



## ***Town Planning Bill***

Bills Committee Meeting  
on 11.4.2000



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### **Part IV - Planning Control**

- applications for planning permission
- application requirements
- publication of selected applications
- interim development control
- provision of public facilities
- fast processing of certain applications



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## *Applications for planning permission*

**No transfer of development potential**  
from one zone to another zone within a  
site except with planning permission  
(clauses 31(4)-(6))



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## *Application for planning permission (cont'd)*

Planning permission is required for :

- **designated development (DD);**
- developments within an  
**environmentally sensitive area**  
(ESA) and a **special design area**  
(SDA) (clauses 31(2) and (3))



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### *Application requirements*

- Applicant has to obtain owner's **consent** of or to **notify** the owner (clause 32(1))
- An application has to be accompanied by a **fee** prescribed by the Secretary for Planning and Lands by regulation (clause 32(2))
- An **environmental statement** has to be submitted for applications requiring publication (clause 32(2))



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### *Application requirements (cont'd)*

- Applications for DD and developments within ESA shall be accompanied by a **report on key environmental and planning issues**
- Developments within SDA, if required by a note on the plan, shall be accompanied by :
  - an **urban design plan**;
  - a **master layout plan**; and
  - a **landscape plan** (clause 33)



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### *Publication of selected applications*

- TPB has to publish planning applications for **bad neighbour uses** for public comments for **1 month**
- TPB will determine the list of applications requiring publication by notice in the **Gazette**

(clause 34)



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### *Interim Development Control*

TPB may **consider** but **shall not grant permission** to planning applications :

- during plan publication period; and
- where the application site is subject to a third party adverse representation, until CE in C's decision on the representation is made. (clause 32(4))



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### *Interim Development Control (cont'd)*

Notwithstanding the adverse representation, TPB may grant permission if :

- the application is made by the **representer** himself;
- the representation is **frivolous, vexatious** or made in the **absence of good faith**; or
- the **interests** of the representer, the neighbourhood and the community will not be adversely affected (clause 32(4)(b)) ,



### *Provision of public facilities*

- TPB may require provision of public facilities **necessary to serve** the proposed development (clause 37(1)(b))
- TPB may require provision of a **performance bond** (clause 37(1)(c))
- If **offered by the applicant**, TPB may impose a condition requiring the provision, construction and maintenance, without cost to the Government, of a public facility **not directly related** to the application (clause 37(4))<sub>10</sub>





## Fast processing of certain applications

TPB shall, within **45 days**, consider applications for :

- minor amendments to planning permission; or
- temporary development or use

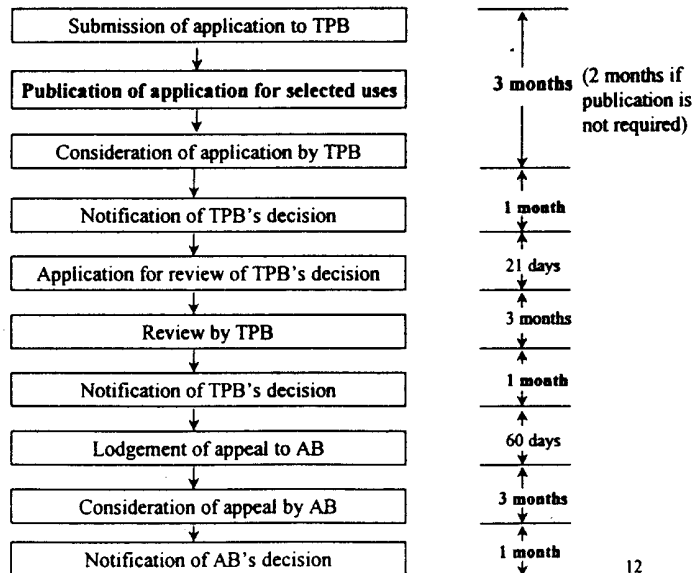
(clauses 43 and 44)



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## Proposed Planning Application Process



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