

**Relevant Extract of Town Planning Board Guidelines No. 34C on  
Renewal of Planning Approval and Extension of Time for Compliance  
with Planning Conditions for Temporary Use or Development**

1. The criteria for assessing applications for renewal of planning approval include:
  - (a) whether there has been any material change in planning circumstances since the previous temporary approval was granted (such as a change in the planning policy/land-use zoning for the area) or a change in the land uses of the surrounding areas;
  - (b) whether there are any adverse planning implications arising from the renewal of the planning approval (such as pre-emption of planned permanent development);
  - (c) whether the planning conditions under previous approval have been complied with to the satisfaction of relevant Government departments within the specified time limits;
  - (d) whether the approval period sought is reasonable; and
  - (e) any other relevant considerations.
  
2. Under normal circumstances, the approval period for renewal should not be longer than the original validity period of the temporary approval. In general, the Board is unlikely to grant an approval period exceeding three years unless there are strong justifications and the period is allowed for under the relevant statutory plans. Depending on the circumstances of each case, the Board could determine the appropriate approval period, which may be shorter than the time under request.

**Previous Applications**

<b>Application No.</b>	<b>Location</b>	<b>Date of Consideration</b>	<b>Decision of the RNTPC</b>	<b>Approval Conditions/ Reasons for Rejection</b>
A/SK-HH/22 (temporary child care centre and kindergarten for a period of 3 years)	D.D. 210 Lot 526 & Ext., G/F, Marina Cove Shopping Centre, Sai Kung	27.10.2000	Approved with conditions	(a) and (b)
A/SK-HH/43 (temporary school (kindergarten) for a period of 3 years)	Lot 526 (Part) in D.D. 210, Shop D1, D2 and Yard, G/F, Marina Cove Shopping Centre, Sai Kung	27.2.2009	Approved with conditions	(c) and (d)
A/SK-HH/44 (temporary school (kindergarten) for a period of 3 years)	Lot 526 in D.D. 210 and extension, Shop D, G/F, Marina Cove Shopping Centre, Sai Kung	10.7.2009	Rejected	(1) and (2)
A/SK-HH/45 (proposed temporary school (kindergarten) for a period of 3 years)	Lot 526 in D.D., 210 and extension, Shop D and Yard, G/F, Marina Cove Shopping Centre, Sai Kung	18.9.2009	Approved with conditions	(d) and (g)
A/SK-HH/54 (renewal of planning approval for temporary school (kindergarten) for a period of 3 years)	Lot 526 (part) in D.D. 210, Shop D and Yard, G/F, Marina Cove Shopping Centre, Hebe Haven	7.9.2012	Approved with conditions	(g)
A/SK-HH/69 (renewal of planning approval for temporary school (kindergarten) for a period of 3 years)	Lot 526 in D.D. 210, Shop D and Yard, G/F, Marina Cove Shopping Centre, Hebe Haven	18.9.2015	Approved with conditions (Revoked on 19.3.2016)	(e), (f) and (g)

<b>Application No.</b>	<b>Location</b>	<b>Date of Consideration</b>	<b>Decision of the RNTPC</b>	<b>Approval Conditions/ Reasons for Rejection</b>
A/SK-HH/71 (temporary school (kindergarten) for a period of 3 years)	Shop D and Yard, G/F, Marina Cove Shopping Centre, Hebe Haven	23.12.2016	Approved with conditions (Revoked on 24.6.2017)	(e), (f) and (g)
A/SK-HH/73 (temporary school (kindergarten) for a period of 3 years)	Shop D and Yard, G/F, Marina Cove Shopping Centre, Hebe Haven	26.1.2018	Approved with conditions	(g) and (h)

**Approval Conditions:**

- (a) Provision of traffic noise mitigation measures.
- (b) Provision of loading/unloading spaces for picking up and dropping off of students.
- (c) The provision of traffic warning signs to alert motorists and pedestrians.
- (d) Provision of water supplies for fire fighting and/or fire service installations.
- (e) Submission of fire service installations proposal.
- (f) Implementation of fire service installations proposal
- (g) Implement and maintain the traffic arrangements during the approval period.
- (h) Maintain the fire service installations in efficient working order during the approval period.

**Rejection Reasons:**

- (1) Insufficient information in the submission to demonstrate that the traffic arrangement for school children by school bus could be implemented and enforced.
- (2) The proposed development might aggravate the existing traffic condition of the area, and might have adverse traffic impact on Hiram's Highway.

**Similar Applications**

<b>Application No.</b>	<b>Location</b>	<b>Date of Consideration</b>	<b>Decision of the RNTPC</b>	<b>Approval Conditions/ Reasons for Rejection</b>
A/SK-HH/26 (proposed training and education centre on temporary basis for a period of 3 years)	D.D. 210 Lot 526, Shop B4, G/F, Marina Cove Shopping Centre, Sai Kung	12.7.2002	Approved with conditions	(a) and (b)
A/SK-HH/41 (learning centre on temporary basis for a period of 3 years)	Shop B1, G/F, Marina Cove Shopping Centre, Sai Kung	13.7.2007	Approved	Nil
A/SK-HH/46 (tutorial school on temporary basis for a period of 3 years)	Lot 526 (part) in D.D. 210, Shop B10, G/F, Marina Cove Shopping Centre, Hebe Haven	9.4.2010	Approved with conditions	(c)
A/SK-HH/58 (education centre on temporary basis for a period of 3 years)	Lot 526 in D.D. 210, Shop B12, G/F, Marina Cove Shopping Centre, Hebe Haven	1.3.2013	Approved with conditions	(a) and (b)
A/SK-HH/59 (tutorial school on temporary basis for a period of 3 years)	Shop B10, G/F, Marina Cove Shopping Centre, Hebe Haven	3.5.2013	Approved with conditions	(a) and (b)
A/SK-HH/77 (temporary school (tutorial school) for a period of 3 years)	Shop C3, G/F, Marina Cove Shopping Centre, 380 Hiram's Highway, Sai Kung, New Territories	4.12.2020	Approved with conditions	(c)

**Approval Conditions:**

- (a) Submission of fire service installations proposal.
- (b) Implementation of fire service installations proposal.
- (c) Provision of water supplies for fire fighting and/or fire service installations.

Advisory Clauses

- (a) to note the comments of the Director of Fire Services that in consideration of the design/nature of the proposal, fire service installations (FSIs) are anticipated to be required. Therefore, the applicant is advised to submit relevant layout plans incorporated with the proposed FSIs to Fire Services Department for approval. The layout plans should be drawn to scale and depicted with dimensions and nature of occupancy. The location of where the proposed FSIs to be installed should be clearly marked on the layout plans. If the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed fire service requirements will be formulated upon receipt of formal submission of general building plans;
- (b) to note the comments of the Chief Building Surveyor/New Territories East 2 & Rail, Buildings Department that the temporary school (kindergarten) is required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority. The granting of the planning approval should not be construed as an acceptance of the unauthorized structures, if any, on site under the Buildings Ordinance. Enforcement action may be taken to effect the removal of all unauthorized works in the future; and
- (c) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department that adequate stormwater drainage collection and disposal facilities should be provided in connection with the proposed development to deal with the surface runoff of the application site or the same flowing on to the site from the adjacent areas without causing any adverse drainage impacts or nuisance to the adjoining areas.