

G.N. 7367

TOWN PLANNING ORDINANCE (Chapter 131)

CLASS A AMENDMENTS AND CLASS B AMENDMENTS

Pursuant to section 46 of the Interpretation and General Clauses Ordinance (Chapter 1) and section 16A(10) of the Town Planning Ordinance, the 'Class A amendments' and 'Class B amendments' agreed by the Town Planning Board on 17 November 2023, to substitute that published on 2 March 2018, are published in the Schedule to this Notice with immediate effect.

8 December 2023

Town Planning Board

SCHEDULE
CLASS A AMENDMENTS AND CLASS B AMENDMENTS

Category 1 Site area and site boundary

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Changes in site area/site boundary (i) due to the setting out of site boundary; (ii) at the processing of land grant as required by the relevant government department(s); and/or (iii) at the processing of general building plans as required by the relevant government department(s); or</p> <p>(b) Changes in alignment of public utility pipelines, and boundary/extent of filling/excavation of land as required by relevant government department(s); or</p> <p>(c) Reduction of the gross site area with corresponding reduction in gross floor area.</p>	<p>Other than those specified under Class A amendments of this category and changes not exceeding 10% of the gross site area.</p>	<p>Provided that the changes under both Class A and Class B amendments of this category do not involve additional areas of a different zoning which requires planning permission from the Town Planning Board, or making a material change to the original approved development proposal.</p>

Category 2 Total gross floor area and plot ratio

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
(a) Reduction in gross floor area (GFA)/plot ratio (PR); or	Increase in GFA not exceeding 6,000m ² or 10% of the approved total GFA, or its equivalent PR, whichever is the less, arising from Class B amendments under Category 1, provided that there are no PR or GFA restrictions on the extant statutory plan, and in the approval condition of the planning permission, if applicable.	Changes in GFA of Government, institution or community facilities are covered under Categories 7 and 9 below.
(b) Increase in GFA/PR due to additional PR permitted by the Building Authority under Regulation 22(1) or (2) of the Building (Planning) Regulations which is permitted under the Notes of the extant statutory plan; or		
(c) Increase in GFA/PR arising from Item (a) of Class A amendment under Category 1, provided that the total GFA/PR is not specified as an approval condition of the planning permission and subject to not exceeding the maximum GFA or PR restrictions on the extant statutory plan.		

Category 3 Number of units

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Reduction in number of units; or</p> <p>(b) Increase in number of units not exceeding 200 units or 10% of the approved provision, whichever is the less, provided that the maximum number of units is not specified as an approval condition of the planning permission, if applicable; or</p> <p>(c) Increase in number of units due to increase in site area arising from Class A amendments under Category 1 provided that the average flat size remains the same as that in the approved scheme.</p>	<p>Other than those specified under Class A amendments of this category and increase in number of units not exceeding 500 units or 20% of the approved provision, whichever is the less.</p>	<p>(a) “Units” include domestic units in residential development (houses/flats) and residential institution, as well as guestrooms in hotel;</p> <p>(b) For Items (a) and (b) of Class A amendments and Class B amendment, the corresponding changes in unit size due to changes in the number of units are always permitted; and</p> <p>(c) If changes in average flat size are involved, Item (c) of Class A amendments is not applicable but Items (a) and (b) of Class A amendments and the Class B amendment are applicable.</p>

Category 4 Building blocks

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Changes in form of building(s), provided that the affected portion(s) of the concerned block(s) is(are) not the subject of environmental mitigation measures or the changes in form of building(s) related to the environmental mitigation measure(s) are agreed by the relevant government department(s); or</p> <p>(b) Reduction in number of building blocks, provided that change(s) in the disposition of other building blocks are minor and the concerned block(s) to be deleted is(are) not the subject of environmental mitigation measures or the reduction in number of building block(s) related to the environmental mitigation measure(s) are agreed by the relevant government department(s); or</p> <p>(c) Minor changes in disposition of building block(s) and/or house(s) (other than New Territories Exempted House(s) (NTEH(s)) /Small House(s)), provided that the concerned building block(s) and/or house(s) is(are) not the subject of environmental mitigation measures or the changes in disposition of building block(s) and/or house(s) (other than NTEHs/Small House(s)) related to the</p>	<p>Increase in number of building blocks.</p>	<p>(a) The concerned block(s) or the affected portion(s) of the concerned block(s) may be an environmental buffer or subject to environmental nuisance;</p> <p>(b) The form of building under Item (a) of Class A amendments of this category includes the height and design of podium, if applicable; and</p> <p>(c) Minor ancillary blocks (e.g. guard house and plant rooms) may be discounted from the calculation of changes in number of building block under Item (b) of Class A amendments and the Class B amendment.</p>

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>environmental mitigation measure(s) are agreed by the relevant government department(s); or</p> <p>(d) Minor changes in disposition of NTEH(s)/ Small House(s), provided that the changes would not result in a reduction in the percentage of the footprint of the house(s) falling within the “Village Type Development” zone and/or village ‘environs’ of a recognized village, and the concerned NTEH(s)/Small House(s) is(are) not the subject of environmental mitigation measures or the changes in disposition of NTEH(s)/Small House(s) related to the environmental mitigation measure(s) are agreed by the relevant government department(s).</p>		

Category 5 Building height (including absolute building height, number of storeys and building height in metres above Principal Datum)

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Reduction in absolute building height and/or number of storeys; or</p> <p>(b) Increase in number of storeys provided that there is no increase in absolute building height (above ground) and not exceeding any building height restriction in terms of storeys on the extant statutory plan, if applicable; or</p> <p>(c) Increase in building height of any building block, provided that the maximum building height is not specified as an approval condition of the planning permission and subject to:</p> <p>(i) not exceeding the building height restrictions on the extant statutory plan, if applicable; or</p> <p>(ii) not exceeding 10% of the approved absolute building height (above ground) or number of storeys (above ground) [excluding refuge floor(s), if any] of the concerned building block, provided that there are no building height restrictions on the extant statutory plan, if applicable; or</p> <p>(iii) for buildings not exceeding 30m in absolute building</p>	<p>(a) Other than those specified under Class A amendments of this category and increase in absolute building height or number of storeys of any building block not exceeding 20% of the approved absolute building height (above ground) or number of storeys (above ground) [excluding refuge floor(s), if any] of the concerned building block, provided that there are no building height restrictions on the extant statutory plan, if applicable; or</p> <p>(b) For buildings not exceeding 30m in absolute building height (above ground) or 10 storeys (above ground), not exceeding 30% of the approved absolute building height (above ground) or number of storeys (above ground) of the concerned building block, provided that there are no building height restrictions on the extant statutory plan, if applicable; or</p> <p>(c) No increase in absolute building height (above ground) but exceeded the building height restriction in terms of number of storeys on the extant statutory plan, if applicable.</p>	<p>(a) 'Building Height (above ground)' under Class A and Class B amendments means building height excluding basement floor(s); and</p> <p>(b) Class A and Class B amendments are not applicable if the extant statutory plan requires planning permission for additional basement floor(s).</p>

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>height (above ground) or 10 storeys (above ground), not exceeding 20% of the approved absolute building height (above ground) or number of storeys (above ground) of the concerned building block, provided that there are no building height restrictions on the extant statutory plan, if applicable; or</p> <p>(iv) incorporation of the green features covered by the Joint Practice Notes promulgated by the Buildings Department, Lands Department and Planning Department, provided that there are no building height restrictions on the extant statutory plan, if applicable.</p>		

Category 6 Site coverage

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Reduction in site coverage; or</p> <p>(b) Increase in site coverage:</p> <p style="padding-left: 20px;">(i) not exceeding the site coverage restrictions on the extant statutory plan, if applicable; or</p> <p style="padding-left: 20px;">(ii) not exceeding 10% of the approved site coverage, provided that there are no site coverage restrictions on the extant statutory plan, if applicable; or</p> <p>(c) Subject to no site coverage restrictions on the extant statutory plan, if applicable, or the proposed change does not result in development exceeding the site coverage restrictions on the extant statutory plan, if applicable, increase in site coverage due to:</p> <p style="padding-left: 20px;">(i) incorporation of the green features covered by the Joint Practice Notes promulgated by the Buildings Department, Lands Department and Planning Department; or</p> <p style="padding-left: 20px;">(ii) additional site coverage permitted by the Building Authority under Regulations 20, 22(1) or (2) of the Building (Planning)</p>	<p>Other than those specified under Class A amendments of this category and increase in site coverage not exceeding 20% of the approved site coverage provided that there are no site coverage restrictions on the extant statutory plan, if applicable.</p>	

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
(iii) Regulations; or decrease in site area arising from Item (a) of Class A amendment under Category 1 above.		

Category 7 Type and mix of uses

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Changes in type/mix of uses within the same category as set out in Item (b) of the Remarks; or</p> <p>(b) Changes in location of the approved non-domestic uses (excluding Government, institution or community (GIC) uses) within the non-domestic part of the building/development; or</p> <p>(c) Changes in gross floor area (GFA) for non-domestic uses from one category to another non-domestic uses as set out in Item (b) of the Remarks that are agreed by the relevant government department(s), provided that all concerned categories of non-domestic uses are included in the approved development proposal; or</p> <p>(d) Changes in GFA for non-domestic uses from one category to another non-domestic uses as set out in Item (b) of the Remarks, provided that all concerned categories of non-domestic uses are included in the approved development proposal, and the changes do not exceed 2,000m² or 10% of the approved non-domestic GFA, whichever is the less; or</p> <p>(e) Changes in GFA distribution from domestic to non-domestic, or vice versa, provided that all concerned domestic and non-domestic categories of uses are</p>	<p>(a) Changes in GFA for non-domestic uses from one category to another non-domestic uses as set out in Item (b) of the Remarks, provided that all concerned categories of non-domestic uses are included in the approved development proposal, and the changes exceed 2,000m² or 10% but do not exceed 4,000m² or 20% of the approved non-domestic GFA, whichever is the less; or</p> <p>(b) Changes in GFA distribution from domestic to non-domestic, or vice versa, provided that all concerned domestic and non-domestic categories of uses are included in the approved development proposal, and the changes do not exceed 10% of the approved domestic or non-domestic GFA; or</p> <p>(c) Changes in non-domestic GFA from GIC to other categories of non-domestic uses as set out in Item (b) of the Remarks, which do not exceed 2,000m² or 10% of the approved non-domestic GFA, whichever is the less, that are agreed by the relevant government department(s) and do not result in development exceeding the GFA/plot ratio (PR) restrictions, if any, on the extant statutory plan, if applicable.</p>	<p>(a) The changes under both Class A and Class B amendments of this category shall not contravene the GFA /PR restrictions, if any, on the extant statutory plan, if applicable; and</p> <p>(b) Other than public utilities and GIC, uses to be shown within an approved development proposal/Master Layout Plan could be broadly divided into the following four categories:</p> <p>(i) residential uses;</p> <p>(ii) hotel;</p> <p>(iii) office; and</p> <p>(iv) other commercial uses, including but not limited to retail, eating places, recreation, entertainment, sports, culture, kindergarten, child care centre and public car park; and</p> <p>(c) Changes in location of GIC facilities are covered under Category 9.</p>

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
included in the approved development proposal, and the changes do not exceed 5% of the approved domestic or non-domestic GFA.		

Category 8 Internal layout and disposition of premises

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
Changes in internal layout/disposition of premises, provided that the affected portion(s) of the concerned premises is(are) not the subject of environmental mitigation measures or the changes in internal layout/disposition of premises related to the environmental mitigation measure(s) are agreed by the relevant government department(s).	Not Applicable.	The affected portion(s) of the concerned premises may be an environmental buffer or subject to environmental nuisance.

Category 9 Provision of Government, institution or community facilities

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>Addition of Government, institution or community (GIC) facilities as initiated by the relevant government department(s).</p>	<p>(a) Changes in the types, locations, and/or floor area(s) of the GIC facilities; or</p> <p>(b) Deletion of the GIC facilities as initiated by the relevant government department(s); or</p> <p>(c) Addition of the GIC facilities not initiated by the relevant government department(s).</p>	<p>(a) If the deletion of the concerned GIC facilities is initiated by the relevant government department(s) under Item (b) of Class B amendments, the matter should be submitted to the Town Planning Board for consideration; and</p> <p>(b) If the deletion of the concerned GIC facilities is not initiated by the relevant government department(s), a fresh application under section 16 of the Town Planning Ordinance is required.</p>

Category 10 Provision of public open space

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Increase in total area; or</p> <p>(b) Changes in location of public open space (that is not specified as an approval condition of the planning permission, if applicable) provided that not more than 5% of the public open space is on different street(s)/level(s) or floor(s) and (i) it is not subject to environmental mitigation measures or (ii) it is subject to environmental mitigation measures that are agreed by the relevant government department(s); or</p> <p>(c) Changes in public open space from active to passive, or vice versa.</p>	<p>Reduction in total area, provided that it is not less than the minimum level of provision stipulated on the extant statutory plan, if applicable.</p>	<p>(a) Both Class A and Class B amendments of this category are also applicable to open space in private developments for public use; and</p> <p>(b) The open space may be an environmental buffer or subject to environmental nuisance.</p>

Category 11 Provision of private open space

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
(a) Increase in total area; or (b) Reduction in total area for private open space purpose, provided that the resulting total area of private open space is not less than the minimum standard stated in the Hong Kong Planning Standards and Guidelines; or (c) Changes in location of the private open space provided that the open space is not the subject of environmental mitigation measures or the changes in location of private open space related to the environmental mitigation measure(s) are agreed by the relevant government department(s).	Changes in the area or location of the private open space other than those specified under Class A amendments of this category.	(a) Both Class A and Class B amendments of this category are not applicable to open space in private developments for public use which are covered under Category 10; and (b) The open space may be an environmental buffer or subject to environmental nuisance.

Category 12 Provision of carparking, loading/unloading and other transport facilities

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Changes in the number or type of parking or loading/unloading spaces, provided that the provision is not less than the requirement under the Hong Kong Planning Standards and Guidelines or agreed by the relevant government department(s); or</p> <p>(b) Changes in the layout of internal roads, the internal layout of car park and loading/unloading area and changes in the layout of emergency vehicular access as agreed by the relevant government department(s); or</p> <p>(c) Changes in the number and/or locations of ingress/egress point(s); changes in locations of transport facilities, including footbridges/subways (including the connection point(s)), public passageway, public transport terminus, car park, loading/unloading area and lay-bys, as agreed by the relevant government department(s).</p>	<p>(a) Changes in the number or type of parking or loading/unloading spaces other than those specified under Class A amendments of this category; or</p> <p>(b) Changes in the number and/or locations of ingress/egress point(s); changes in locations of transport facilities including footbridges/subways, (including the connection point(s)), public passageway, public transport terminus, car park, loading/ unloading area and lay-bys other than those specified under Class A amendments of this category.</p>	

Category 13 Location and size of non-building area, setback and building gap

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Increase in the size of non-building area, setback and/or building gap; or</p> <p>(b) Changes in the location and/or size of the non-building area, setback and/or building gap as initiated by the relevant government department(s).</p>	<p>Changes in the location and/or reduction in size of the non-building area, setback and/or building gap not initiated by the relevant government department(s).</p>	<p>(a) The non-building area, setback and building gap refer to those designated for a specific purpose, including for road widening and for mitigating environmental, air ventilation, visual and/or landscape impacts; and</p> <p>(b) Any changes under both Class A and Class B amendments of this category, should not conflict with the related restrictions stipulated on the extant statutory plan, if applicable.</p>

Category 14 Tree preservation and Landscape Proposals/Master Plan

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Preservation and/or planting of more trees; or</p> <p>(b) Changes in soft/hard landscape design or changes in implementation programme as agreed by the relevant government department(s); or</p> <p>(c) Removal of trees of undesirable species, trees with health/structural problem, dead trees, and trees with imminent danger.</p>	<p>(a) Changes in individual trees identified for preservation; or</p> <p>(b) Other than those specified under Item (c) of Class A amendments of this category, increase in the number of trees to be felled not exceeding 10% of the approved level; or</p> <p>(c) Decrease in the number of preserved trees not exceeding 10% of the approved level.</p>	<p>(a) Provided that the changes under Class A and Class B amendments of this category do not affect "Old and Valuable Trees" as listed under the 'Register of Old and Valuable Trees' maintained by the Development Bureau; and</p> <p>(b) Preservation of trees under both Class A amendments and Items (a) and (c) of Class B amendments does not include transplanting.</p>

Category 15 Provision of recreational facilities

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
(a) Changes in provision of private recreational facilities; or (b) Changes in provision of public recreational facilities, including but not limited to changes in location, layout, type and floor area as agreed by the relevant government department(s).	Not Applicable.	

Category 16 Provision of ancillary utility installation

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
(a) Changes in location of the utility installation within a building/development as agreed by the relevant government department(s); or (b) Deletion of the utility installation as agreed by the relevant government department(s).	Other changes in location of the utility installation which do not fall within Class A amendments of this category.	Examples include refuse collection point, sewage treatment facilities, electricity substation, liquefied petroleum gas compound, utility pipelines, etc.

Category 17 Phasing and implementation schedule

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>(a) Changes in phasing and implementation schedule with no Government, institution or community (GIC) facilities or public open space involved; or</p> <p>(b) Changes in phasing and implementation schedule with GIC facilities or public open space involved, as agreed by the relevant government department(s).</p>	<p>Other than those specified under Class A amendments of this category, minor changes in phasing and implementation schedule, affecting the provision of GIC facilities and public open space.</p>	

Category 18 Extension of time for commencement of development

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>Not Applicable.</p>	<p>The period of extension, or the aggregate of all the periods of extensions, not exceeding the original duration for commencement of development of the approved development proposal.</p>	

Category 19 Extension of time for compliance with approval conditions

<i>Class A amendments</i>	<i>Class B amendments</i>	<i>Remarks</i>
<p>Not Applicable.</p>	<p>Extension of time for compliance with approval conditions.</p>	