

Planning Department

General Procedures for Application for Permission under Section 16 of the Town Planning Ordinance for School Use (S16 Application)

1. Application for Planning Permission

a. Application forms can be obtained from:

- i. The Town Planning Board (the Board)’s website at http://www.tpb.gov.hk/en/forms/forms_related.html ; or
- ii. Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong; or
- iii. Planning Enquiry Counters of the Planning Department at
 - 17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong; or
 - 14/F Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories

b. When preparing an application for planning permission, please read carefully the Board’s Guidance Notes on Application for Permission under Section 16 of the Town Planning Ordinance (Cap. 131) (hereafter “Guidance Notes”) which gives a brief description of the planning permission system, provides general guidelines on the preparation of an application and sets out the procedures on processing of an application.

c. If the public choose to submit planning applications online through Electronic Planning Application Submission System (EPASS), the relevant electronic application form is available at the Board’s website at <https://eservices2.tpb.gov.hk/epass>. For the general information and guidance on how to use EPASS to submit application, please refer to the corresponding Guidance Notes on the Board’s website at https://www.tpb.gov.hk/en/forms/Guidance_Notes/EPASS_GN-eng_Sep_2023.pdf

2. Guidelines and Procedures for Processing Applications

- a. An applicant should submit sufficient hard and soft copies of the completed application form, together with supporting documents, if any, in a manner as specified in the Guidance Notes, to the Secretary of the Board via EPASS, by hand or by post. The processing of an application may be refused if the required particulars and/or the required copies are incomplete.
- b. Upon receipt of an application, the Secretary of the Board will acknowledge receipt and inform the applicant about the tentative scheduled date of meeting of which the application would be considered by the Board.
- c. As required under the Town Planning Ordinance (TPO), an application will be considered by the Board within two months upon receipt of the application. Each application will be considered by the Board on its own merits and the Board may approve the application with or without conditions.
- d. The applicant will be notified in writing of the Board's decision on his application after confirmation of the minutes of meeting in which the decision was made (normally 2 weeks after the meeting). Pending written notification, an applicant can seek verbal enquiry on the result immediately after the meeting. A Gist of Decisions on Planning Applications will also be available on the Board's website shortly after the meeting on the same day or before 9:00 a.m. on the following day if the meeting of the Board cannot be finished before 9:00 p.m.
- e. An application may be approved with or without conditions or rejected by the Board. If the applicant is not satisfied with the decision of the Board either to reject his application or to the conditions imposed on the planning permission, the applicant may, within 21 days of being notified of such decision, apply in writing with grounds to the Secretary of the Board for a review under section 17 of the TPO and has a right to be heard before the Board. An application for review will be considered by the Board within three months upon receipt of the review application. If an applicant is still not satisfied with the decision of the Board upon review, the applicant may, within 60 days of being notified of such decision, lodge an appeal to the Secretary of the Town Planning Appeal Board (the Appeal Board) according to the provisions of section 17B of the TPO. The decision of the Appeal Board shall be final.
- f. The Secretary of the Board will make documents in an application/review available for public inspection until the application/review is considered by the Board. Any person may make comments to the Board on the application/review within the first 3 weeks of the period during which the application is available for public inspection. Information including the name of the applicant, but excluding other personal data,

the particulars of applicant and agents, checklist of documents, authorisation letter, documentary proof of land ownership, copies of consent obtained from and notification given to the current land owner(s), included in the application/review and the comments received by the Board shall be available for public inspection.

Planning Department

General Guidelines on Planning Requirements for School Application (i.e. S16 Applications)

1. Assessment

Planning applications to the Board will be assessed on individual merits, and all relevant planning considerations, such as planning intention, land use compatibility and traffic implications, as well as comments from concerned Government departments and the public will be taken into account.

2. Information Required for Applications

To facilitate assessment of application for school use, the following information should be provided in the application:

- i. site plan showing the location of the proposed school;
- ii. floor plan showing the dimension and arrangement of all classrooms and facilities with clear indication of means of escape provided for the school;
- iii. the number of classrooms and other service rooms (e.g. staff room, medical room, etc);
- iv. indoor/outdoor play area proposed and the estimated maximum capacity in each room (in case of kindergarten);
- v. particulars of any provision of parking spaces or lay-bys for school bus and/or private car for picking up and setting down of school children; and
- vi. height of the highest floor of school measuring from the floor slab to the lowest ground level where accessible by fire appliances.

3. Applications for Tutorial School and Kindergarten in Kowloon Tong Garden Estate

An applicant for planning permission for the development of tutorial school and kindergarten in Kowloon Tong Garden Estate can refer to the “Town Planning Board Guidelines for Application for Tutorial School under section 16 of the Town Planning Ordinance” (TPB PG-No.40) and “Town Planning Board Guidelines for Application for Kindergarten/Child Care Centre in Kowloon Tong Garden Estate under Section 16 of the Town Planning Ordinance” (TPB PG-No.23A) respectively for the main planning criteria of the Board in assessing the applications. The Town Planning Board Guidelines can be obtained from the Secretariat of the Board, the Planning Enquiry Counters of PlanD or the Board’s website at https://www.tpb.gov.hk/en/resources/tpb_guidelines/index.html.