

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) (<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: 15th Floor, North Point Government Offices (NPGO), 333 Java Road, North Point, Hong Kong; or by phone: 2231 4810 or 2231 4835) or the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000; email: enquire@pland.gov.hk; or by post: 17th Floor, NPGO and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).

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	(Tel: 2158 6177) (Fax: 2367 2976)

	Territories	
Fanling, Sheung Shui & Yuen Long East DPO	Unit 2202, 22/F, CDW Building, 388 Castle Peak Road, Tsuen Wan, New Territories	(Tel.: 3168 4025) (Fax: 3168 4074)

WHERE TO OBTAIN APPLICATION FORM

- 9 An application for amendment of plan should be made in a form, which can be obtained from **the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835) and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000)** or downloaded from **the Board's Website**. For EPASS submission, the relevant electronic application form is available at the Board's website.

WHO CAN APPLY

- 10 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).
- 11 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 FORM²

- 12 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.

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.

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

- 13 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.
- 14 **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

- 15 A number of guidelines for planning applications have been promulgated by the Board. These guidelines set out the requirements of the Board and may therefore be of assistance to applicants in preparing their applications. The guidelines can be obtained from **the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department**, or downloaded from **the Board’s Website**.

CONSENT OF OR NOTIFICATION TO “CURRENT LAND OWNER”

- 16 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.
- 17 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”.
- 18 Instead of obtaining the consent from a “current land owner”, as indicated in paragraph 16 above, an applicant may notify such owner. The notification should be in the form of a written notification sent by registered mail or local recorded delivery mail (e.g. courier service) to the postal address of individual “current land owner” as appeared in the record of the Land Registry (or the company’s office address registered in the 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.
- 19 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

- 20** The applicant is required to provide signed and completed prescribed application forms³, an authorisation letter signed by the applicant, if the application is submitted by an authorised agent on the applicant's behalf, and the land/consent/notification documents as specified in paragraphs 22 and 23 below. If needed, the application may also provide plans/drawings and supplementary information (SI) such as planning statements and reports on technical assessments. If SI is submitted, an Executive Summary of not more than 500 words in both English and Chinese should also be provided.
- 21** For applications involving any particular use or development that may have implications on the environment, drainage, traffic, infrastructure, landscape, visual and topography, etc., technical assessments on the impacts of the proposed use or development may also be required. Please refer to **Annex C** for further details.
- 22** To meet the eligibility requirements stated in paragraph 10(a) to (c), the applicant should provide 1 hard copy of the following documents, if applicable:
- (a) for the applicant being a land owner as defined in paragraph 10(a) above – copy of documentary proof of ownership (i.e. copy of record issued by the Land Registry within 6 week before the application is made);
 - (b) for the applicant being a person as defined in paragraph 10(b) above – original copy of consent signed by a land owner as defined in paragraph 10(a) above normally within 1 year before the application is made and copy of documentary proof of that land owner's ownership of non-Government land covered by the part of a plan to which this application relates (i.e. copy of record issued by the Land Registry within 6 week before the application is made); and
 - (c) for the applicant being a person as defined in paragraph 10(c) above – copy of consent signed by the Director of Lands normally within 1 year before the application is made.

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

- 23** 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".
- 24** 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

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

publication of the applicant's submission.

25 The applicant is required to submit either via EPASS or in the prescribed manner set out at **Annex D** the soft copy of the plans/drawings and SI of the application to reduce paper consumption and enable public inspection of the submission on the Board's website.

26 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 documents, if applicable.

27 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 26 above).

28 Notwithstanding the copy requirement specified in paragraphs 26 and 27 above, if considered necessary, additional hard copies of the documents may be required by the Board.

29 All soft copies submitted to the Board must comply with the format requirements below:

- (a) in the form of searchable Portable Document Format files with the size of each file not exceeding 200MB;
- (b) with files each named based on its document nature and the rules set out at **Annex E**; and
- (c) with the resolution of each drawing/plan/photo in the soft copy between 200 DPI⁵ and 300 DPI.

30 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.

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

⁵ Dots Per Inch.

- 31 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

- 32 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.
- 33 The submission of further information is also required to comply with the requirements set out in paragraphs 24 to 30 and 34.

HOW TO SUBMIT AN APPLICATION

- 34 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 D** or via EPASS.
- 35 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.
- 36 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.
- 37 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

- 38** 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

- 39** 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.
- 40** 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

- 41** 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.
- 42** 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.
- 43** The Board fully respects the right of the applicant to be heard, as well as the need to ensure procedural fairness. Without prejudice to the aforesaid, the Board has the responsibility of ensuring the smooth conduct of the meeting. Having taken into account all relevant circumstances and matters including the agenda of the meeting, nature and complexity of the applications as well as the need to allow adequate time for the question and answer session and deliberation session, a time limit might be imposed on the oral submission of the applicant. Oral submission by electronic media such as video/record tape should be presented within the allotted time. Request for further time for making oral submission will be subject to the discretion of the Board and such discretion will only be exercised upon sufficient cause shown and after taking into account all relevant circumstances.

- 44 The Secretariat of the Board will inform the applicant or his/her authorised representative of the allotted time for the oral submission of the application before the meeting. To ensure a smooth and efficient conduct of the meeting, the Chairman of the Board may request the applicant or his/her authorised representative not to repeat unnecessarily the same point which has already been presented by others at the meeting, or make any point unrelated to the subject matter. The Chairman can in his/her discretion disallow such repetition and may request the applicant or his/her authorised representative to discontinue.
- 45 The rules for keeping the order inside the meeting room are at **Annex F**.

HOW TO OBTAIN THE RESULT OF AN APPLICATION

- 46 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).
- 47 Pending written notification of the Board's decision, an applicant may seek verbal advice on the result of his/her application from the Secretary of the Board immediately after the meeting, or make reference to the Gist of Decisions on Planning Applications which is available on the Board's Website shortly after the meeting on the same day. An applicant may also request for an interim written reply on the Board's decision. Such request should be made in writing to the Secretary of the Board. Any interim reply should not be treated as a formal notification of the decision of the Board.

DECISION OF THE BOARD

- 48 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.
- 49 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

- 50 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.
- 51 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.

- 52 Applicants are advised that offering any advantage to a Civil Servant or Members of the Board in connection with the application is an offence under the Prevention of Bribery Ordinance.

**Town Planning Board
September 2023**

SAMPLE FOR REFERENCE ONLY

Sample written consent of land owner whose name is registered in the Land Registry as that of the sole owner or one of the owners of any non-Government land 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 week before the application is made showing the ownership of lot/premises within the application site owned by the applicant.

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

(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/ep1_2011.pdf) which provides useful guidelines on landscaping of man-made slopes and retaining walls.

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

Landscape and Visual

For applications involving any use or development that may cause landscape and/or visual impacts, the applicants may be required to submit, together with their applications, information on landscape and visual impacts. On landscape impact, the information may include survey on tree and landscape resources (with site photos showing the existing conditions) and 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 E**).
- 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)
7. Visual Impact Assessment
8. Landscape Impact Assessment
9. Tree Survey
10. Geotechnical Impact Assessment
11. Sewerage & Drainage Impact Assessment
12. Risk Assessment
13. Air Ventilation Assessment
14. Management Plan
15. Social Impact Assessment
16. Heritage Impact Assessment
17. Ecological Impact Assessment
18. Conservation Management Plan
19. Others

B. Naming Rules for Digital Files

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

Example 1 (New Submission)

Y_K1_123_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 Chairman. After repeated warnings, the Chairman can ask that person to leave the meeting room. Once excluded, that person should not be allowed to return for the remaining part of that meeting, and the Chairman shall have full discretion to consider any application by such person for further opportunities to make presentation at the meeting.

The Chairman has full discretion to control the conduct of the meeting and all attendees must follow his/her instructions. Attendees who do not do so may be asked to leave the meeting room and uncooperative attendees may be removed from the meeting room if necessary at the direction of the Chairman.