

**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. Further information is available on the ~~website of the~~ Town Planning Board (the Board)’s **website** (<http://www.tpb.gov.hk/>). If any assistance is required, please contact the Secretariat of the Board (by email: tpbpd@pland.gov.hk; by post: 15/~~Fth 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: 17/~~Fth Floor~~, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).

WHEN AN APPLICATION CAN BE MADE

3. For proposed amendments to a statutory plan (the Plan), i.e. an Outline Zoning Plan or a Development Permission Area Plan, an application to the Board for amendment of plan under section 12A of the Ordinance 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 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)
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- 9 *To facilitate preparation of a pre-application enquiry, the applicant could make reference to the list of key information required for pre-application enquiry in the Planning Department's website (https://www.pland.gov.hk/pland_en/resources/pre-app_keyinfo/index.html).*

WHERE TO OBTAIN APPLICATION FORM

910. 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 ^wWebsite (https://www.tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html). For EPASS submission, the relevant electronic application form is available at the Board's website.

WHO CAN APPLY

1011. The following person 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).

1112. 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

- 1213.** 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 **wWebsite** (https://www.tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html).
- 1314.** 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.
- 1415.** **Annex 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

- 1516.** 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 **wWebsite** (https://www.tpb.gov.hk/en/resources/tpb_guidelines/index.html).

CONSENT OF OR NOTIFICATION TO "CURRENT LAND OWNER"

- 1617.** As required under section 12A(3)(a) of the Ordinance, 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.
- 1718.** 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 **wWebsite**. All consents should be signed by the concerned "current land owners".
- 1819.** Instead of obtaining the consent from a "current land owner", as indicated in paragraph 176 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

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

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.

~~1920.~~ 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

~~2021.~~ 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 ~~232~~ and ~~243~~ 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.

~~2122.~~ *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.* For applications ~~for involving~~ any particular use or development that may have implications on the environment, drainage, traffic, infrastructure, landscape, visual, **air ventilation** and topography, etc., technical assessments on the impacts of the proposed use or development may ~~also~~ be required. *While the nature of an application for amendment of plan may differ from an application for permission, the requirements of technical assessments are generally similar. In preparation for submission of technical assessments, p*Please refer to ~~Annex GB of the ‘Application for Permission under Section 16 of the Town Planning Ordinance (Cap.131) Guidance Notes’~~ (<https://www.tpb.gov.hk/en/forms/Guidance Notes/S16 GN Enq final Oct 2026.pdf>) for further details.

~~2223.~~ To meet the eligibility requirements stated in paragraph ~~110~~(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 ~~110~~(a) above – copy of documentary proof of ownership (i.e. copy of record issued by the Land Registry within 6 weeks before the application is made);
- (b) for the applicant being a person as defined in paragraph ~~110~~(b) above – original copy of consent signed by a land owner as defined in paragraph ~~110~~(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

³ The prescribed application form (including electronic application forms) can be downloaded/accessed from the Board’s website (https://www.tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html (<https://www.tpb.gov.hk/en/forms/forms-related.html>)).

which this application relates (i.e. copy of record issued by the Land Registry within 6 weeks before the application is made); and

- (c) for the applicant being a person as defined in paragraph 110(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.

2324. 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 consent signed by “current land owner”; and/or
- (b) copy of notification given to “current land owner”.

2425. 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.

26. *The applicant should specify the source of any image or video submitted or presented to the Board, including the date and location at which the image or video was taken. If the image or video is artificial intelligence (AI)-generated or is an artist’s impression, this should be clearly specified in the submission or presentation.*

2527. The applicant is required to submit either via EPASS or in the prescribed manner set out at **Annex C** 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.

2628. The requirements on the number of copies are as follows:

Non-EPASS Submission

- (a) 1 signed original copy of the application form (in paper form);
- (b) 4 hard copies and 1 soft copy of all plans/drawings, regardless of the size and colour, and SI;
- (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 Submission⁴

- (d) 1 electronic application form completed online on EPASS;
- (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

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

documents, if applicable.

- 2729.** 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 28 above).
- 2830.** Notwithstanding the copy requirement specified in paragraphs 28 and 29 above, if considered necessary, additional hard copies of the documents may be required by the Board.
- 2931.** 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.
- 3032.** 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.
- 3131.** 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

- 3234.** 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 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. 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.

⁵ Dots Per Inch.

~~3335~~. The submission of further information is also required to comply with the requirements set out in paragraphs ~~254~~ to ~~320~~ and ~~364~~.

HOW TO SUBMIT AN APPLICATION

~~3436~~. Hard copies should be 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 should be submitted in the prescribed manner set out at **Annex CD** or via EPASS.

~~3537~~. 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.

~~3638~~. 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.

~~3739~~. 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

~~3840~~. 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, 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.

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

~~3941~~. 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.

~~4042~~. 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, Further Representations and Applications made under the Town Planning Ordinance.

RIGHT OF HEARING

- 4143.** 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.
- 4244.** 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.
- 4345.** 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 (normally 15 minutes) 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.
- 4446.** 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 **Chairperson ~~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 **Chairperson ~~Chairman~~** can in his/her discretion disallow such repetition and may request the applicant or his/her authorised representative to discontinue.
- 47.** *To avoid confusion on the accuracy of the presentation materials used at the meeting, compliance with the requirement in paragraph 26 above is required. If the applicant and/or his/her authorised representative fails to provide an appropriate disclaimer or specification on the use of AI-generated image or video, the Chairperson may request the concerned party to discontinue the presentation of such image or video.*
- 4548.** The rules for keeping the order inside the meeting room are at **Annex EF**.

HOW TO OBTAIN THE RESULT OF AN APPLICATION

- 4649.** In accordance with the Ordinance, all applications for amendment of plan 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).

4750. 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 ~~w~~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.

51. *For a planning application not agreed by the Board, the Secretary of the Board will set out the reasons for rejection/deferral in the written notification, together with the relevant Board/Planning Committee's paper and minutes or links to these documents, to the applicant. The applicant can contact the responsible senior town planner, whose telephone number will be included in the written notification, to clarify issues related to the decision and concern of the Board.*

DECISION OF THE BOARD

4852. 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.

4953. 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 6B to 6H of the Ordinance.

IMPORTANT POINTS TO NOTE

5054. 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.

5155. 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.

5256. Applicants *and their authorised agents* are **reminded 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.

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 within the application site, 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	<i>(the subject of amendment should be indicated)</i>

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.)

(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.)
- 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, 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 weeks 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 weeks 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.

(e) Consent of or notification to each “current land owner”
(Part 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 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.

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

(g) Declaration
(Part 10 of the application form)

- The declaration form must be signed. For non-EPASS submissions, the form must also be accompanied by company chop, where appropriate.

(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.

(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/cp1_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 illustrations on proposed changes and mitigation measures such as compensatory planting and/or other landscape treatments as appropriate. On visual impact, the information may include identification of visual resources and sensitive viewers 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*

Except for EPASS submission, the applicant 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. 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.

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 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)/**Traffic Review**
7. Visual Impact Assessment/**Visual Appraisal**
8. Landscape ~~Impact~~ Assessment
- ~~9. Tree Survey~~
- ~~10~~9. Geotechnical Impact Assessment/**Geotechnical Planning Review Report**
- ~~10~~10. Sewerage & ~~Drainage~~ Impact Assessment
- ~~11~~11. **Drainage Impact Assessment/Drainage Proposal**
- ~~12~~12. **Water Supply Impact Assessment**
- ~~13~~13. **Impact Assessment for Water Gathering Ground**
- ~~14~~14. **Quantitative** Risk Assessment
- ~~15~~15. Air Ventilation Assessment/**Air Ventilation Appraisal**
- ~~16~~16. Management Plan
- ~~17~~17. Social Impact Assessment
- ~~18~~18. Heritage Impact Assessment
- ~~19~~19. Ecological Impact Assessment
- ~~20~~20. Conservation Management Plan
- ~~21~~21. 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_Plans_Drawings.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 ***Chairperson Chairman***. After repeated warnings, the ***Chairperson 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 ***Chairperson Chairman*** shall have full discretion to consider any application by such person for further opportunities to make presentation at the meeting.

The ***Chairperson 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 ***Chairperson 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. Further information is available on the Town Planning Board (the Board)’s website (<http://www.tpb.gov.hk/>). If any assistance is required, please contact the Secretariat of the Board (by email: tpbpd@pland.gov.hk; by post: 15/F, 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: 17/F, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).

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 Board’s website. 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 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)

15. *To facilitate preparation of a pre-application enquiry, the applicant could make reference to the list of key information required for pre-application enquiry in the Planning Department's website (https://www.pland.gov.hk/pland_en/resources/pre-app_keyinfo/index.html).*

WHERE TO OBTAIN THE APPLICATION FORM

- ~~15~~16. 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 (https://www.tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html)**. For EPASS submission, the relevant electronic application form is available at the Board's website.

WHO CAN APPLY

- ~~16~~17. Any person can submit an application for permission under section 16 of the Ordinance.

- ~~17~~18. 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~~19. 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 (https://www.tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html).

- ~~19~~20. 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~~21. **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

2422. 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** (https://www.tpb.gov.hk/en/resources/tpb_guidelines/index.html).

CONSENT OF OR NOTIFICATION TO “CURRENT LAND OWNER”

2223. 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.

2324. 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”.

2425. 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.

2526. 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

2627. 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

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

submitted by an authorised agent on the applicant's behalf, and the land/consent/notification documents as specified in paragraph ~~298~~ 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~~**28.** 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. For applications for any particular use or development that may have implications on the environment, drainage, traffic, infrastructure, landscape, visual, air ventilation and topography, etc., technical assessments on the impacts of the proposed use or development may be required. Please refer to **Annex B** for further details. Should there be maximum permissible development parameters that can be relaxed subject to satisfaction of technical concerns mentioned in the Notes of the OZP for a particular zoning, e.g. noise impact, technical assessment for that particular aspect should be submitted for the Board's consideration. Assessment of other technical aspects may be obviated. Besides, 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 required 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.

~~28~~**29.** 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)";
- (b) copy of consent signed by "current land owner"; and/or
- (c) copy of notification given to "current land owner".

~~29~~**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 should specify the source of any image or video submitted or presented to the Board, including the date and location at which the image or video was taken. If the image or video is artificial intelligence (AI)-generated or is an artist's impression, this should be clearly specified in the submission or presentation.

~~30~~**32.** The applicant is required to submit either via EPASS or in the prescribed manner set out at **Annex C** 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.

~~31~~**33.** The requirements on the number of copies are as follows:

Non-EPASS Submission

- (a) 1 signed original copy of the application form (in paper form);
- (b) 4 hard copies and 1 soft copy of all plans/drawings, regardless of the size and colour, and SI;
- (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 Submission³

- (d) 1 electronic application form completed online on EPASS;
- (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.

~~32~~**34.** 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 ~~33~~**4** above).

~~33~~**35.** Notwithstanding the copy requirement specified in paragraphs ~~33~~**4** and ~~34~~**2** above, if considered necessary, additional hard copies of the documents may be required by the Board.

~~34~~**36.** 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 D**; and
- (c) with the resolution of each drawing/plan/photo in the soft copy between 200 DPI⁴ and 300

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

⁴ Dots Per Inch.

DPI.

~~35~~**37.** 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.

~~36~~**38.** 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

~~37~~**39.** 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 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.

~~38~~**40.** The further information submission is also required to comply with the requirements set out in paragraphs ~~3029~~ to ~~375~~ and ~~4139~~.

HOW TO SUBMIT AN APPLICATION

~~39~~**41.** Hard copies should be 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 should be submitted in the prescribed manner set out at **Annex C** or via EPASS.

~~40~~**42.** 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.

~~41~~**43.** 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.

4244. 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

4345. 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 Planning Permission and Review and Submission of Comments on Applications under the Town Planning Ordinance.

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

4446. 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.

4547. 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, Further Representations and Applications made under the Town Planning Ordinance.

HOW TO OBTAIN THE RESULT OF AN APPLICATION

4648. 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).

4749. 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.

4850. For a planning application not approved by the Board, the Secretary of the Board will set out the reasons for rejection/deferral in the written notification, together with the relevant Board/Planning Committee's paper and minutes or links to these documents, to the applicant. The applicant can contact the responsible senior town planner, whose telephone number will be included in the written notification, to clarify issues *related to the decision and of* concern of the Board.

COMPLIANCE OF APPROVAL CONDITIONS

4951. 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.

RIGHT OF REVIEW

5052. 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.

5153. The review application is required to comply with the requirements set out in paragraphs ~~3029~~ to ~~375~~ and ~~4139~~ above.

5254. 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.

5355. 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.

5456. 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.

5557. 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 (normally 15 minutes) 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.

~~5658~~. 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 **Chairperson** ~~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 **Chairperson** ~~Chairman~~ can in his/her discretion disallow such repetition and may request the applicant or his/her authorised representative to discontinue.

59. *To avoid confusion on the accuracy of the presentation materials used at the meeting, compliance with the requirement in paragraph 31 above is required. If the applicant and/or his/her authorised representative fails to provide an appropriate disclaimer or specification on the use of AI-generated image or video, the Chairperson may request the concerned party to discontinue the presentation of such image or video.*

~~5760~~. The rules for keeping the order inside the meeting room are at **Annex E**.

RIGHT OF APPEAL

~~5861~~. 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, 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

~~5962~~. 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

~~6063~~. 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.

~~6164~~. 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.

~~6265~~. Applicants *and their authorised agents* are *reminded* ~~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
September January 2026

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.)

(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.)
- 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 3 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 or regulated areas; and renewal of permission for temporary use or development in rural areas or regulated 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 or 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 or 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, 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.

Section 16 Planning Applications to be Supported by Technical Assessments

Traffic	
(a) <u>Development(s)/Use(s) Not Requiring Traffic Impact Assessment (TIA)/Traffic Review*</u> TIA or Traffic Review is not required ⁵ for development(s)/use(s) that will not generate traffic impact or development projects with minimal traffic impact that could be tolerated.	Examples: - minor relaxation of building height restriction (BHR) without change in plot ratio (PR) /gross floor area (GFA) - small-scale and/or premises-based: (i) shop and services (ii) eating place (iii) social welfare facilities (iv) religious institution⁶ (v) animal boarding establishment (vi) public utility installation, e.g. telecommunications radio base station - a New Territories Exempted House (NTEH) / House development
(b) <u>Development(s)/Use(s) that may Require Traffic Review, but not TIA</u> - Traffic Review may be required if the developments/uses are: (i) small scale; (ii) insignificant trip generation; or (iii) temporary in nature that may not involve the use of medium/heavy vehicles.	Examples: - minor relaxation of BHR with minor change in PR/GFA - minor relaxation of PR/GFA/site coverage (SC) restrictions without substantial traffic implication - temporary public vehicle park/open storage /warehouse/workshop or recycling-related uses

⁵ Although submission of TIA may not be required, submission of traffic management measures to be implemented by the applicant within the application site may be required on a case-by-case basis.

⁶ For religious institutions with large-scale religious events that will attract substantial amount of visitors, submission of an event-specific traffic/crowd management plan or TIA may be required.

Traffic	
	• place of recreation, sports or culture of small scale
(c) <u>Development(s)/Use(s) that may Require TIA</u> • TIA may be required for applications for any developments/uses that may cause traffic impacts and should be submitted with proposed traffic mitigation measures.	Examples: • projects in “Comprehensive Development Area” (“CDA”) zone • residential/office/hotel/retail developments of considerable size • industrial development • logistics centre • exhibition or convention hall
(d) <u>Submission Requirements of Traffic Review</u> A Traffic Review should focus on the traffic issues of the development proposed by the applicant and include the following information: • traffic generation and attraction of the development(s)/use(s) proposed by the applicant; • provision of transport facilities, such as car parking, loading/unloading facilities; • provision of public transport facilities; • location and design of ingress / egress; • swept path analysis; • condition and connectivity of adjacent / adjoining pedestrian facilities; and • recommendation of pedestrian safety, traffic management plan or mitigation measures, if any.	
(e) <u>Submission Requirements of TIA</u> Apart from assessing the traffic impact imposed by the proposed development, a full TIA should assess the cumulative effects of all planned/committed development projects and include the following information: • details of the indicative development proposal (including GFA of different uses, provision and layout of parking and loading/unloading facilities, location and layout of run-in/out 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, and the Assessment Area, existing critical road junctions/sections, and planned/committed development within the Assessment	

Traffic
Area; • date of completion of the indicative development proposal and design year for the traffic forecast; • calculation of additional traffic generated/attracted by the indicative development proposals within the Assessment Area together with the trip generation/attraction rates used; • detailed description of the methodology and findings of the traffic counts, surveys, forecast and analysis conducted; • traffic forecast and modelling (e.g. Local Area Traffic Model and/or Base District Traffic Model); • preliminary plans and description of the proposed road improvement and traffic management measures including preliminary feasibility assessment and works agent; and • 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 detailed requirements of TIAs, the applicant shall make reference to TD's publication of "Checklist of TIA for Development Projects" which is available at: https://www.td.gov.hk/en/publications_and_press_releases/publications/free_publications/index_categoryid_8.html
(f) Enquiries 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

Environment	
(a) <u>Development(s)/Use(s) Not Requiring Environmental Assessments (EA)*</u> Environmental Assessment is not required for development(s)/use(s) that would not cause unacceptable environmental impacts and are not susceptible to any type of environmental impacts, e.g. air quality, odour, noise, water quality, waste management, etc.	Examples: - development(s)/uses(s) demonstrated to fully meet the buffer distance recommended in Table 1.3 of Chapter 9 of the Hong Kong Planning Standards and Guidelines (HKPSG) - small-scale and/or premises-based: (i) shop and services, e.g. bank, barber shop, beauty parlour, retail shop, real estate agency, etc. (ii) eating place (iii) off-course betting centre (iv) public utility installation, e.g. fully enclosed electricity substation, telecommunications radio base station, etc.
(b) <u>Development(s)/Use(s) that may Require Environmental Assessment (EA)</u> - EA may be required if applications for any use or development that: (i) may cause environmental impacts (either due to the nature of the proposed use or development and/or its location(s)); (ii) is sensitive to pollution; and (iii) is of major/large-scale. - Assessment of certain environmental aspect may be conducted qualitatively necessary if the proposed use or development meets the buffer distance recommended in Table 1.3 of Chapter 9 of the HKPSG⁷ with regard to that aspect.	Examples: - projects in “CDA” zone - residential developments - other sensitive uses such as schools, religious institution, hospitals, social welfare facilities (e.g. residential care home for the elderly), etc. - concrete batching plant - asphalt plant - slaughterhouse

⁷ The Summary of Recommended Buffer Distances for Land Uses is stipulated in Table 1.3 of Chapter 9 of the HKPSG https://www.pland.gov.hk/file/tech_doc/hkpsg/full/pdf/ch9.pdf

Environment
(c) <u>Submission Requirements of EA</u> The level of details and the scope of EA could be varied on a case-by-case basis subject to the nature and scale of proposed development, the sensitive receiver(s) found in the vicinity, etc. Information may include the following: • information on assessment of any possible activities such as reclamation works and industrial operations, that may produce air pollutants, noise, wastes and effluents, or that may cause ecological impact, disruption to water circulation; • 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 minimise 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.
(d) <u>Enquiries</u> Please contact the Environmental Protection Department at 2835 1319.

Drainage	
(a) <u>Development(s)/Use(s) Not Requiring Drainage Impact Assessment (DIA) or Drainage Proposal*</u> • In area not served by a public stormwater drainage system, the scale, form and location of the development will determine whether a DIA is not required if there is: (i) no increase in flooding risk due to a watercourse or drainage path being affected by the development; (ii) no significant increase in impervious area and therefore no significant increase in runoff behaviour from the development site; (iii) no reclamation or no filling be required to form the site; (iv) no upgrading to the drainage system downstream of the development site is required to convey the runoff from the site; (v) no development is situated at flood prone areas; (vi) no temporary works (e.g. scaffolding or falsework of a bridge) or any flow diversion is anticipated to be implemented during the construction to adversely affect the performance of the drainage system or aggravate the risks of flooding in its adjacent, upstream and downstream areas; and or (vii) no significant reduction of flood storage capacity in the surrounding areas during or after construction. • Development projects within urban areas served by a public stormwater drainage system will generally not require the DIA process, other than those in (b) and (c) below.	Examples: • minor relaxation of BHR without change in PR/GFA • a small-scale development which does not generate drainage impact • premises-based uses • a NTEH/ House development
(b) <u>Development(s)/Use(s) that may Require Drainage Proposal</u> • Drainage Proposal may be required for change of use or simple development sites which are:	Examples: • minor relaxation of BHR with minor change in PR/GFA • minor relaxation of

Drainage	
(i) less than 1 hectare in size; (ii) not falling within flood-prone areas such as low-lying areas and flooding blackspots; (iii) not involving pond filling and substantial earth filling; and (iv) not involving diversion of stream.	PR/GFA/SC restriction without substantial implications • temporary development (public vehicle park, workshop, open storage and port back-up related use, small factories, etc.)
(c) <u>Development(s)/Use(s) that may Require DIA</u> • DIA may be required for change of use or complicated development sites which are of sufficient scale to make a significant change to the drainage characteristics of a stormwater drainage system, including but not limited to: (i) larger than 1 hectare in size; or (ii) a site adjacent to or encompassing a major stream, channel or river etc.	Examples: • projects in “CDA” zone • residential/office/hotel/retail developments of considerable size • development(s)/use(s) in flood-prone area and DSD flooding blackspots
(d) <u>Submission Requirements of Drainage Proposal</u> • The requirements for a drainage proposal should refer to Technical Note No. 1 “Technical Note to Prepare a Drainage Submission” (https://www.dsd.gov.hk/EN/Files/Technical_Manual/dsd_guideline/Drainage_Submission.pdf) prepared by the Drainage Services Department.	
(e) <u>Submission Requirements of DIA</u> • A DIA will include 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).	
(f) <u>Enquiries</u> Please contact the Drainage Services Department at 2594 7018.	

Sewerage	
(a) <u>Development(s)/Use(s) Not Requiring Sewerage Impact Assessment (SIA)*</u> - The scale, nature and use of the development will determine whether SIA can be exempted. The following cases may not require an SIA: (i) temporary development(s)/use(s) with no or negligible sewage generation; (ii) developments served by private sewage treatment facilities without discharge into public sewerage system; (iii) minor changes to existing developments with no material change to sewage generation; or (iv) developments already covered under and in line with the prior approved sewerage assessments (if applicable).	Examples: - temporary development(s)/use(s) include warehouse, public open vehicle park, public utility installations, and open storage, etc. - minor relaxation of BHR without change in PR/GFA - minor relaxation of PR/GFA/SC restriction with negligible increase in sewage flow - developments within a larger planning area (e.g. new development area) for which a comprehensive SIA has already been conducted, provided that they are in line with the prior approved sewerage assessments (e.g. estimated amount of sewage generation, sewer connection arrangements, etc.)
(b) <u>Development(s)/Use(s) that may Require SIA</u> SIA may be required for new developments, addition, alternation, and/or modification to or redevelopment of existing developments/uses that cause to generate additional sewage flow and potentially impact the existing public sewerage system or sewage treatment facilities.	Examples: - residential development - hospital - educational institution - hotel

Sewerage
(c) <u>Submission Requirements of SIA</u> • Requirements of SIA can be referenced from the ProPECC PN 1/23 Drainage Plans subject to Comment by the Environmental Protection Department (EPD), (https://www.epd.gov.hk/epd/sites/default/files/epd/english/resources_pub/publications/files/pn23_1.pdf). For guidance and advice, please refer to the Sewerage Manual of DSD (https://www.dsd.gov.hk/EN/Technical_Documents/Technical_Manuals/index.html) and the Guidelines for Estimating Sewage Flows for Sewage Infrastructure Planning of EPD (https://www.epd.gov.hk/epd/english/environmentinhk/water/guide_ref/gesf.html).
(d) <u>Enquiries</u> Please contact the EPD at 2835 1319.

Fire Safety	
(a) <u>Development(s)/Use(s) Not Requiring the Submission of Fire Services Installations (FSIs) Proposal</u> - FSIs are not required for the following development(s)/use(s). For example: (i) with no implication on fire safety issue; (ii) involving submission of building plans under the Cap. 123 Buildings Ordinance; (iii) involving application under licensing authority or dangerous goods licence; and (iv) temporary use/occupancy which pose an acceptable fire risk level and with minimal risk to life or property in openground environments. - For dangerous goods (DG) store in premises/buildings, having considered the nature of DG (i.e. their physical and chemical properties) and the risk assessment for manufacturing, storing or conveying relevant DG, Fire Services Department (FSD) will formulate specific fire service requirement and issue to applicant for compliance during the processing of licence application, if applicable. Hence the submission of FSI is not required at planning application stage and can be deferred to the licensing stage.	Examples: - NTEH development - social welfare facility - school - filling of land/pond/ excavation of land - temporary uses in openground environment: (i) open carpark⁸ (including those equipped with EV charging facilities); (ii) public utility installation with/ without associated excavation of land (including telecommunication duct and cables, pole and underground cables, water distribution main, solar photovoltaic system, high-voltage pillar, submarine cables and landing facilities, dry-weather flow interceptor, microwave station, electricity meter kiosk, high-voltage pillar and cabinet

⁸ For open carpark with structure(s) of a total gross floor area less than 35m² for watchman's office and accommodation use, such structure (s) could be obviated from fire safety requirements.

Fire Safety	
	transformer, overhead line, pole and pole stay erection); and (iii) private garden.
(b) <u>Development(s)/Use(s) that may Require the Submission of FSIs</u> - For planning applications involving temporary uses, approval conditions should be imposed to mitigate the potential adverse impact (i.e. submission and implementation of FSIs). - Application for commercial use on the ground floor of an existing industrial premises falling within “Industrial”/“Other Specified Uses (Business)”/“Residential (Group E)” zone, a plan in a scale of not less than 1:400 should be provided 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. For the minimum requirements for FSI and equipment for the aforesaid commercial uses, the applicant may make reference to the Guidance Note on Compliance with Planning Condition on Provision of Fire Safety Measures for Commercial Uses in Industrial Premises (http://www.tpb.gov.hk/en/forms/Technical_Doc/Compliance_Guidance_Notes_eng_plan.pdf).	Examples: - temporary vehicle park (non-open, covered or with structure(s)⁹) - temporary open storage of containers - temporary warehouse - temporary animal boarding establishment - temporary place of recreation, sports or culture
(c) <u>Submission Requirements for Fire Safety Requirements</u> (i) For FSI proposal (except for open storage/shed(s) open on two sides or more) Requirements of the submission of FSIs should contain the following information: - The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. - The location of where the proposed FSI to be installed should be clearly marked on the layout plans. - FS 251 of the endorsed FSI should be submitted for the implementation of FSI proposal.	

⁹ Same requirement would be adopted as elaborated in Footnote 8.

Fire Safety
(ii) Declaration form for open storage/shed(s) open on two sides or more • Applicant is required to submit the signed declaration form with a valid FS 251. However, if the application will involve the erection of enclosed structure(s), the applicant is required to submit relevant layout plans with proposed FSIs to FSD for approval. Submission requirements of (i) should be adhered to.
(d) <u>Enquiries</u> Please contact the FSD at 2733 7735.

Water Supply	
(a) <u>Development(s)/Use(s) Not Requiring from Water Supply Impact Assessment (WSIA)*</u> WSIA is not required for development(s)/use(s) that do not involve the use of water or that the fresh water, salt water and recycled water demand of the development(s)/use(s) is minor causing no water supply impact on waterworks infrastructures (such as service reservoir or pumping station capacities).	Examples: - NTEH development - temporary vehicle park, temporary open storage of containers, etc. - public utility installations such as gas pigging station, pumping station, electricity sub-station - private columbarium - laying of utilities pipes/cables
(b) <u>Development(s)/Use(s) that may Require WSIA</u> WSIA may be required for development(s)/use(s) that may cause significant water supply impacts on waterworks infrastructures.	Examples: - projects in “CDA” zone - residential/office/hotel/retail developments of considerable size - GIC facilities - data center - park/open space - reclamation near existing/planned sea-water intake
(c) <u>Submission Requirements of WSIA</u> - The requirements of the WSIA should be agreed with the WSD and contain the following information on a case-by case basis: (i) a detailed demand assessment for fresh water, salt water and recycled water; (ii) an estimated annual water demand build-up trend covering the period from initial completion to full development; (iii) 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; (iv) assessment of the impacts of the additional water demand generated by the proposed development on the existing/planned waterworks infrastructure; (v) 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; and (vi) assessment of the impacts of the proposed development on the existing/planned	

Water Supply
waterworks infrastructure and proposed measures to mitigate the impact to an acceptable level to be agreed by WSD. • The applicants may be required to provide detailed calculations and hydraulic assessment if appropriate to support the WSIA.
(d) <u>Enquiries</u> Please contact the Construction Division of WSD at 2152 5736.

Water Gathering Grounds	
(a) <u>Development(s)/Use(s) Not Requiring Impact Assessment on Water Gathering Grounds (WGG)</u> • Impact Assessment on WGG is not required if the development(s)/use(s) are not located therein. • Small-scale or minor development(s)/use(s) within WGG with connection to existing or planned sewer in the area may also not require assessment.	Examples: • NTEH development with connection to existing or planned sewer in the area
(b) <u>Development(s)/Use(s) that may Require Impact Assessment on WGG</u> • There are presumptive prohibitions against new developments which may pose high contamination risks depending on the type of WGGs. For those developments/uses which may be permitted, impact assessment is required to demonstrate there will be no material increase in the risk of pollution, loss of yield, silting, etc. to WGG.	N/A
(c) <u>Submission Requirements of Impact Assessment on WGG</u> • The assessment should include information on the potential impacts on water quality and loss of yield in the WGG arising from the proposed development/use. Applicants are requested to submit information to demonstrate that there should be no material increase in pollution and loss of yield effect resulting from the proposed development(s)/use(s). 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.	
(d) <u>Enquiries</u> Please contact Construction Division of WSD at 2152 5736.	

Landscape	
(a) <u>Development(s)/Use(s) Not Requiring Landscape Assessment*</u> Landscape Assessment is not required for any development/use that will not likely result in adverse impacts on distinctive landscape character/resources and mature tree (of individual trunk(s) over 750mm diameter at breast height (DBH)) within the existing and planned development context, except for circumstances as set out in (b) below.	Examples: - application site without distinctive landscape character/resources (including Country Parks, Sites of Special Scientific Interest, green belt, coastal protection areas, conservation areas, wetlands, areas of high landscape value, hilltops, rivers, mature woodlands, special water features, nature reserves, historic landscapes, sites with Old and Valuable Tree (OVT), stonewall tree, tree of particular interest, etc.) - application site without mature tree - Category 1 and 2 areas for open storage and port back-up uses as stated in Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G) - minor relaxation application without landscape implications - premises-based application without landscape implications
(b) <u>Development(s)/Use(s) that may Require Landscape Assessment</u> Landscape Assessment may be required for any development/use that will likely result in adverse impacts on distinctive landscape character/resources within the existing and planned development context.	Examples: - application site with distinctive landscape character/resources - application site with mature tree “CDA” zone - Category 3 and 4 areas for open storage and port back-up uses as stated in TPB PG-No. 13G
(c) <u>Submission Requirements of Landscape Assessment</u> On landscape impact, the information should include a broad brush survey on the	

Landscape
landscape resources, such as approximate number of trees/tree groups within the site (including information of OVT, tree of particular interest, rare and precious species, protected species scheduled under Cap. 96 and 586, mature trees, if any); estimated number of trees/tree groups affected due to the proposed development and their proposed treatment; a landscape resources survey plan; and site photos showing the existing conditions. • Broad brush surveys by drone providing the required landscape information and supported by clear assessment may be acceptable for inaccessible areas. • The overall landscape design and proposed landscape treatments/mitigation measures.
(d) <u>Enquiries</u> Please contact the respective District Planning Office of the Planning Department. (i) Hong Kong District Planning Office (Tel: 2231 4957) (ii) Kowloon District Planning Office (Tel: 2231 4979) (iii) Tsuen Wan and West Kowloon District Planning Office (Tel: 2417 6658) (iv) Sha Tin, Tai Po and North District Planning Office (Tel: 2158 6274) (v) Tuen Mun and Yuen Long West District Planning Office (Tel: 2158 6301) (vi) Sai Kung and Islands District Planning Office (Tel: 2158 6177) (vii) Fanling, Sheung Shui and Yuen Long East District Planning Office (Tel: 3168 4025)

Visual	
(a) <u>Development(s)/Use(s) Not Requiring Visual Impact Assessment (VIA)/Visual Appraisal*</u> VIA or visual appraisal is not required for any development/use that will not likely result in adverse visual impact within the existing and planned development context, except for circumstances as set out in (b) and (c) below.	Examples: - NTEH development - conversion/regularisation of uses within existing buildings - proposal not involving intensification of development parameters (e.g. increase in building heights or mass) as permitted on OZPs - temporary developments/uses (unless in visually sensitive areas) - premises-based application
(b) <u>Development(s)/Use(s) that may Require VIA</u> VIA may be required for any development/use that will likely result in adverse visual impact within the existing and planned development context (especially where visually sensitive areas, visual amenities, visual resources and/or public viewers are affected) involving the circumstances as set out in paragraph 2.3 in Town Planning Board Guidelines on Submission of Visual Impact Assessment for Planning Applications to the Town Planning Board (TPB PG-No. 41A).	Examples: Requirement for VIA is stipulated in the Notes of the statutory plans for the subject site, e.g. areas zoned “CDA” or “Other Specified Uses”, subject to comprehensive planning and design control in the form of planning brief, design brief or submission of Master Layout Plan for TPB’s approval.
(c) <u>Submission Requirements of VIA/ Visual Appraisal</u> The level of assessment adopted should commensurate with the visual impact anticipated for development/use under application, having regard to its locality, setting, nature, size, scale, visual prominence and the extent of the visual envelope under influence. If the application will not involve any major adverse visual impact even though it is under the circumstances as set out in paragraph 2.3 in TPB PG-No. 41A, visual appraisal instead of a full VIA may suffice. Examples include ‘minor relaxation of BHR for accommodating the Modular Integrated Construction’ and ‘minor relaxation for 2 storeys of above-ground	

Visual
carpark’. • A template and requirements of the full VIA and visual appraisal are provided in TPB-PG No. 41A.
(d) <u>Enquiries</u> Please contact the respective District Planning Office of the Planning Department. (i) Hong Kong District Planning Office (Tel: 2231 4957) (ii) Kowloon District Planning Office (Tel: 2231 4979) (iii) Tsuen Wan and West Kowloon District Planning Office (Tel: 2417 6658) (iv) Sha Tin, Tai Po and North District Planning Office (Tel: 2158 6274) (v) Tuen Mun and Yuen Long West District Planning Office (Tel: 2158 6301) (vi) Sai Kung and Islands District Planning Office (Tel: 2158 6177) (vii) Fanling, Sheung Shui and Yuen Long East District Planning Office (Tel: 3168 4025)

Air Ventilation
(a) <u>Development(s)/Use(s) Not Requiring Air Ventilation Assessment (AVA)/Air Ventilation Appraisal*</u> AVA or air ventilation appraisal is not required except for circumstances as set out in (b) and (c) below.
(b) <u>Development(s)/Use(s) that may Require AVA</u> • According to “HPLB-ETWB Technical Circular No. 1/06 on Air Ventilation Assessments”¹⁰ (the TC), the need for AVA applies to the following project categories: (i) comprehensive land use restructuring schemes, including schemes that involve agglomeration of sites together with closure and building over of existing streets; (ii) developments on sites of over 2 hectares and with an overall plot ratio of 5 or above; (iii) development proposals with total Gross Floor Area exceeding 100,000 square metres; (iv) developments with podium coverage extending over one hectare; (v) developments above public transport terminus; (vi) buildings with height exceeding 15 metres within a public open space or breezeway designated on layout plans / outline development plans / outline zoning plans or proposed by planning studies; (vii) developments on waterfront sites with lot frontage exceeding 100 metres in length; or (viii) extensive elevated structures of at least 3.5 metres wide, which abut or partially cover a pedestrian corridor along the entire length of a street block that has / allows development at plot ratio 5 or above on both sides; or which covers 30% of a public open space. • Reference should be made to paragraph 7 in the TC in considering whether the proposal may have adverse air ventilation impact.
(c) <u>Submission Requirements of AVA/ Air Ventilation Appraisal</u> • The assessment method adopted should commensurate with the air ventilation impact anticipated for development/use under application, having regard to its locality, site condition, surrounding features, development scale, and existing wind environment, etc. The applicant could consider undertaking the appropriate type of AVA, i.e. qualitative assessment (Expert Evaluation) or quantitative assessment (Initial Study (IS)/Detailed Study(DS)) if major adverse air ventilation impact is anticipated. Air ventilation appraisal may suffice if the application is not anticipated to involve any major adverse air ventilation impact, even though it is under the circumstances as set out in paragraph 7 in

¹⁰ “HPLB-ETWB Technical Circular No. 1/06 on Air Ventilation Assessments” (2006) available at https://www.devb.gov.hk/filemanager/en/content_679/hplb-etwb-tc-01-06.pdf

Air Ventilation
the TC. • A template and requirements of the AVA and air ventilation appraisal are provided (Appendix).
(d) <u>Enquiries</u> Please contact the respective District Planning Office of the Planning Department. (i) Hong Kong District Planning Office (Tel: 2231 4957) (ii) Kowloon District Planning Office (Tel: 2231 4979) (iii) Tsuen Wan and West Kowloon District Planning Office (Tel: 2417 6658) (iv) Sha Tin, Tai Po and North District Planning Office (Tel: 2158 6274) (v) Tuen Mun and Yuen Long West District Planning Office (Tel: 2158 6301) (vi) Sai Kung and Islands District Planning Office (Tel: 2158 6177) (vii) Fanling, Sheung Shui and Yuen Long East District Planning Office (Tel: 3168 4025)

Man-made Slope, Retaining Wall or Natural Terrain	
(a) <u>Development(s)/Use(s) Not Requiring Geotechnical Planning Review Report (GPRR)*</u>	• Developments/uses that do not affect/will not be affected by man-made slopes, retaining walls or natural terrain. • With reference to the “GEO Advice Note for Planning Applications” (Advice Note), the GPRR is not required if the site does not meet any of the following criteria: (i) where the maximum gradient across the site from boundary to boundary, or for a larger site across any 50m long strip, is greater than 15 degrees; (ii) where a man-made slope is steeper than 30 degrees, or a retaining wall, or combination of the two with a height greater than 6m exists on the site or within 6m of the site; or (iii) where there is ground outside the site but in the same catchment that is at an angular elevation of more than 20 degrees from the site and there is ground sloping at more than 15 degrees within 50m upslope of the site.
(b) <u>Development(s)/Use(s) that may Require GPRR</u>	• Developments/uses that may affect or be affected by man-made slopes, retaining walls or natural terrain, where the site meets any of the aforementioned criteria with reference to the Advice Note.
(c) <u>Submission Requirements of GPRR</u>	• The Advice Note explains the criteria and essential contents for submission of a GPRR and is available online at https://www.cedd.gov.hk/eng/our-major-services/geotechnical/index.html. • Applicants are recommended to refer to GEO Publication No. 1/2011 “Technical Guidelines on Landscape Treatment for Slopes” (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.
(d) <u>Enquiries</u>	Please contact Geotechnical Engineering Office of the Civil Engineering and Development Department at 2762 5401.

Quantitative Risk	
(a) <u>Development(s)/Use(s) Not Requiring Quantitative Risk Assessment (QRA) *</u> Development(s)/use(s) that is outside the consultation zone (i.e. consultation zone of the Potentially Hazardous Installation (PHI), 150m from the alignment of the High Pressure Town Gas Installations (HPTGIs) and 150m from the boundaries of HPTGIs) or do not cause a significant increase in living or working population within the consultation zone of PHI, nor in the vicinity of notifiable gas installations (NGIs).	Examples: - residential/office development outside the consultation zone of PHI or NGI with a distance 150m from the HPTGIs - highways / walkways / parking lot, playground / parks / gardens which would not cause a significant increase in living or working population.
(b) <u>Development(s)/Use(s) that may Require QRA</u> Developments/uses that may cause a significant increase in living or working population within the consultation zone of the PHI, or in the vicinity of NGIs.	Examples: - residential/office developments within the consultation zone of the PHI such as Liquefied Petroleum Gas (LPG) Terminal, LPG compound, and town gas installation with a storage capacity exceeding the threshold quantity; - residential/office developments near NGIs such as LPG filling stations and LPG compounds or HPTGIs, etc.
(c) <u>Submission Requirements of QRA</u> - The QRA should contain the following information: (i) The requirement of the QRA has been laid down in the Section 4 of Chapter 12 of the HKPSG. (ii) The Government Risk Guideline stipulated in the Section 4.4 of Chapter 12 of the HKPSG gives clear risk acceptance criteria in the QRA in terms of individual and societal risks. (iii) For the QRA requirements of HPTGIs, please refer to the “Guidance Note on Quantitative Risk Assessment Study for HPTGIs in Hong Kong” prepared by the Electrical and Mechanical Services Department (https://www.emsd.gov.hk/en/gas_safety/publications/guidance_notes/index.html)	

Quantitative Risk
(d) <u>Enquiries</u> Please contact the Technical Secretariat of the Electrical & Mechanical Services Department at 3757 6231.

Remarks:

- * Relevant technical assessments may still be required if there are special circumstances. The applicant is recommended to liaise with relevant departments for pre-submission enquiry to ascertain the need and/or the scope of technical assessment before formal submission to the TPB.

Templates of AVA-related Technical Reports

	Quantitative Assessment	Qualitative Assessment	
	Initial Study (IS) / Detailed Study (DS)	Expert Evaluation (EE)	Air Ventilation Appraisal
1. Introduction and background (e.g. purpose of the AVA, site details and surrounding contexts, etc.)	✓	✓	✓
2. Scenarios to be studied (i.e. Baseline Scenario and Proposed Scenario)	✓	✓	✓
3. Site wind availability			
a. Select wind data sources and report the annual and summer wind roses at appropriate level	✓	✓	✓
b. Tabulate directional wind frequencies under both annual and summer conditions	✓	✓	
c. Report wind profile	✓		
d. Identify at least three most annual and summer prevailing winds		✓	✓
e. Identify suitable wind directions to be simulated (75% for IS and 100% for DS)	✓		
4. Methodology of Initial Study / Detailed Study	✓		
5. Evaluation and Assessment			
a. Discuss the overall air ventilation impact and demonstrate the performance of good air ventilation features / mitigation measures	✓	✓	✓
b. Provide directional analysis	✓	✓	
c. Report Site Velocity Ratio (VR), Local VR and raw VR data	✓		
d. Quantify the performance of proposed air ventilation design good measures / mitigation measures based on the simulation results	✓		
6. Conclusion			
a. Conclude the overall air ventilation impact of Proposed Scenario when compared with Baseline Scenario	✓	✓	✓
b. Advise if further assessments and mitigation measures are required	✓	✓	
7. Plans and Drawings			
a. Master Layout Plan and sectional drawings of both Baseline Scenario and Proposed Scenario	✓	✓	✓
b. Location of subject site and building heights of existing developments in surroundings			
8. Appendices			
a. Illustration of Computational domain and modelling of scheme details	✓		
b. VR contour, vector plots and raw VR data			

Annex C

Submission of Soft Copy of Application Materials*

Except for EPASS submission, the applicant 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 D**).
- 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.

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)/Traffic Review
7. Visual Impact Assessment/Visual Appraisal
8. Landscape Assessment
9. Geotechnical Impact Assessment/Geotechnical Planning Review Report
10. Sewerage Impact Assessment
11. Drainage Impact Assessment/Drainage Proposal
12. Water Supply Impact Assessment
13. Impact Assessment for Water Gathering Ground
14. Quantitative Risk Assessment
15. Air Ventilation Assessment/Air Ventilation Appraisal
16. Management Plan
17. Social Impact Assessment
18. Heritage Impact Assessment
19. Ecological Impact Assessment
20. Conservation Management Plan
21. 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_Plans_Drawings.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 **Chairperson ~~Chairman~~**. After repeated warnings, the **Chairperson ~~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 **Chairperson ~~Chairman~~** shall have full discretion to consider any application by such person for further opportunities to make presentation at the meeting.

The **Chairperson ~~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 **Chairperson ~~Chairman~~**.

**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 Further information is available on the ~~website of the~~ Town Planning Board (the Board)’s **website** (<http://www.tpb.gov.hk/>). If any assistance is required, please contact the Secretariat of the Board (by email: tpbpd@pland.gov.hk; by post: 15/~~Fth 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: 17/~~Fth Floor~~, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).

WHETHER AN APPLICATION IS REQUIRED

- 3 Where a permission is granted by 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** (https://www.tpb.gov.hk/en/resources/tpb_guidelines/index.html). 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 wWebsite** (https://www.tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html). 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 FORM[‡]

- 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 (https://www.tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html).
- 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.

[‡] ~~For EPASS submission, reference should be made to the Guidance Notes on EPASS Submission for details.~~

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 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 should specify the source of any image submitted to the Board, including the date and location at which the image was taken. If the image is artificial intelligence (AI)-generated or is an artist's impression, this should be clearly specified in the submission.*

1415 The applicant is 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.

1516 The requirements on the number of copies are as follows:

Non-EPASS Submission

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

EPASS Submission¹²

- (d) 1 electronic application form completed online on EPASS;
- (e) 3 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, if applicable.

1617 Notwithstanding the copy requirement specified in paragraph 15 above, if considered necessary, additional hard copies of the documents may be required by the Board.

1718 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;

¹² For EPASS submission, reference should be made to the Guidance Notes on EPASS Submission for details.

- (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 DPI²³ and 300 DPI.

1819 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.

1920 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

2021 Hard copies should be 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 should be submitted in the prescribed manner set out at **Annex B** or via EPASS.

2122 After receiving an application, the Secretary of the Board will acknowledge receipt and inform the applicant the tentative date of consideration of the application.

2223 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.

2324 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

2425 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 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.

²³ Dots Per Inch.

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

2526 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.

2627 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, Further Representations and Applications made under the Town Planning Ordinance.

HOW TO OBTAIN THE RESULT OF AN APPLICATION

2728 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).

2829 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.

30 *For a planning application not approved by the Board, the Secretary of the Board will set out the reasons for rejection/deferral in the written notification, together with the relevant Board/Planning Committee's paper and minutes or links to these documents, to the applicant. The applicant can contact the responsible senior town planner, whose telephone number will be included in the written notification, to clarify issues related to the decision and concern of the Board.*

COMPLIANCE OF APPROVAL CONDITIONS

2931 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

- 3032** 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 the~~ 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 ~~under section 17(1A).~~ **According to section 17(1B) of the Ordinance, the Board must refuse the application if no ground is provided for the review. Failing to do so, the Board must refuse the application under section 17(1B) of the Ordinance.**
- 3133** The review application is required to comply with the requirements set out in paragraphs 13 to ~~1918~~ and ~~2120~~ above.
- 34** *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.*
- 3235** 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)"
- 3336** If the applicant is aggrieved by the decision of the Board on a review under section 17, ~~he the applicant~~ may, within 60 days of being notified of the decision of the review, lodge an appeal to **the Secretary, Appeal Board Panel (Town Planning), at 17/F, West Wing, Central Government Offices, 2 Tim Mei Avenue, Tamar, Hong Kong (Tel: 3509 8844 or/ 3509 7840)** with a copy sent to the Secretary of the Board.

IMPORTANT POINTS TO NOTE

- 3437** 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.
- 3538** Applicants **and their authorised agents** are ~~reminded~~ **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.

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.)
- (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.)
 - 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*

Except for EPASS submission, the applicant 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. 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 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. *Any relevant technical assessments as appropriate and if necessary*
- ~~5. Environmental Assessment~~
- ~~6. Traffic Impact Assessment (on vehicles/on pedestrians)~~
- ~~7. Visual Impact Assessment~~
- ~~8. Landscape Assessment~~
- ~~9. Tree Survey~~
- ~~10. Geotechnical Impact Assessment~~
- ~~11. Sewerage 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_Plans_Drawings.pdf

A_K1_123_2021-12-31_Planning_Statement_1.pdf*

A_K1_123_2021-12-31_Planning_Statement_2.pdf*

** 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 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. Further information is available on the website of the Town Planning Board (the Board) (<http://www.tpb.gov.hk/>). If any assistance is required, please contact the Secretariat of the Board (by email: tpbpd@pland.gov.hk; by post: 15/~~Fth 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: 17/~~Fth Floor~~, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).

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:
https://www.tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html~~http://www.tpb.gov.hk/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 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 or Regulated Areas; and
 - (iii) Renewal of permission for temporary use or development in rural areas or Regulated 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 or 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; and
 - (g) Submission of FI for Planning Applications under the Ordinance.
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~~

~~(d)~~(e) *to indicate clearly the source of any image submitted to the Board, including the date and location at which the image was taken. If the image is artificial intelligence (AI)-generated or is an artist’s impression, this should be clearly specified in the submission; and*

- ~~(e)~~(f) 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.

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.

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 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
September 2026 ~~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)/*Traffic Review*
7. Visual Impact Assessment/*Visual Appraisal*
8. Landscape *Impact* Assessment
- ~~9. Tree Survey~~
- ~~10~~9. Geotechnical Impact Assessment/*Geotechnical Planning Review Report*
- ~~10~~10. Sewerage & ~~Drainage~~ Impact Assessment
- ~~11~~11. *Drainage Impact Assessment/Drainage Proposal*
- ~~12~~12. *Water Supply Impact Assessment*
- ~~13~~13. *Impact Assessment for Water Gathering Ground*
- ~~14~~14. *Quantitative* Risk Assessment
- ~~15~~15. Air Ventilation Assessment/*Air Ventilation Appraisal*
- ~~16~~16. Management Plan
- ~~17~~17. Social Impact Assessment
- ~~18~~18. Heritage Impact Assessment
- ~~19~~19. Ecological Impact Assessment
- ~~20~~20. Conservation Management Plan
- ~~21~~21. 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)***

Plans_Drawings.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.*

GUIDANCE NOTES ON ATTENDING THE MEETING FOR CONSIDERATION OF REPRESENTATIONS UNDER THE TOWN PLANNING ORDINANCE

INTRODUCTION

- 1 The following notes give information and guidance on attending the meeting of the Town Planning Board (the Board)¹ for consideration of the representations under section 6B (the hearing) of the Town Planning Ordinance (the Ordinance). The representer² who intends to attend the hearing should read these notes carefully.
- 2 If further information or assistance is required, please contact the Secretariat of the Board (by email: tpbpd@pland.gov.hk; by post: 15/~~Fth 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: 17/~~Fth Floor~~, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).

HEARING BY THE BOARD

- 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 “the plan”) has been received by the Board under section 6 of the Ordinance, the Board will hold a hearing to consider 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 may 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 under the Town Planning Ordinance (TPB PG-No. 29~~DC~~) 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 Government Offices, 1 Sheung Wo Che Road, Sha Tin) (hereafter collectively known as “the specified platform”).

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

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

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 If the (natural person) representer wishes to appoint an authorized representative to attend the hearing, the (natural person) representer is required to submit a request for consent to authorization of representative and provide information in support of the exceptional circumstances which made his/her attendance at the hearing not possible (with documentary proof, where appropriate), 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 in the form attached to the invitation letter, to the Secretariat of the Board by the deadline as specified by the Secy/TPB. The representer is also required to provide a copy of his/her HKID card/passport (showing the full name and the first four alphanumeric characters of the document number) to the Secretariat of the Board for verification purpose. 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.
- 8 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.

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

ARRANGEMENT OF HEARING

- 10 The hearing can be held either individually or collectively, as considered appropriate by the Board.
- 11 (a) Individual hearing - the individual representer(s) will be invited to attend the hearing when that particular representation is considered by the Board.
- (b) Collective hearing - all the representer(s) will be invited to attend the hearing at the same time.

PRE-HEARING ARRANGEMENTS

- 12 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 arrangement³. Normally, the Board Secretariat will inform representers who have provided their correspondence or email addresses the tentative hearing date by letter or email not less than 4 weeks before the hearing. They will be required to complete the form attached to the invitation letter and return it to the Board within 10 calendar days from the date of the invitation to provide the details of the person(s) who will attend the 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 not provided correspondence or email addresses but wish to attend the hearing, they would need to check the information on the Board's website and contact the Secretariat of the Board by the deadline specified by the Secy/TPB for their attendance. Arrangement will be made for their attendance subject to verification of their identity.
- 13 Not less than one week before the scheduled hearing date, the relevant Board's paper will be uploaded to the Board's website for viewing/downloading and every concerned representer/authorized representative who has provided his/her correspondence or email address, will be informed of the date, time and venue of the hearing. Those representers who have requested to appoint authorized representatives to attend the hearing will also be notified of the result of the requests. Hard copies of the relevant Board's paper will be provided to the representers /authorized representatives upon request.

³ 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.

DEFERMENT

- 14 Under the Ordinance, the Board is required to submit the plan to the Chief Executive in Council within 5 months from the expiration of the 2-month plan exhibition period. As such, any request for deferment of consideration of any representation would not be entertained unless there are very strong reasons to do so and consent of other concerned parties has been given. If it is absolutely unavoidable, the Board may grant a deferment up to a maximum period of 2 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, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33B) which is available at the specified platform.

REGISTRATION FOR ATTENDANCE

- 15 The Secretariat of the Board will check the identity of the attendees prior to attending the hearing in order to ensure that the persons attending (i.e. 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 may be refused entry into the meeting room, although they may still be allowed to observe 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.
- 17 While the Board fully respects the rights of the representers to be heard and 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 behalf of the representer/authorized representative.

- 18 TPB has the responsibility of ensuring the smooth conduct of the hearing. 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 expires.

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.
- 20 A representer may swap his/her time slot with another representer in respect of the same 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 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.

Time Keeping

- 21 A time-keeper will be appointed by the 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 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

- 22 If, at the hearing, a representer/authorized representative chooses to present the submission by electronic media such as video/record tape or PowerPoint slides, he/she must do so within 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.
- 23 ***The representer/authorized representative should specify the source of any image or video presented to the Board, including the date and location at which the image or video was taken. If the image or video is artificial intelligence (AI)-generated or is an artist's impression, this should be clearly specified in the submission or presentation.***

Request for Further Time

- ~~23~~24 Request for further time for making oral submission from a representer or his/her authorized representative 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. If his/her request is acceded to, he/she will be allowed to make

an oral submission continuously up to the further time allowed by the Board. If there is more than one hearing session, the representer/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

~~24~~**25**To allow time to be used more wisely and effectively, we strongly encourage oral submissions to respond to the Board'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 the Board before the hearing and had been taken into account. Oral submissions should also be confined to the ground of the written representations already made to the Board under the Ordinance.

~~25~~**26**To ensure a smooth and efficient conduct of the hearing, the ~~Chairperson~~**Chairman** of the Board (the ~~Chairperson~~**Chairman**) may request the representers or authorized representatives not to repeat unnecessarily the same points which have already been presented by others at that hearing. If a point has already been made by others in the hearing or is unrelated to the subject matter, the ~~Chairperson~~**Chairman** can in his/her discretion disallow repetition and may request a representer or his/her authorized representative to discontinue.

27 *To avoid confusion on the accuracy of the presentation materials used in oral submission, compliance with the requirement in paragraph 23 above is required. If the representer/authorized representative fails to provide an appropriate disclaimer or specification on the use of AI-generated image or video, the Chairperson may request the concerned party to discontinue the presentation of such image or video.*

~~26~~**28**During the hearing, the representers/authorized representatives and representatives of government bureau(x)/department(s) may only address questions from the members of the Board at the invitation of the ~~Chairperson~~**Chairman**. The hearing should not be taken as an occasion for cross-examination among concerned parties.

GENERAL PROCEDURE AT THE HEARING

~~27~~**29**The hearing is normally held in the following sequence:

- (a) the ~~Chairperson~~**Chairman** will first make an opening remark and explain the procedure of the hearing;
- (b) the ~~Chairperson~~**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 ~~Chairperson~~**Chairman** will invite the representers/authorized representatives to make oral submissions in turn. The order of presentation will follow the reference

number already given to each representation⁴. For collective hearing, the group of representers/authorized representatives, as the case may be, will normally be invited to make submissions in turn.

- (d) after the oral submissions, members of the Board will be invited to ask questions which may require the representers or their authorized representatives and/or the representatives of government bureau(x)/department(s) to answer. The ~~Chairperson~~**Chairman** may refer such questions to any of such parties for response; and
- (e) when members of the Board have no further question to ask, the representers/their authorized representatives and the government's representatives will be invited to leave the meeting room.

~~2830~~The deliberation part of the hearing will be conducted behind closed doors under section 2C(1) and 2C(2)(a) of the Ordinance.

ORDER AND BEHAVIOUR

~~2931~~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 hearing;
- (c) all attendees are expected to show courtesy to 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 hearing;
- (e) photo-taking or recording is not allowed in the meeting room; and
- (f) clamour, shouting and commotion are prohibited.

~~3032~~Any person who fails/refuses to follow any of the above rules or causes any disturbance to the conduct of the hearing will be given warnings by the ~~Chairperson~~**Chairman**. After repeated warnings, the ~~Chairperson~~**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 hearing, and the ~~Chairperson~~**Chairman** shall have full discretion to consider any application by such person for further opportunities to make oral submissions at the hearing.

~~3133~~The ~~Chairperson~~**Chairman** has full discretion to control the conduct of the hearing 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

⁴ Subject to the progress of the hearing, oral submissions by some representers may have to be deferred to next hearing sessions.

room as appropriate, at the direction of the ~~Chairperson~~*Chairman*.

DECISION OF THE BOARD

~~323~~**34**After giving consideration to the representations at the hearing, the Board will decide whether to propose amendment(s) to the plan in the manner proposed in the representations, or to propose amendment(s) to the plan in any other manner that, in the opinion of the Board, will meet any of the representations. If the Board decides to propose amendment(s) to the 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.

~~33~~**35**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 considering the further representation(s), the Board will decide whether to amend the 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 plan incorporating the amendment(s) made by the Board shall be submitted to the Chief Executive in Council for approval in accordance with the provisions of the Ordinance within the statutory time limit.

~~34~~**36**The decision of the Board will be conveyed to the representers/further representers in writing by the Secy/TPB as soon as possible after the minutes of the Board meetings have been confirmed.

~~35~~**37**Pending formal notification, any representer/further representer may refer to the Gist of Decision available on the Board's website after completion of the consideration and deliberation of the concerned representations/further representations. For any other enquires on the decision of the Board, he/she may address to the Secretariat of the Board. Any interim reply should not be treated as a formal notification of the decision of the Board.

TPB PG-NO. 29~~DC~~

**TOWN PLANNING BOARD GUIDELINES ON
SUBMISSION AND PROCESSING OF 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: 15/~~Fth 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: 17/~~Fth Floor~~, NPGO and 14/~~Fth 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 processing of 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 the Ordinance. Under the process, any plan or amendment of plan (hereafter collectively referred to as “the Plan”) 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 Plan) to the Board in respect of the 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 Plan or part of the Plan to which the representation relates.
- 2.2 The Board¹ will then hold a meeting (“the hearing”) to hear and consider the representations received in respect of the Plan. The person who made the representation (“the representer”) will be invited to attend the hearing.
- 2.3 After hearing the representations, the Board will decide whether to propose amendment(s) to the Plan to meet/partially meet the representation(s) in the manner proposed in the representation(s) or in other manner that the Board

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

considers appropriate in meeting the representation(s) (hereafter “the proposed amendment(s)”).

- 2.4 If the Board decides to propose amendments to the Plan to meet the representation(s), the proposed 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 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 (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 Plan or part of the Plan to which the further representation relates.
- 2.5 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 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 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. After the Board’s decision to amend the Plan by the proposed amendment(s) or its variation(s), the Plan shall then be read as including the amendment(s) so decided by the Board, and such amendment 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.
- 2.6 The Plan, together with a schedule of the representations/further representations (if any) made in respect of the Plan as well as any amendment(s) made by the Board, must be submitted to the CE in C for approval within 5 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/further representations 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 shall be made in such manner as the Board requires. To facilitate processing of the submission, representers/further representers are required to provide the necessary information by filling in a submission form (Forms No. S6 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 (https://www.tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html <http://www.tpb.gov.hk>).

- 3.2 Any representation/further representation must be made within the statutory time limit for submission. Representations/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 and will not be considered by the Board. It is the duty of the representers/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/further representations and submission of Plan 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/further representation after their respective statutory time limits.
- 3.3 The statutory time limits for lodging a representation/further representation are as follows:
- (a) Representation – 2 months from publication of the Plan; and
 - (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/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 an online 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 groups making the representations/further representations, the representers/further representers and their authorized agents are required to provide their full names as shown on the Hong Kong Identity (HKID) cards/passports² and their HKID cards/passport numbers (only the first

² Full name is required to avoid double-counting of representations/further representations who may be submitted by the same person using different names.

four alphanumeric characters are required) in the submissions. If the submission is made by an authorized agent, the original authorization letter signed by the representer/further representer should also be provided. For submission made by company/organisation/group, 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 or groups with no full name, incomplete and/or illegible name or no HKID card/passport number, the representation/further representation concerned may be treated as not having been made³.

- 3.5 Representers who wish to exercise their rights under section 6B of the Ordinance to attend and be heard at the representation hearing are required to provide correspondence addresses or e-mail addresses of themselves or their authorized agents in the submissions to facilitate their communication with the Secretary of the Board (Secy/Board)/government departments. Representers who did not provide correspondence addresses or e-mail addresses at the time of submission of their representations will be taken to indicate that they will not exercise their rights under section 6B of the Ordinance to attend and be heard at the representation hearing⁴.
- 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 representations⁵.
- 3.7 The following information is essential for the Board to consider a representation/further representation, hence should be included in the submission. Otherwise, the Board may refuse to process the representation/further representation and treat it as not having been made:

Representation⁶:

- (a) the particular matter in the 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 Plan);

³ Under the Ordinance, representations/further representations shall be made in such manner as the Board requires. Any representation/further representation which does not comply with any of the requirements may be treated as not having been made.

⁴ The Secretariat will not contact those representers who only provided phone and/or fax number in their submissions by phone/fax to make arrangement for their attendance at the meeting.

⁵ The Secretariat will not contact those further representers who only provided phone and/or fax numbers in their submissions by phone/fax.

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

- (c) the reasons for the representation; and
- (d) the amendment (if any) proposed to the Plan.

Further Representation⁷:

- (e) the proposed amendment(s) to which the further representation relates;
 - (f) the nature of the further representation (i.e. whether it is in support of, or in opposition to, the proposed amendment(s)); and
 - (g) 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.
- 3.9 If any submission for representation/further representation contains more than 20 pages or any page larger than A4 size, the representer/further representer is required to provide 4 hard copies and 1 soft copy⁸ of the submission and also his/her email address are required to be provided to the Board for processing 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 arrangements for newspaper and website notices will be made

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

⁸ 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".

during the first 3 weeks when the proposed amendment(s) is made available for public inspection.

- 4.2 All representations/further representations and the amendment(s) proposed/made by the Board in respect of the 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 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/further representations will be made available for public inspection.
- 4.3 Apart from the above, notices 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 Plan and, if any, proposed amendment(s).

5. Arrangement of Hearings

- 5.1 Normally, the Secy/Board will inform the representers or their authorized agents who have provided correspondence addresses or e-mail addresses the tentative date of hearing to be held by the Board about 4 weeks before the hearing. To facilitate the hearing arrangement, 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 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 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 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 to 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.

- 5.4 About 7 days before the hearing, the relevant representers or their authorized agents will be notified of the time as well as the arrangements of the 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.
- 5.5 As the Board has provided sufficient prior notice, if any representers or their authorized representatives fail to attend the hearing, the Board may proceed with the hearing in their absence or, if considered appropriate, adjourn the hearing to another date.
- 5.6 The hearing will be held either collectively or individually, as considered appropriate by the Board. The logistics and arrangements of the hearing are set out in the Guidance Notes.

6. Consideration of Representation and Further Representation

- 6.1 Representations/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. The 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/further representations:-
 - (a) the nature (e.g. views in support, against or expressing general concern) of the representations/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 ***In the written submission of representations/further representations, the representer/further representer should specify the source of any image submitted to the Board, including the date and location at which the image was taken. If the image is artificial intelligence (AI)-generated or is an artist's impression, this should be clearly specified in the written submission.***

- 6.32 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 Secy/Board will notify the representers/further representers of the Board's decision in writing. The confirmed minutes will also be available at the Board's website.
- 7.2 After the Board has made a decision, a representer/further representer may seek verbal advice on the Board's decision from 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 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/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 under the Ordinance, the Board's decision will be kept confidential for 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 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/further representers will only be informed of the Board's decision 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 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 processing of representations and further representations under the Ordinance. It is not meant in any way to restrict the contents of each representation/further representation, nor to restrict the right of the Board to require further information.
- 9.2 The representations/further representations submitted to the Board and the Board's decision on the representations/further representations will be disclosed to the public. The public may make photocopies of the representations/further representations which are made available for public inspection upon payment of a fee. Apart from the full names of the representers/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

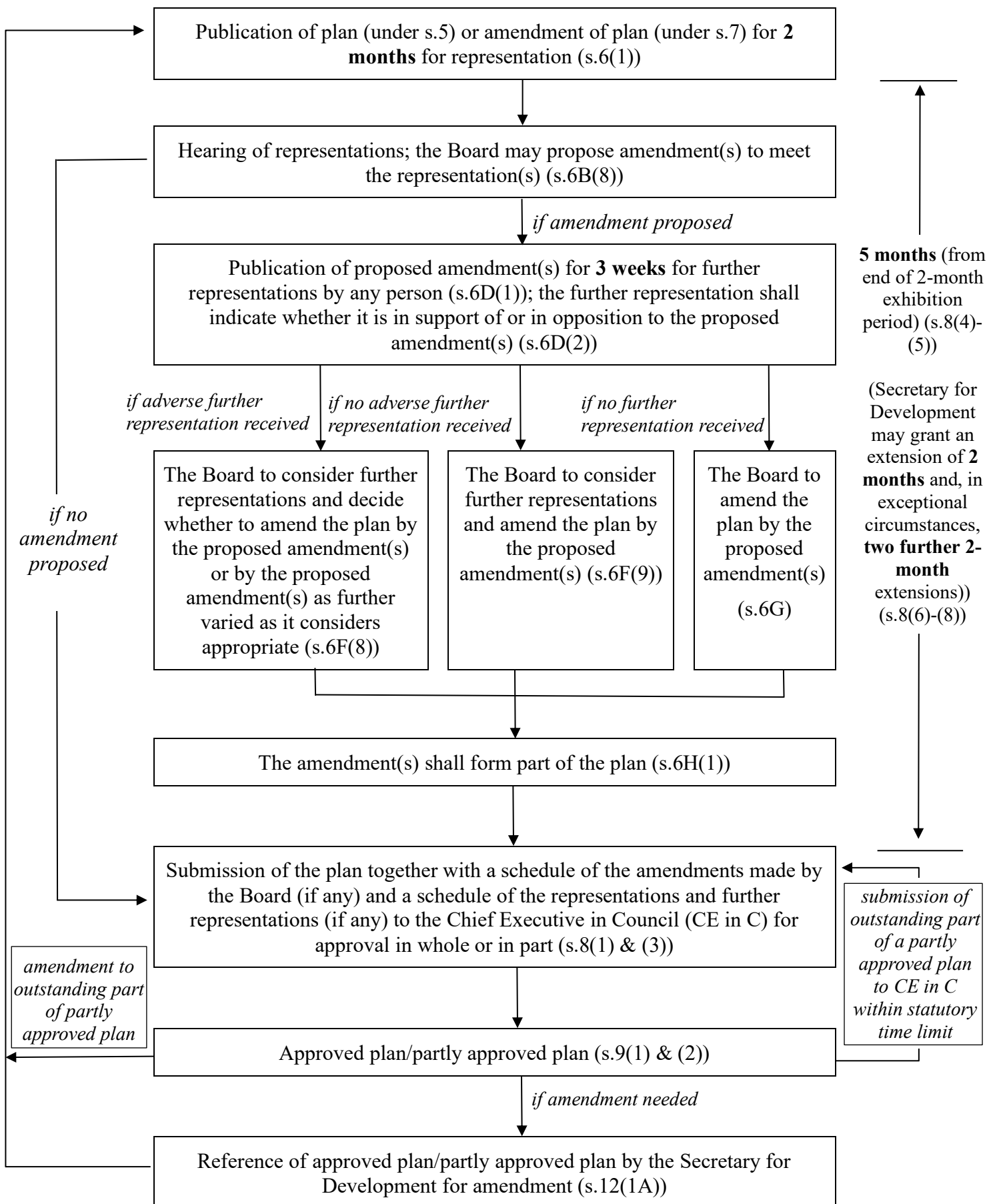
- 10.1 The personal data submitted to the Board will be used by the Secy/Board and government departments for the following purposes:
 - (a) the processing of the relevant representations and further representations which includes making available the full names of the representers/further representers for public inspection when making available the relevant representations/further representations for public inspection;
 - (b) facilitating communication between the representers/further representers and the Secy/Board/government departments; and
 - (c) verification of identity of the representers/ and their authorized agents/representatives for attendance at the 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/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/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 Secy/Board.

TOWN PLANNING BOARD
SEPTEMBER 2026 ~~2023~~

The Plan-Making Process



TPB PG-NO. 30D€

**TOWN PLANNING BOARD GUIDELINES ON
PUBLICATION OF APPLICATIONS FOR
PLANNING PERMISSION AND REVIEW AND
SUBMISSION OF COMMENTS ON 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: 15/~~Fth 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: 17/~~Fth 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 planning permission and review and submission of comments on the applications under the Town Planning Ordinance (the Ordinance).

2. Publication of Applications

2.1 The Ordinance provides statutory mechanism for making the following applications available for public inspection:

- (a) application for planning permission made under section 16 of the Ordinance; and
- (b) application for review of the Board's decision on a section 16 application made under section 17 of the Ordinance.

2.2 A 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 (https://www.tpb.gov.hk/en/resources/application_forms_and_guidance_notes/index.html~~http://www.tpb.gov.hk/~~). 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, 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), 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) 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
- (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. 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 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 applications (i.e., 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 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. Information including the tentative meeting date and the other arrangements concerning the consideration and release of decision on the application is 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.
- 4.8 *The commenter should specify the source of any image submitted to the Board, including the date and location at which the image was taken. If the image is artificial intelligence (AI)-generated or is an artist's impression, this should be clearly specified in the submission.*

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 planning permission and review and submission of comments on the 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 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.

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