

TOWN PLANNING BOARD

TPB Paper No. 11037

**For Consideration by the
Town Planning Board on 12.12.2025**

**Proposed Amendments to the Town Planning Board Guidance Notes for
Application for Permission under Section 16 of the Town Planning Ordinance and related
Town Planning Board Guidelines for Planning Applications to the Town Planning Board**

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1. Purpose

This Paper invites Members to:

- (a) agree to the proposed amendments to the Guidance Notes on Application for Permission under Section 16 of the Town Planning Ordinance (the Ordinance) (s.16 GN);
- (b) agree to the proposed amendments to Town Planning Board Guidelines on Submission of Visual Impact Assessment (VIA) for Planning Applications to the Town Planning Board (TPB PG-No.41); and
- (c) note the principles on imposition of approval conditions and administrative practice on departmental circulation.

2. Background

- 2.1 In the 2017 Policy Address, the Government had advocated the need of streamlining measures. In 2018, the Development Bureau (DEVB) established the Steering Group on Streamlining Development Control (SGSDC) to explore measures of relevant government bureaux/departments (B/Ds) in streamlining and expediting development process. So far, SGSDC has promulgated a wide spectrum of administrative streamlining measures among different regimes including those under planning, lands and buildings regimes. Measures that have already been implemented include aligning technical definitions and approval standards, removing duplicate control under different regimes, enhancing transparency and certainty in processing proposals, consolidating approval authority and procedures, and streamlining processes and shortening processing time, etc.
- 2.2 Following the enactment of the Development (Town Planning, Lands and Works) (Miscellaneous Amendments) Ordinance 2023 which included among others, the Amended Town Planning Ordinance¹ in September 2023, the statutory planning process has been significantly streamlined, e.g. shortening the statutory time limit from 9 months to 5 months for submitting statutory plans to the Chief Executive in Council (CE in C) for approval after the 2-month statutory publication period for representation.
- 2.3 To further expedite land and housing development process, DEVB issued the General Circular No.1/2024 to request B/Ds adopting a facilitating mindset when handling

¹ The Amended Town Planning Ordinance has come into effect on 1.9.2023 with main objectives to shorten statutory time limits; to avoid repetitive procedures of a similar nature; and to strengthen enforcement power in the rural New Territories.

development proposals². This approach aims to standardise requirements across government departments, obviate redundant approvals, and help meet the persistent demand for housing and other uses while reducing development time and cost, without compromising policy objectives and essential development control. In April 2024, the Planning Department (PlanD) has introduced various enhanced measures for processing planning applications³, including an enhanced pre-submission enquiry mechanism, dedicated communication channels, and clearly defined processing timeframe. These initiatives enable applicants to prepare their submissions more effectively, thereby avoiding abortive handling.

- 2.4 Based on past experience in processing/handling planning applications, stakeholder feedback, and the government-wide policy initiatives, the requirements for technical assessments for planning application under section 16 of the Ordinance (s.16 application) have been refined and streamlined. This aims to reduce the time and resources that the applicants must devote to preparing the necessary information, thereby accelerating the overall development process.

3. **Streamlining of Technical Assessment Requirements for S.16 Application**

- 3.1 In support of a s.16 application, the applicant may submit technical assessments on traffic, environment, drainage, sewerage, other infrastructure, fire safety, landscape, visual and air ventilation aspects where appropriate to ascertain technical feasibility with no insurmountable impacts generated on the surrounding areas. The requirements are set out in the s.16 GN.
- 3.2 In principle, technical assessments should be submitted only when they are essential for demonstrating the technical feasibility of the proposed development(s)/use(s) in a planning application. This approach saves applicants' time and resources by limiting required information to what is truly necessary for a planning application (applicable to both permanent and temporary development(s)/use(s)).
- 3.3 To systemise and streamline the requirements, the following amendments are proposed:
- (a) **revamp Annex B of the s.16 GN**: to clearly specify the scope and principles of the technical assessment requirements, list out the types of proposed development(s)/use(s) which require or not require such technical assessment (illustrated with examples), and detail the submission requirements for each technical assessment. Besides, the criteria for proposed permanent and temporary uses would be integrated into a single reference source for clarity. The new table format will make the guidelines easier for applicants to understand and follow;
 - (b) **obviate technical submission requirement for cases with nil or negligible impacts**: most technical assessments would no longer be required for certain development(s)/use(s). For example, (i) traffic impact assessment (TIA), drainage impact assessment (DIA) and sewerage impact assessment (SIA) are

² DEVB General Circular No.1/2024 "Adopting a Facilitating and Collaborative Mindset"
https://www.devb.gov.hk/filemanager/en/content_2398/DEVB%20General%20Circular%20No_1_2024_e.pdf

³ The arrangements are set out in the PlanD's Practice Notes for Professional Persons No. 1/2024, which is accessible by the public at https://www.pland.gov.hk/pland_en/tech_doc/practice_note/pn_1_2024.html.

not required for minor relaxation of building height restriction (BHR) without any change in permissible gross floor area (GFA) or plot ratio (PR); and (ii) Environmental Assessment, TIA, landscape assessment and visual impact assessment (VIA) are not required for premises-based uses that do not adversely affect the capacity of infrastructure provision, and for other similar low impact proposals; and

- (c) **reduce the requirements of technical assessment:** to allow a simplified assessment when the proposed development(s)/use(s) would generate only minor adverse impacts, for example, (i) a drainage proposal (instead of a full DIA) for minor relaxation of BHR with minor change in PR/GFA, or for minor relaxation of PR/GFA/SC restrictions without substantial implications; and (ii) submission of a “Visual Appraisal” (VA) or an “Air Ventilation Appraisal” for any application that does not involve major adverse visual or air ventilation impacts.

- 3.4 The considerations and requirements on submission of technical assessments are specified in the **revised s.16 GN** and the revamped **Annex B (Attachment I)**. Specific examples of proposed development(s)/use(s) that trigger particular technical assessments or do not require specific technical assessments are provided as general reference. As these examples are not exhaustive, additional technical assessments may be required in special circumstances upon advice by relevant B/Ds.
- 3.5 Opportunity is also taken to integrate the criteria for proposed permanent and temporary development(s)/use(s) into a single reference table, i.e. Annex B, since the original Annex C on temporary open storage uses has become redundant which is covered by the revised TPB PG No.13G on Application for Open Storage and Port Back-up Uses. The content removed from the original Annex B has already been included in the current TPB PG-34D on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development.
- 3.6 Applicants are encouraged to make good use of the pre-submission enquiry mechanism. By consulting the relevant B/Ds at the outset, they can identify potential issues and determine whether any technical assessments can be obviated/or such assessments could be addressed later under other regulatory regimes such as building, lands, licensing or other controls.

4. Amendments to TPB Planning Guidelines

- 4.1 To align with the proposed amendments in the revised s.16 GN, TPB PG-No. 41 on Submission of VIA for Planning Applications to the TPB has been revised and streamlined (**Attachment II**). The key changes are:
 - (a) simplified assessment option for applications that do not involve major adverse visual impacts, applicants may now submit a simpler “VA” instead of a full VIA;
 - (b) incorporation of clear principles and considerations that defines when a VA is appropriate and how it should be prepared; and

- (c) the technical requirements have been updated to reference impacts from public viewing points more broadly, rather than focusing solely on “sensitive receivers” ensuring consistency with the EIA Ordinance.

5. Government Efforts in Reinforcing Effectiveness of Streamlining

Imposition of Approval Conditions

- 5.1 In the DEVB General Circular No.1/2024, B/Ds should adopt good practices in relation to approval conditions, including (i) to critically review the scope for deferring submission of certain assessments/information not crucial at the point of application; and (ii) to ensure conditions attached to approval are squarely relevant to the policy intention/purview of the respective control.
- 5.2 To put the good practices into actual operation, a set of principles governing the imposition of approval conditions is set out in **Attachment III** as reference. The Board may impose conditions as it thinks fit when granting planning permission, pursuant to section 16(5) of the Ordinance. Generally, planning conditions can be imposed only if they serve a legitimate planning purpose, fairly and related to the development for which permission is sought, reasonable, and enforceable.
- 5.3 If a matter could be regulated under another more appropriate regime such as lands, building and licensing regimes, approval condition on the same scope would not be imposed. For example, approval conditions on submission of fire service installation and fire safety requirements are not required if an acceptable fire risk level in open-ground settings is perceived, such as temporary open carpark, or the development is regulated through building plan submission.
- 5.4 Nevertheless, approval conditions may be imposed by the Board to ensure that development proposals align with planning objectives. Conditions attached to approval should be squarely relevant to land use planning and the scheme.

Departmental Circulation

- 5.5 To expedite the processing time of planning applications, PlanD will keep a prudent approach to limit the departmental circulation list to only those B/Ds that have a genuine need to comment and whose responsibilities fall within the defined scope of the B/Ds. Circulation is not necessary if the applied developments/uses do not have direct implications on respective B/Ds’ ambit. For instance, for applications for minor relaxation of BHR without change of permissible PR and GFA, Transport Department will only be consulted on the proposed ingress/egress, parking provision and layout provided under the planning applications. The Architectural Services Department will only be consulted if the proposed developments involve architectural or building design on permanent buildings. In general, other departments would not be consulted unless special circumstances upon advice by relevant B/Ds. This would enable applicants to concentrate on addressing the essential comments at the planning stage, thereby shortening processing time.

6. Consultation

Comments from the concerned departments on the review and the proposed revisions to the s.16 GN and TPB PG-No.41 have been incorporated, where appropriate.

7. Promulgation

Subject to Members' agreement to the proposed amendments, the revised s.16 GN and TPB PG-No. 41 as detailed in the Attachment of TPB Paper No. 11037 shall take effect upon promulgation and uploading to TPB's website.

8. Decision Sought

8.1 Members are invited to consider and agree to:

- (a) the proposed amendments to GN of application for permission under Section 16 of the Ordinance (**Attachment I**); and
- (b) the proposed amendments to TPB PG-No.41 (**Attachment II**).

8.2 Members are also invited to note the principles on imposition of approval conditions and administrative practice on departmental circulation.

9. Attachments

Attachment I	Proposed Amendments to GN for Application for Permission under Section 16 of the Ordinance
Attachment II	Proposed Amendments to TPB PG-No. 41 on Guidelines on Submissions of Visual Impact Assessment for Planning Applications to the Town Planning Board
Attachment III	General Principles on Imposition of Approval Conditions

**PLANNING DEPARTMENT
DECEMBER 2025**