

For discussion on  
6 June 2003

## **LegCo Panel on Planning, Lands and Works**

### **Town Planning Board – Statutory Powers, Composition and Criteria for Appointment of Members**

#### **Purpose**

This paper briefs Members on the statutory powers and composition of the Town Planning Board (the Board), as well as the criteria for appointment of Board members.

#### **Statutory Powers**

2. The Board is a statutory body established under the Town Planning Ordinance (the Ordinance), Cap. 131. According to section 3 of the Ordinance, the Board is charged with the duties to promote the health, safety, convenience and general welfare of the community through the systematic preparation of plans for the layout of such areas of Hong Kong as the Chief Executive may direct, as well as the types of buildings suitable for erection therein.

3. Under the Ordinance, there are two main areas of work of the Board, namely the making of statutory town plans and consideration of planning applications.

#### *(a) Plan-making*

4. In the plan-making process, the main functions of the Board include preparation and publication of draft plans and their amendments, consideration of objections to the plans, and submission of draft plans

together with unwithdrawn objections to the Chief Executive in Council (CE in C) for approval. According to the Ordinance, consideration of objections and submission of draft plans to the CE in C should be completed within nine months.

*(b) Consideration of planning applications*

5. The Board has the duty to consider planning applications submitted under section 16 of the Ordinance within a statutory time limit of 2 months. If aggrieved by the decision of the Board, the applicant can ask for a review under section 17 of the Ordinance and such review (hearing) should be undertaken within 3 months of the receipt of the application. An applicant aggrieved by a decision of the Board on a review may further appeal to a separate, independent Town Planning Appeal Board whose decision on the appeal will be final.

*(c) Other functions*

6. The Board also performs an important role in providing advice on a wide range of planning related matters which have a direct interface with land use planning, such as greening policy and transport policy; major territorial and sub-regional studies on planning as well as on transport and railway development; and major Government projects of interest to the Board.

7. For the better discharge of the functions of the Board, the CE or the Board may, in accordance with sections 2 or 2A of the Ordinance, appoint committees from amongst members of the Board to exercise some of its statutory powers. Two Planning Committees have been formed in this regard, i.e. the Metro Planning Committee and the Rural and New Town Planning Committee. The main functions delegated to the two Planning Committees are consideration of amendments to draft plans and consideration of section 16 planning applications.<sup>1</sup> Objection Hearing

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<sup>1</sup> Consideration of objections to amendments to draft plans and review of planning applications under section 17 of the Ordinance, amongst other duties, still rest with the full Board.

Committees may also be formed to hear objections to draft plans to expedite the objection consideration process.

### **Composition**

8. At present, the Board consists of the Chairman (currently the Permanent Secretary for Housing, Planning and Lands, (Planning and Lands)), the Vice-chairman (currently the Director of Planning), five other official members and 32 non-official members. A public officer (Deputy Director of Planning/District) is appointed as the Secretary to the Board. A membership list of the current term of the Board is at Appendix.

9. Official members of the Board currently comprise representatives from the Environment, Transport and Works Bureau, Lands Department, Environmental Protection Department, Home Affairs Department and Housing Department. The non-official members comprise a wide range of professions, expertise and community interests. A brief categorization of the existing non-official members by their field is as follows :

<b>Field</b>	<b>No. of Non-official Members</b>
Business/Industry	7
Engineering	6
Legal	4
Architecture	3
Surveying	2
Environment	2
Academic	2
Social Work	2
Economist	1
Education	1

Heritage Conservation	1
Landscape Architecture	1
<b>Total</b>	<b>32</b>

### **Appointment Criteria**

10. All members of the Board are appointed by the Chief Executive under section 2(1) of the Ordinance and the appointment is announced in the Hong Kong Government Gazette. The non-official members are appointed on the basis of their personal expertise, experience, integrity, commitment to public service and the relevance of their background to town planning, and do not represent the organization they work for or are affiliated with.

**Housing, Planning and Lands Bureau**  
**June 2003**

**Town Planning Board – Membership List  
(1 April 2002 – 31 March 2004)**

Permanent Secretary for Housing, Planning and Lands (Planning and Lands)  
(*Chairman*)

Director of Planning (*Vice-chairman*)

Mr. Daniel CHAM Ka-hung

Dr. CHAN Wai-kwan

Mr. Christopher CHENG Wai-chee, JP

Professor Anthony M.J. COORAY

Mr. LAM Kwok-cheong, JP

Professor LEUNG Tin-pui, JP

Mr. Frederick LUI Lai-cheung, JP

Dr. Alex CHAN Siu-kun

Dr. Rebecca CHIU Lai-har

Mr. KWOK Kwok-chuen, BBS

Professor Patrick LAU Sau-shing, SBS

Mrs. Angelina LEE WONG Pui-ling, JP

Dr. Eddy LI Sau-hung, BBS

Mr. Almon POON Chin-hung, JP

Dr. Peter WONG King-keung, BBS, JP

Professor Shane ZEE Sze-yong

Mr. Michael LAI Kam-cheung, JP

Professor HO Kin-chung

Mr. Alex LUI Chun-wan

Mr. Francis LUI Yiu-tung

Mr. Keith Gordon McKINNELL

Mr. NG Shui-lai, JP

Professor Anna PAO-SOHMEN

Dr. Pamela Rumball ROGERS

Dr. Greg WONG Chak-yan, JP

Mr. WONG Chi-kui

Dr. Jose YU Sun-say, SBS, JP

Ms. Carmen CHAN Ka-mun

Mr. Erwin A HARDY

Dr. Robert Moir KENNARD

Professor Nora TAM Fung-yee

Mr. Tony TSE Wai-chuen

Director of Housing

[Alternative Members: Deputy Secretary for Housing, Planning and Lands (Housing)(2), Business Director/Development, Project Manager/3, Chief Planning Officer, Housing Department]

Deputy Secretary for the Environment, Transport and Works (Transport and Works) T1

[Alternative Member: Principal Assistant Secretary (Transport), Environment, Transport and Works Bureau]

Director of Home Affairs

[Alternative Members: Deputy Director (1), Deputy Director (2), Assistant Director (1), Assistant Director (2), and Assistant Director (3), Home Affairs Department]

Director of Environmental Protection

[Alternative Members: Deputy Director, Assistant Director (Environmental Assessment and Noise), Principal Environmental Protection Officer (Urban Assessment), and Principal Environmental Protection Officer (Territory Assessment), Environmental Protection Department]

Director of Lands

[Alternative Members: Deputy Director (General), Deputy Director (Specialists), and Assistant Director (NT), Lands Department]

Deputy Director of Planning (District) (*Secretary*)