Planning Board by hand, post, fax or e-mail (contact details are the same as those for the Secretariat of the Board). To facilitate processing of the submissions, the person who submits representation/~~comment~~/further representation is ~~advised to~~ **must** provide the necessary information **as required under the Town Planning Board Guidelines on Submission and Processing of Representations and Further Representations under the Town Planning Ordinance** by filling in a submission form (i.e. Form No. S6, ~~S6A~~ and S6D respectively). The forms are available at the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department and can be downloaded from the Board's Website (<http://www.info.tpb.gov.hk/tpb/>).

Representations/further representations can also be submitted online by clicking “Plans under Processing” on the Board’s webpage under “Statutory Plans”.

Documents Available for Public Inspection

- All representations/~~comments~~/further representations and amendment(s) proposed by the Board after the **representation** hearing as well as the amendment(s) made by the Board upon completion of the representation consideration process are available for public inspection until the CE in C has made a decision on the ~~draft~~ plan.

Figure 1 The New Plan-making Process



How Much Do You Know about Site Notice for Planning Application?

Introduction

Under the Town Planning Ordinance as amended ~~2004~~ **in 2023 (the Amended Ordinance)**, the Town Planning Board (the Board) is required to publish all ~~planning~~ applications **submitted under the section 16 or 17 of the Amended Ordinance** (except for the applications for certain amendments to previously approved development schemes), either by posting site notices or ~~advertising~~ **publishing** notices **on the Board's website and** in local newspapers.

This pamphlet aims to provide answers for the public, particularly the owners, occupiers/tenants, Incorporated Owners and management companies, to queries relating to the posting and removal of site notices.

Readers are reminded that this pamphlet is for reference only and should not be regarded as a formal interpretation of the law. Enquiries on this pamphlet should be addressed to the Secretariat of the Board or the Planning Enquiry Counters of the Planning Department.

Secretariat of the Board

Address : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
Tel : 2231 4810 or 2231 4835
Fax : 2877 0245 or 2522 8426
E-mail address: tpbpd@pland.gov.hk

Planning Enquiry Counters of the Planning Department

Addresses : 17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
or
14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories
Hotline : 2231 5000
E-mail address: enquire@pland.gov.hk

What is the purpose of posting a site notice?

- To inform the public that an application has been made; and
- To invite the public to submit comments on the application.

A site notice will contain the following information:

- (a) **the QR code and address of the Board's webpage for inspection of the application;**
- (b) the place and hours at which the application is available for public inspection;
- (c**b**) the specified period within which comments on the application may be made to the Board; and
- (d**e**) the place and hours at which any comments so made will be made available for public inspection.

What applications need to be published for public comments?

- ~~amendments of plan (section 12A);~~
- planning permission (section 16); and
- review of the Board's decision made under section 16 (section 17).

In practice, the Board will post site notices for ~~all these three~~ **two** types of applications in so far as local circumstances permit unless:

- (a) the application involves a large area or many buildings; **or**
- (b) the application site is remote and inaccessible by the public; ~~or~~
- (c) ~~the application is not site specific (e.g. application for amending the Notes of the statutory plan generally).~~

When will a notice be posted?

In general, a site notice will be posted on the same day when the application is ~~advertised in the local newspapers and is made available for public inspection and comments.~~ In the event of bad weather and other unforeseen factors, delays in posting may however occur but all efforts will be made to arrange for posting the notice as soon as practicable.

What is the size of a notice? Where will it be posted?

- (a) ~~(a)~~—For applications involving a change of use within premises (e.g. showroom or shop and services in an industrial building or kindergarten in an existing building):
 - (i) the notice is about A2 size (i.e. 420mm x 594mm or 16" x 23"); and

(ii) it will be posted at the building where the application premises is located in the following order of preference:

- on notice board of the building;
- inside main lobby of the building;
- inside lift lobby/lift(s) of the building; or
- on main gate/outer wall of the building.

(b) For applications for development on open land (e.g. open storage or comprehensive development on a vacant site ~~or proposed rezoning of a piece of agricultural land~~):

(i) the notice is about A1 size (i.e. 594mm x 841mm or 23" x 32"); and

(ii) it will be posted on the fencing or railing along the boundary of the application site. If neither fencing nor railing exists, the notice will be attached to a pole which is then fixed on the ground within the application site.

(c) For any of the above applications, if the subject of the application is of territorial or major local significance, an additional notice of about 867mm x 1577mm or 33" x 60" will be mounted on a roadside railing in the locality of the application site/premises.

Who will post the notice?

The staff of the Planning Department will post the site notice on behalf of the Board. ~~They~~**If needed, they** will show their Identity Cards of the Government of the Hong Kong Special Administrative Region when performing the duties.

If the application site/premises involve(s) no Incorporated Owners/management office/caretaker, the staff of the Planning Department will post the notice themselves. Otherwise, they ~~will~~**may** seek assistance from the responsible person of the Incorporated Owners/management office or the concerned caretaker for posting the notice or request him/her to post it.

Why posting more than one site notice with different expiry dates for public ~~comments~~one application?

Before the Board considers an application, the applicant may submit further information to supplement his/her original submission. If the Board decides that such further information should also be published for public comments, a further notice (distinguished by a different colour) would be posted with a new expiry date for the submission of public comments. Comments on the further information may be submitted to the Board by the date specified in the new notice.

When will a notice be removed?

A site notice will be removed when the period for making comments (normally 3 weeks) has expired. The notice will be removed by the responsible person of the Incorporated Owners/management office or the concerned caretaker or the staff of the Planning Department.

What should I do if I found that a notice has been destroyed before it expires?

If you found that a notice has been obliterated/defaced/destroyed/-removed before it expires, you should inform the Secretariat of the Board immediately. The Secretariat will arrange for re-posting as soon as practicable.

Any person who obliterates/defaces/destroys/removes any site notice without the authorization of the Board may commit a criminal offence.

Secretariat of Town Planning Board

~~June 2005~~ September 2023

OBSERVATION OF MEETINGS OF THE TOWN PLANNING BOARD AND ITS COMMITTEES

Any person who wishes to observe the open meetings of the Town Planning Board (the Board) or its Committees should carefully read the following notes and rules. The Secretariat of the Board may refuse to allow any person to observe the meeting if he/she fails or refuses to follow any of the rules.

Introduction

- Any person may observe the open meetings of the Board or its Committees in the Public Viewing Room (PVR) which is located at 1/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
- The agenda of an open meeting will be uploaded to the Board's Website at <http://www.info.gov.hk/tpb/> four days before the meeting. Any subsequent change of it will also be uploaded to the Board's Website as soon as practicable. Copies of the agenda will be deposited at the Planning Enquiry Counters of the Planning Department for public inspection and is available for photocopying upon payment of a fee.

Planning Enquiry Counters of the Planning Department

Addresses : 17/F, North Point Government Offices, 333 Java Road, North Point,
Hong Kong
or
14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin,
New Territories

Hotline : 2231 5000

Seat Reservation

- Any person who wishes to observe an open meeting or any part of it is recommended to reserve seat with the Secretariat of the Board after the issue of the agenda. The booking should be made by telephone (2231 5061), fax (2877 0245 or 2522 8426) or e-mail (tpbpd@pland.gov.hk) at least one day before the meeting. Each group/body may reserve a maximum of 5 seats. Block booking of meetings is not allowed.
- The following information must be provided for each booking:
 - (a) name(s) of observer(s);
 - (b) his/her/their contact telephone number(s); and
 - (c) the date and session (i.e. a.m. or p.m.) of meeting to be attended.

- The PVR can accommodate a maximum of 90 observers. The seats will be allocated on a first-come-first-serve basis.
- In case that the seats for a meeting are over-subscribed, the Secretariat of the Board will inform those persons whose reservations of seats cannot be entertained.
- Walk-in observers (including the press) will be entertained only if seats in the PVR are available.

Registration

- The PVR will be open around 10 minutes before the scheduled meetings.
- Before entering the PVR, an observer must register with the Secretariat of the Board at the reception counter by providing his/-her name and relevant information/document(s) for verification and record purposes.
- After registration, each observer will be issued with a visitor card. He/She must display this card at a conspicuous position on his/ her clothes.
- An observer may temporarily leave the room at any time at his/her discretion. Before leaving, he/she must return the visitor card and the simultaneous interpretation (SI) equipment (if any) to the Secretariat of the Board at the reception counter.
- Any observer who has left the PVR is required to register again at the reception counter before re-admission to the room.

The Proceedings

- The proceedings of the Board/its Committee will be broadcasted simultaneously on television monitors installed in the PVR. Only the open sessions of the meeting will be broadcasted. For the private sessions, the broadcasting will be suspended until the meeting reverts to an open session.
- The eChairman of the meeting will determine whether the meeting should be conducted in Cantonese or English. SI equipment is available at the PVR. Observers are requested to maintain proper use of the equipment.
- All observers must leave the PVR when their registered session of a meeting is concluded. Before leaving, they must return the visitor cards and the SI equipment (if any) to the Secretariat of the Board at the reception counter.

Order and Behaviour

- Loudhailers, banners and any other materials/equipment which may cause disturbance to the observation of the meeting or the normal operation of the Board/its Committee will not be allowed to bring into the PVR.
- All observers must behave in an orderly manner and remain seated during the broadcasting of the meeting.
- Smoking and eating are prohibited in the PVR.
- ~~Use of mobile phone is prohibited in the PVR during the broadcasting of the meeting.~~
- Clamour, shouting and commotion are prohibited.
- Any observer who fails/refuses to follow any of the above rules or causes any disturbance to the observation of the meeting will be required to leave the PVR immediately.

Decisions, Minutes and Audio Recordings of Meeting

- A Gist of Decisions of the Board/its Committees will be available on the Board's Website shortly after the meeting on the same day. Pending formal notification, the applicant/"representer"/"commenter"/"further representer" may seek verbal advice or request for interim written reply on the decision from the Secretary of the Board.
- The minutes of the meeting, except the parts classified as "confidential", will be uploaded to the Board's Website after confirmation by the Board/its Committee at its next meeting. Copies will be deposited at the Planning Enquiry Counters of the Planning Department for public inspection.
- Audio recordings of open sessions of the meeting will be uploaded to the Board's Website on the same day after the confirmation of the minutes of the concerned meeting by the Board/its Committee at the next meeting, but only the recordings of the latest open meetings of the Board and its Committees are available on the Website at a time.

Enquiries

- Any enquiry on this pamphlet may be addressed to the Secretariat of the Board.

Secretariat of the Board

Address : 15/F, North Point Government Offices, 333 Java Road, North Point,
Hong Kong
Tel : 2231 4810 or 2231 4835

Fax : 2877 0245 or 2522 8426

E-mail address : tpbpd@pland.gov.hk

Secretariat of Town Planning Board

~~January 2009~~September 2023

**Meeting Arrangements when Rainstorm Warning
or Typhoon Signal is Issued**

Where a Rainstorm Warning or Typhoon Signal is issued, the following arrangements in respect of meetings* of the Town Planning Board and its Planning Committees (including Representation Hearing Committees) will be adopted :

1. Where a Amber/Red Rainstorm Warning or Strong Wind Signal No. 3 or lower is issued, all meetings will be held as scheduled.
2. If Black Rainstorm Warning or Gale/Storm Signal No. 8 or above is cancelled before 7:00a.m. for a morning session of the meeting or before 12:30p.m. for an afternoon session, the meeting will be held as scheduled.
3. If Black Rainstorm Warning or Gale/Storm Signal No. 8 or above remains in force until 7:00a.m. for a morning session of the meeting or until 12:30p.m. for an afternoon session, the session will be re-scheduled. Notification will be issued by the TPB Secretariat on the re-scheduled session of the meeting.
4. If Black Rainstorm Warning is issued during the meeting, the meeting will continue. However, if a session of the meeting is yet to commence, the meeting will normally be adjourned. The TPB Secretariat will confirm the arrangement with the affected applicants,— **and** representers; ~~commenters and/or further representers.~~
5. If Gale/Storm Signal No. 8 or above is issued during the meeting, the meeting will be adjourned immediately and the session of the meeting be re-scheduled. Notification will be issued by the TPB Secretariat on the re-scheduled session of the meeting.

For any enquiry on the above arrangement, please contact the TPB Secretariat at 2231 4810 or 2231 4835.

**Any afternoon session of a meeting shall be regarded as an individual meeting.*