

## Guidelines

∴ TPB PG-NO. 19B (Revised June 2002)

### **TOWN PLANNING BOARD GUIDELINES FOR MINOR AMENDMENTS TO APPROVED DEVELOPMENT PROPOSALS**

**(Important Note :The Guidelines are intended for general reference only and are liable to revision without prior notice. The Town Planning Board will only make reference to the guidelines current at the date on which it considers an application. Any enquiry on this set of guidelines should be directed to the Planning Information and Technical Administration Unit of the Planning Department, 17th floor, North Point Government Offices, 333 Java Road, North Point, Hong Kong - Tel. No. 2231 5000.)**

#### **Broad Guidelines**

1. Under section 2(5)(b) of the Town Planning Ordinance (the Ordinance), the Town Planning Board (TPB) has delegated its authority to the District Planning Officer (DPO), Chief Town Planner/Urban Renewal (CTP/UR) (for Land Development Corporation/Urban Renewal Authority Schemes only) and Director of Planning (D of Plan) to consider planning applications for the minor amendments to development proposals with planning permission previously granted by the TPB under section 16 of the Ordinance (including submission of Master Layout Plan), as listed under the following table.
2. No separate planning application would be required for amendments made to the approved development proposal as a result of fulfilling the approval conditions provided that such amendments will not materially affect the originally approved scheme and are acceptable to all Government departments concerned. Amendments which are considered unacceptable by any concerned Government department will be submitted to the TPB for determination.
3. For consideration of minor amendments to the approved development proposals, reference should be made to the scheme last approved by the TPB excluding any amendments subsequently made which are approved by DPO, CTP/UR and/or by D of Plan under TPB's delegated authority, unless the amendments involved do not relate to the amendments previously approved under delegated authority. If the amendments approved by DPO, CTP/UR and/or D of Plan under TPB's delegated authority in aggregate amount to amendments that should be considered by the TPB, an application would have to be submitted to the TPB for consideration.
4. For all minor amendments to be approved by DPO and CTP/UR under TPB's delegated authority (including those stated as 'Always Permitted'), the changes should not involve any changes in the total gross floor area (GFA) or plot ratio of the approved scheme (except for item 1 below).
5. For applications submitted direct to DPO, CTP/UR and/or D of Plan under TPB's delegated authority, the applicant does not need to complete the application form for submission under section 16 of the Ordinance. However, for ease of reference and to enable a quick response from the DPO or CTP/UR concerned, the applicant should submit 20 copies of the relevant plans and supporting documents (if any) highlighting the difference(s) between the current submission and the approved scheme. For applications to be approved by DPO or CTP/UR, the applicants will be informed of the decision within 4 weeks from the date of receipt of the application. All applications to be processed by the D of Plan will be circulated to relevant Government departments for comments. The applicants will be informed of the decision within 6 weeks from the date of receipt of an application. Applications which are considered unacceptable by Government departments concerned will be submitted to the TPB for determination. For applications to be considered by the TPB, the applicant should follow the normal procedures for submission of planning applications for permission under section 16 of the Ordinance and submit 65 copies of the relevant plans and supporting documents (if any) showing the difference(s) between the current submission and the approved scheme. These applications would be determined by the TPB within the two-month statutory time limit.
6. Application for an extension of not more than 18 months to the usual time condition on commencement of development and/or not more than 9 months to the time condition for compliance of an approval condition attached to a previously granted

planning permission provided that the application for extension of time limit has not, since its last approval by the TPB, exceeded the 18-month or 9-month limit, where appropriate, will also be considered by the D of Plan under the delegated authority of the TPB. An application for such an amendment should be submitted to the Secretary, TPB. The applicant will be informed of the decision within 6 weeks from the date of receipt of an application. However, any application for further extension which would result in a total extension period exceeding the 18 month or 9-month, where appropriate, or applications which are considered unacceptable by Government departments concerned will be submitted to the TPB for determination within the two-month statutory time limit. Please refer to TPB Guidelines for Renewal of Planning Permission and Extension of Time for Compliance with Planning Conditions for further details.

7. For development with a temporary planning approval (up to a maximum of 3 years), all changes to the approved scheme will be approved by DPO under TPB's delegated authority provided that such amendments would neither involve any increase in development intensity nor result in adverse visual, traffic and environmental impacts on the area. Otherwise, the application should be submitted to the TPB for consideration.
8. For those proposed minor amendments to the approved scheme which are 'Always Permitted', there is no need to circulate such amendments for departmental comments. The DPO or CTP/UR will inform the applicant of the approval within 7 working days from the date of receipt of the application.

<b>Categories of Minor Amendments</b>	<b>Approved by DPO or CTP/UR under TPB's Delegated Authority</b>	<b>Processed by D of Plan under TPB's Delegated Authority</b>	<b>Considered by the TPB</b>	<b>Remarks</b>
<b>1. Changes in total GFA*</b>				*Excluding changes in GFA for Government, institution or community (GIC) facilities which are dealt with under item 8 ; and transference of plot ratio between different sites
Reduction in GFA	Always Permitted	NA	NA	
Increase in GFA (due to increase in site area and/or additional PR permitted by the Buildings Authority under Building (Planning) Regulation (B(P) R) during detailed planning)	- Not exceeding max. PR/GFA permissible under the statutory plan; or - Not exceeding 2,000m <sup>2</sup> or 5% of the approved total GFA whichever is the less*	Exceeding 2,000m <sup>2</sup> or 5% of the approved total GFA but not exceeding 4,000m <sup>2</sup> or 10% of the approved total GFA whichever is the less*	Exceeding 4,000m <sup>2</sup> or 10% of the approved total GFA whichever is the less*	*Without PR or GFA restrictions on the statutory plan
<b>2. Changes in site area/boundary</b>	Changes due to the setting out of site boundary at the processing of land grant, inclusion/exclusion of private lane and/or land for public purposes in site area calculation	Other changes not exceeding 10% of the gross site area of the approved scheme	Other changes exceeding 10% of the gross site area of the approved scheme	
Changes due to detailed survey	Always Permitted	NA	NA	
<b>3. Changes in the number of units</b>				

Reduction in number of units	Always Permitted*	NA	NA	*Provided that the minimum number of units is not specified in the planning brief, if any.
Increase in number of units	Not exceeding 100 units or 5% of the approved max. or min. levels of provision whichever is the less*	Exceeding 100 units or 5% but not exceeding 200 units or 10% of the approved max. or min. levels of provision	Exceeding 200 units or 10% of the approved max. or min. levels of provision	*Provided that the Commissioner for Transport does not object to the corresponding changes in the number of car parking provision
<b>4. Changes in unit size</b>	Unit size not specified in the planning brief, if any*	Deviated from the unit size specified in the planning brief, if any	NA	*Provided that the Commissioner for Transport does not object to the corresponding changes in the number of car parking provision
<b>5. Building blocks</b>				
- Changes in form of building(s)	Where the concerned block(s) is not the subject of environmental mitigation measures*	Where the concerned block (s) is the subject of environmental mitigation measures	NA	*The concerned block(s) may be an environmental buffer or subject to environmental nuisance.
- Changes in other aspects	NA	Minor changes in disposition of building block	NA	
	NA	Changes in number of building blocks	NA	
<b>6. Building height* and/or number of storeys</b>				
				*Unless specified on the relevant OZP, all roof top installations which are of reasonable height, are excluded from building height restrictions.
Reduction in building height and/or number of storeys	Always permitted	NA	NA	
Increase in building height and/or number of storeys	1. Not exceeding the building height/no. of storeys restriction; or 2. Not exceeding 10% of the approved levels [excluding refuge floor(s), if any] <sup>1</sup>	Exceeding 10% but not exceeding 20% of the approved levels [excluding refuge floor(s), if any] <sup>1</sup>	Exceeding 20% of the approved levels [excluding refuge floor(s), if any] <sup>1</sup>	1. Provided there are no building height/number of storeys restrictions on the statutory plan; or the proposed change does not exceed the statutory height limit stipulated on the plan
Incorporation of Green Features <sup>1ac</sup>	Always permitted	NA	NA	2.The green features refer to those permitted

under Joint Practice Notes promulgated by the Buildings Department, Lands Department and Planning Department, and agreed by TPB.

## 7. Site

Reduction in Site Coverage	Always Permitted	NA	NA	
Increase in Site Coverage <sup>1</sup>	Not exceeding 5% of the approved site coverage	Exceeding 5% but not exceeding 10% of the approved site coverage	Exceeding 10% of the approved site coverage	1. Provided there are no site coverage restrictions on the statutory plan; or the proposed change does not exceed the statutory site coverage limit stipulated on the plan
Incorporation of Green Features <sup>1&amp;2</sup>	Always Permitted	NA	NA	2. The green features refer to those permitted under the Joint Practice Notes promulgated by the Buildings Department, Lands Department and Planning Department, and agreed by TPB.

## 8. Changes in type/mix of uses<sup>1</sup>

<p>1. Changes in type/mix of uses within the same category<sup>2</sup> ;or</p> <p>2. Changes in GFA for non-domestic uses from one category to another, provided that the changes do not exceed 5% of the approved level(s), e.g. transferring the GFA from 'office' to 'retail'; or</p> <p>3. Always Permitted - Changes in location of non-domestic uses within non-domestic podium/building, e.g. relocation of 'retail shop' from G/F to 2/F of non-domestic podium;</p>	<p>Changes in GFA distribution from domestic to non-domestic, or vice versa, provided that the changes do not exceed 5% of the approved level(s), e.g. transferring 'office' GFA to domestic GFA</p>	<p>Any other changes in type/mix of uses</p>	<p>1. The changes should not contravene the GFA/PR restrictions, if any, on the OZP.</p> <p>2. Other than public utilities, GIC and recreational facilities, uses to be shown within a development scheme/ MLP could be broadly divided into the following 4 categories :</p> <p>a) residential flat b) hotel c) office d) commercial, retail and service uses including bank, barber shop, beauty parlour, fast food shop, off-course betting centre, pawn shop, photographic studio, place of public entertainment, restaurant, retail shop, tutorial school, kindergarten, child</p>
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					care centre, service trades and showroom excluding motor-vehicle showroom (These uses are similar to those permitted as of right in the lowest 3 floors of "R(A)" zone.)
<b>9. Changes to internal layout/disposition of premises</b>	Always Permitted provided that the changes are not subjects of environmental mitigation measures	Changes other than those approvable by DPO or CTP/UR	NA		
<b>10. GIC facilities</b>	Changes in the types, locations, and/or floor area of the facilities proposed and agreed by the relevant Government departments*	1. Changes in the types, locations, and/or floor area of the facilities proposed by developer*  2. Deletion of the facilities agreed by relevant Government departments*	Deletion of the facilities under other circumstances	* Provided that there is no local objection to the proposed changes	
<b>11. Open space<sup>1</sup></b>					
Increase in total area	Always Permitted	NA	NA		1. Applicable to public and private open space within the scheme
Reduction in total area <sup>2</sup>	Not exceeding 5% of the approved total area for open space purpose	Exceeding 5% but not exceeding 10% of the approved total area for open space purpose	Exceeding 10% of the approved total area for open space purpose		2. The resulting total area of open space should not be less than the minimum standard as stated under the Hong Kong Planning Standards and Guidelines.
Changes in location	Disposition of the open space remains on the same street/podium level (s)	Changes in the disposition of the open space from street to podium level(s), or vice versa	NA		
Changes in the ratio of active and passive open space	Not exceeding 10% of the approved provision	Exceeding 10% but not exceeding 20% of the approved provision	Exceeding 20% of the approved provision		
<b>12. Car-parking and loading/unloading facilities</b>					
Changes in the locations of ingress/egress	No changes in the disposition of building blocks*	Involving changes in the disposition of	Involving deletion of footbridges	*Provided that the Commissioner for Transport and/or	

point(s), footbridges, public transport terminus and lay-bys, and the layout of internal roads, EVA and car park		building blocks		Director of Fire Services do not object to the changes
Changes in the total number of parking spaces	Not exceeding 50 parking spaces or 5% of the approved min. level of provision whichever is the less*	Exceeding 50 parking spaces or 5% of the approved min. level of provision but not exceeding 100 parking spaces or 10% of the approved min. level of provision whichever is the less	Exceeding 100 parking spaces or 10% of the approved min. level of provision whichever is the less	*Notwithstanding the 5% limit, changes not exceeding 10 parking spaces may be approved provided that C for T does not object to the changes
Changes in the total number of loading/unloading spaces	Not exceeding 10% of the approved min. level of provision*	Exceeding 10% but not exceeding 20% of the approved min. level of provision	Exceeding 20% of the approved min. level of provision	*Notwithstanding the 10% limit, changes not exceeding 2 loading/unloading spaces may be approved provided that C for T does not object to the changes
Reduction in the total number of parking spaces due to reduction in number of units	Provided that the car parking ratio remains unchanged and C for T does not object to the changes	NA	NA	
<b>13. Non-building area</b>	Always Permitted - Changes arising from minor site boundary adjustment	Other Changes	NA	
<b>14. Master landscape plan</b>	Variation of tree preservation or tree felling of up to 5% for the trees to be preserved within the site	Major changes in soft/hard landscape design, changes in implementation programming and variation of tree preservation or tree felling of up to 10% for the trees to be preserved within the site	1. Variation of tree preservation or tree felling of more than 10% for the trees to be preserved within the site  2. If the variation includes Champion Trees*	*Champion Trees refer to those trees identified in the book 'Champion Trees in Urban Hong Kong' published by the then Urban Council in 1994.
Preservation and planting of more trees	Always Permitted	NA	NA	
<b>15. Indoor Recreational facilities</b>				
Changes in disposition within building(s) and/or	Changes in public indoor recreational facilities within the	Changes in public indoor recreational	NA	

types of facilities	scheme agreed by relevant Government departments	facilities within the scheme under other circumstances		
	Always Permitted - Changes for private indoor recreational facilities within the scheme	NA	NA	
Increase in floor area	Always Permitted	NA	NA	
Reduction in floor area	Not exceeding 5% of the approved level of provision	Exceeding 5% but not exceeding 10% of the approved level of provision	Exceeding 10% of the approved level of provision	
<b>16. Ancillary major utility installation*</b>	NA	Change in location of the uses	NA	*Examples include refuse collection point, sewage treatment facilities, electricity substation and liquefied petroleum gas compound.
<b>17. Phasing &amp; Implementation Schedule</b>	Any minor changes in phasing and implementation schedule with no GIC facilities or public open space involved	Minor changes in phasing and implementation schedule under other circumstances	NA	

TOWN PLANNING BOARD  
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