

TOWN PLANNING BOARD

**TPB PAPER NO. 9649
FOR CONSIDERATION BY
THE TOWN PLANNING BOARD ON 2.5.2014**

**PROPOSED REVISIONS TO
TOWN PLANNING BOARD GUIDELINES NO. TPB PG-NO. 30**

Proposed Revisions to Town Planning Board Guidelines No. TPB PG-No. 30

1. Introduction

This paper is to seek Members' agreement to the proposed revisions to Town Planning Board (TPB) Guidelines No. 30 on Publication of Applications for Amendment of Plan, Planning Permission and Review and Submission of Comments on Various Applications under the Town Planning Ordinance (the Ordinance) (TPB PG-No. 30).

2. Background

2.1 According to paragraphs 4.6 and 5.1 of TPB PG-No. 30, as an administrative arrangement, the TPB Secretary will

after receiving a public comment on a planning application

- (a) inform the commenter in writing (in the form of an acknowledgement letter) the tentative date of meeting at which the comment, together with the application in question, will be considered by TPB or its Committee; and

after TPB or its Committee has decided on the application

- (b) notify the commenter in writing (in the form of a notification letter) the decision of TPB or its Committee (together with an extract of the confirmed minutes in practice).

2.2 The number of comments received on planning applications has increased tremendously over the past few years. In general, it is not uncommon for applications to receive hundreds or thousands of public comments. Recently, over 88,000 public comments were received for a section 12A application. Given the large amount of comments received, issuing acknowledgement and notification letters to commenters has taken up a lot of resources of the TPB Secretariat and is also environmentally unfriendly as a huge amount of paper would be consumed. There is a need to streamline the process.

3. Proposed Streamlined Practice

3.1 Subject to the Board's agreement, it is proposed not to issue acknowledgement and notification letters to the commenters on all section 12A and section 16 applications, which is administrative in nature, with immediate effect in order to save resources and to be more environmentally friendly. The relevant information contained in the current acknowledgement and notification letters, including the tentative meeting date and the other arrangements concerning the

consideration and release of decision of the application would be stated at the appropriate location of the TPB website. The proposed amendments to the comment form and the TPB webpage are marked red at **Attachments 1 and 2** respectively.

- 3.2 To reflect the proposed streamlined practice, paragraphs 4.6 and 5.1 of TPB PG-No. 30 are proposed to be revised accordingly. The proposed revisions to TPB PG-No. 30 (to be renumbered TPB PG-No. 30A) are marked red at **Attachment 3**.

4. Consultation

Since the proposed amendments to TPB Guidelines No. 30 are technical in nature, consultation with government departments is considered not necessary.

5. Decision Sought

Members are invited to endorse the proposed streamlined practice and revisions to TPB PG-No. 30 and to promulgate the revised TPB PG-No. 30A to the public for information.

Attachment

Attachment 1	Revised comment form
Attachment 2	Revised TPB webpage on making comments on planning applications
Attachment 3	Revised TPB Guidelines No. 30A on Publication of Applications for Amendment of Plan, Planning Permission and Review and Submission of Comments on Various Applications under the Town Planning Ordinance

**PLANNING DEPARTMENT
MAY 2014**

Revised Comment Form**就規劃申請提出意見****Comments on Planning Application**

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

重要提示：**Important Notes:**

- (1) 意見必須於指定的法定期限屆滿前向城市規劃委員會（委員會）提出；
the comment should be made to the Town Planning Board (the Board) before the expiry of the specified statutory period;
- (2) 委員會考慮申請的暫定會議日期已上載於委員會的網頁(www.info.gov.hk/tpb/)。考慮規劃申請而舉行的會議(進行商議的部分除外)，會向公眾開放。如欲觀看會議，請最遲在會議日期的一天前以電話 (2231 5061)、傳真 (2877 0245 或 2522 8426) 或電郵 (tpbpd@pland.gov.hk)向委員會秘書處預留座位。座位會按先到先得的原則分配；
the tentative date of the Board to consider the application has been uploaded to the Board's website (www.info.gov.hk/tpb/). The meeting for considering planning applications, except the deliberation parts, will be open to the public. For observation of the meeting, reservation of seat can be made with the Secretariat of the Board by telephone (2231 5061), fax (2877 0245 or 2522 8426) or e-mail (tpbpd@pland.gov.hk) at least one day before the meeting. Seats will be allocated on a first-come-first-served basis;
- (3) 供委員會在考慮申請時參閱的文件，會在發送給委員會委員後存放於規劃署的規劃資料查詢處(查詢熱線 2231 5000)，以及在會議當日存放於會議轉播室，以供公眾查閱；及
the paper for consideration of the Board in relation to the application will be available for public inspection after issue to the Board Members at the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) and at the Public Viewing Room on the day of meeting; and
- (4) 在委員會考慮申請後，可致電2231 4810或2231 4835查詢有關決定，或是在會議結束後，在委員會的網頁上查閱決定摘要。
after the Board has considered the application, enquiry about the decision may be made at tel. no. 2231 4810 or 2231 4835 or the gist of the decision can be viewed at the Board's website after the meeting.

電郵：tpbpd@pland.gov.hk

By e-mail: tpbpd@pland.gov.hk

Details of the Comment (use separate sheet if necessary)

[illegible]

簽署 Signature

日期 Date

(這部分不會公開予公眾查閱)

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

「提意見人」詳細資料

Particulars of “Commenter”

通訊地址 Postal Address _____

電話號碼 Tel No. _____

傳真號碼 Fax No. _____

電郵地址 E-mail address _____

個人資料的聲明 Statement on Personal Data

1. The personal data submitted to the Board in this comment will be used by the Secretary of the Board and Government departments for the following purpose:
- (a) the processing of this application which includes making available the name of the “commenter” for public inspection when making available this comment for public inspection; and
 - (b) facilitating communication between the “commenter” 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.

委員會就這份意見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，包括公布這份意見供公眾查閱，同時公布「提意見人」的姓名供公眾查閱；以及
 - (b) 方便「提意見人」與委員會秘書及政府部門之間進行聯絡。
2. The personal data provided by the “commenter” in this comment may also be disclosed to other persons for the purposes mentioned in paragraph 1 above.
- 「提意見人」就這份意見提供的個人資料，或亦會向其他人士披露，以作上述第 1 段提及的用途。
3. A “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 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，「提意見人」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。

Revised TPB Webpage on Making Comments on Planning Applications (a)

Planning Application

[Print This Page](#)

:: Applications and Further Information Currently Inviting Comments

The information is provided for easy reference of the general public. Under no circumstances will the Town Planning Board (TPB) accept any liabilities for the use of the information nor any inaccuracies or discrepancies of the information provided. In case of doubt, clarification should always be sought from the Secretariat of the TPB.

Important Notes

- (1) the comment should be made to TPB before the expiry of the specified statutory period;
- (2) the tentative date of consideration of the application by TPB can be viewed by clicking the link of the relevant Application No. on this page. The meeting for considering planning applications, except the deliberation parts, will be open to the public. For details regarding observation of meeting and reservation of seats, please refer to the Information Pamphlet – Observation of Open Meeting of TPB and its Committees under “Forms, Guidelines, Technical Documents and Reference Materials” of this website;
- (3) the paper for consideration of TPB in relation to the application will be available for public inspection after issue to the TPB Members at the Planning Enquiry Counters (PECs) of the Planning

- Department (Hotline : 2231 5000); and
- (4) after TPB has considered the application, enquiry about the decision may be made at tel. no. 2231 4810 or 2231 4835 or the gist of the decision can be viewed at the this website after the meeting.

The following applications(including further information) are available for public inspection at the [Planning Enquiry Counters of the Planning Department](#).

All applications are catageorized into seven areas:

- ▀Hong Kong Island
- ▀Kowloon (excluding West Kowloon)
- ▀Tsuen Wan and West Kowloon
- ▀Tuen Mun and Yuen Long West
- ▀Fanling, Sheung Shui and Yuen Long East
- ▀Sha Tin, Tai Po and North District
- ▀Sai Kung and Islands

[List all cases](#)

Hong Kong Island

Section 12A
Application for amendment of plan

Section 16
Application for
permission

Section 17
Review of
TPB's section 16 decision

規劃申請

[列印此頁](#)

⚡ 現正邀請意見的申請及進一步資料

有關資料是為方便市民大眾參考而提供。對於所載資料在使用上的問題及文義上的歧異，當局概不負責。若有任何疑問，應向城市規劃委員會秘書處查詢。

重要提示：

- (1) 意見必須於指定的法定期限屆滿前向城市規劃委員會(委員會)提出；
- (2) 委員會考慮申請的暫定會議日期可點擊本網頁有關規劃申請編號的連結覽閱。考慮規劃申請而舉行的會議(進行商議的部分除外)，會向公眾開放。有關觀看會議和預留座位的詳情，請覽閱本網站「表格、 準則、 技術文件及相關文件」頁面上的資料冊子《觀看城市規劃委員會及其小組委員會的會議》；
- (3) 供委員會在考慮申請時參閱的文件，會在發送給委員會委員後存放於規劃署的規劃資料查詢處(查詢熱線：2231 5000)，以及在會議當日存放於會議轉播室，以供公眾查閱。及
- (4) 在委員會考慮申請後，可致電 2231 4810 或 2231 4835 查詢有關決定，或是在會議結束後，在本網頁上覽閱決定摘要。

下列所有申請(包括進一步資料)均會在規劃署的 [規劃資料查詢處](#) 供公眾查閱。

所有申請被劃分為七個區域：

➡[香港區](#)

- ➡九龍區（不包括西九龍）
- ➡荃灣及西九龍區
- ➡屯門及元朗西區
- ➡粉嶺,上水及元朗東區
- ➡沙田,大埔及北區
- ➡西貢及離島區

[檢視所有個案](#)

香港區

根據第 12A 條
申請修訂圖則

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根據第 16 條
申請規劃許可

[A/H12/28](#)

(半山區東部)

屆滿日期 07/05/2014

[A/H3/421](#)

(西營盤及上環)

屆滿日期 02/05/2014

根據第 17 條
申請覆核城規會就第 16 條的決定

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What's New

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:: New Applications and Further Information Inviting Comments

This page only shows information on applications published on the preceding Tuesday / Friday. Readers should visit the section on 'Planning Applications' for detailed information on all other cases inviting comments.

Important Notes

- (1) the comment should be made to TPB before the expiry of the specified statutory period;
- (2) the tentative date of consideration of the application by TPB can be viewed by clicking the link of the relevant Application No. on this page. The meeting for considering planning applications, except the deliberation parts, will be open to the public. For details regarding observation of meeting and reservation of seats, please refer to the Information Pamphlet – Observation of Open Meeting of TPB and its Committees under “Forms, Guidelines, Technical Documents and Reference Materials” of this website;
- (3) the paper for consideration of TPB in relation to the application will be available for public inspection after issue to the TPB Members at the Planning Enquiry Counters (PECs) of the Planning Department (Hotline : 2231 5000); and
- (4) after TPB has considered the application, enquiry about the decision may be made at tel. no. 2231 4810 or 2231 4835 or the gist of the decision can be viewed at the this website after the meeting.

New applications and further information inviting comments

[list of all cases currently inviting comments](#)

Hong Kong Island

Section 12A Application for amendment of plan	Section 16 Application for permission A/H12/28 (Mid-Levels East) deadline on 07/05/2014 A/H3/421 (Sai Ying Pun & Sheung Wan) deadline on 02/05/2014	Section 17 Application for review
-		-
-		-

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Kowloon (excluding West Kowloon)

Section 12A Application for amendment of plan	Section 16 Application for	Section 17 Application for
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最新消息

[列印此頁](#)

⚡ 邀請意見的最新申請及進一步資料

此頁只顯示於剛過去的星期二／星期五公布的申請的資料。如要查閱所有個案的詳細資料，請登入「[規劃申請](#)」一欄瀏覽。

重要提示：

- (1) 意見必須於指定的法定期限屆滿前向城市規劃委員會(委員會)提出；
- (2) 委員會考慮申請的暫定會議日期可點擊本網頁有關規劃申請編號的連結覽閱。考慮規劃申請而舉行的會議(進行商議的部分除外)，會向公眾開放。有關觀看會議和預留座位的詳情，請覽閱本網站「[表格、 準則、 技術文件及相關文件](#)」頁面上的資料冊子《[觀看城市規劃委員會及其小組委員會的會議](#)》；
- (3) 供委員會在考慮申請時參閱的文件，會在發送給委員會委員後存放於規劃署的規劃資料查詢處(查詢熱線：2231 5000)，以及在會議當日存放於會議轉播室，以供公眾查閱。及
- (4) 在委員會考慮申請後，可致電 2231 4810 或 2231 4835 查詢有關決定，或是在會議結束後，在本網頁上覽閱決定摘要。

邀請意見的最新申請及進一步資料

[現正邀請意見的所有個案](#)

香港區

根據第 12A 條
申請修訂圖則

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根據第 16 條
申請規劃許可

[A/H12/28](#)

(半山區東部)

屆滿日期 07/05/2014

[A/H3/421](#)

(西營盤及上環)

屆滿日期 02/05/2014

根據第 17 條
申請覆核

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九龍區 (不包括西九龍)

根據第 12A 條
申請修訂圖則

[Y/K9/10](#)

(紅磡)

屆滿日期 02/05/2014

根據第 16 條
申請規劃許可

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根據第 17 條
申請覆核

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荃灣及西九龍區

TPB PG-NO. 30A

**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 (15th Floor, North Point Government Offices (NPGO), 333 Java Road, North Point, Hong Kong – Tel. No. 2231 4810 or 2231 4835) or the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000) (17th Floor, NPGO and 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 applications under the Town Planning Ordinance (the Ordinance).

2. Publication of Various Applications

2.1 The Ordinance provides statutory mechanism for submitting the following applications to the Board:

- (a) application for amendment of plan made under section 12A of the Ordinance;
- (b) application for planning permission made under section 16 of the Ordinance; and
- (c) 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 (Forms No. S12A or S16 respectively). 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.info.gov.hk/tpb/>).

- 2.3 All information (including name, but excluding correspondence address, and telephone number/fax number/e-mail address) included in the applications 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 (newspaper 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 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 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) 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) 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 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 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.

4.6 ~~After receiving a comment, the Secy/Board will inform the commenter the tentative date of meeting at which the comment, together with the application in question, will be considered by the Board or its Committee.~~ 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 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 ~~and the commenter~~ 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 and the decision of the Board or its Committee on the applications would be disclosed to the public. The public may make photocopies of the planning applications and the comments which are made available for public inspection 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/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

MAY~~APRIL~~ 2014~~05~~