

**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”  
(TPB-PG No. 34C)**

1. The relevant assessment criteria for assessing applications 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 application 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 S.16 Applications**

**Approved Applications**

<b>Application No.</b>	<b>Uses/ Development</b>	<b>Date of Consideration</b>	<b>Approval Conditions</b>
A/NE-LK/60	Public Utility Installation (Temporary Telephone Exchange) for 5 Years	30.7.2010	A1 – A5
A/NE-LK/98	Renewal of Planning Approval for Temporary “Public Utility Installation (Temporary Telephone Exchange)” for 5 Years	3.7.2015	A2, A3, A5 – A8

**Approval Conditions:**

- A1 The submission and implementation of drainage proposal
- A2 The submission of proposals on fire fighting access, water supplies for fire fighting and fire service installations
- A3 The provision of fire fighting access, water supplies for fire fighting and fire service installations
- A4 The submission and implementation of landscape proposals
- A5 Revocation clause
- A6 The existing trees and landscape plantings shall be maintained
- A7 The existing drainage facilities shall be maintained
- A8 The submission of a record of existing drainage facilities on the site

**Recommended Advisory Clauses**

- (a) to note the comments of the District Lands Officer/North, Lands Department that should the renewal of planning application be approved, the tenant shall always act in accordance with the tenancy agreement of the concerned STT. Otherwise, her office reserves the right to take necessary tenancy enforcement actions against any irregularities;
- (b) to note the comments from Chief Engineer/Mainland North, Drainage Services Department that the Site is in an area where no public sewerage connection is available;
- (c) to note the comments of the Chief Engineer/New Territories East, Highways Department that the existing access adjoining the Site is not maintained by his office;
- (d) to note the comments of the Chief Engineer/Construction, Water Supplies Department that for provision of water supply to the applied use, the applicant may need to extend his inside services to the nearest suitable Government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply, and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards;
- (e) to note the comments of the Chief Building Surveyor/New Territories West, Buildings Department on the following:
  - (i) for unauthorised building works (UBW) erected on leased land, enforcement action may be taken by the Buildings Department (BD) to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the Buildings Ordinance (BO);
  - (ii) the temporary converted containers for plant / equipment are considered as temporary buildings are subject to control under the Building (Planning) Regulations (B(P)Rs) Pt. VII;
  - (iii) in connection with (i) above, the Site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the B(P)Rs respectively;
  - (iv) if the Site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage; and
  - (v) detailed comments under the BO will be provided at the building plan submission stage; and
- (f) to note the comments of Director of Fire Services that the existing fire service installations implemented on the Site being maintained in efficient working order at all times.