

**Relevant Extracts of Town Planning Board Guidelines No. 34B on
Renewal of Planning Approval and Extension of Time for
Compliance with Planning Conditions for Temporary Use or Development
(TPB PG-No. 34B)**

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 s. 16 Applications

Approved Applications

Application No.	Proposed Development	Date of Consideration	Approval Conditions
A/NE-SSH/62	Temporary private car park (private car and light goods vehicle) for a period of three years	5.6.2009	A1-A6
A/NE-SSH/80	Temporary private car park (private cars and light goods vehicle) for a period of three years	20.7.2012	A1-A3, A6
A/NE-SSH/100	Temporary private car park (private cars and light goods vehicle) for a period of three years	18.9.2015	A1-A4, A6

Approval Conditions

- A1. No vehicles other than private cars and light goods vehicles are allowed to be parked within the application site.
- A2. No vehicle repairing, car washing/fuelling, vehicle dismantling and workshop activities permitted within the site during the planning approval period.
- A3. The submission and implementation of landscape proposal.
- A4. The submission and implementation of drainage proposal.
- A5. The submission and provision of fire fighting access.
- A6. Reinstatement of the application site to an amenity area.

Recommended Advisory Clauses

- (a) to note the comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) that the Site contains portion of Lots 911 and 912 both in D.D. 165. As these two lots are held under Block Government Lease demised for agricultural purpose, no structure shall be erected on the lots without prior approval given by LandsD;
- (b) to note the comments of the Commissioner for Transport (C for T) that:
 - (i) the village access road is not under Transport Department's (TD) management. The land status, management and maintenance responsibilities of the village access should be clarified with the relevant lands and maintenance authorities accordingly in order to avoid potential land disputes; and
 - (ii) sufficient space within the Site should be provided for manoeuvring of vehicles;
- (c) to note the comments of the Director of Environmental Protection (DEP) that the relevant mitigation measures and requirements in the latest "Code of Practice on Handling Environmental Aspects of Temporary Uses and Open Storage Sites" should be followed;
- (d) to note the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD) that the applicant should rectify the drainage systems if they are found to be inadequate or ineffective during operation. The applicant shall also be liable for and shall indemnify claims and demands arising out of damage or nuisance caused by failure of the systems;
- (e) to note the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that:
 - (i) the tree height of two existing *Mangifera indica* (杧果) along the northern boundary does not tally with the approved scheme (i.e. minimum 2.75m) submitted under previous application (No. A/NE-SSH/100). The details stipulated in the approved scheme for the replacement of trees should be followed at all times;
 - (ii) tree protective measures, e.g. kerbs or bollards at a minimum distance of 1m from planting area of trees should be provided to guard the trees from potential damage arising from manoeuvre of vehicles; and
 - (iii) climbers entwined on the existing trees at the southwestern part of the Site should be removed.