

Work of Town Planning Board and Its Subcommittees

Background

At the meeting of the Bills Committee held on 7.3.2000, Members requested for information on the composition and functions of Town Planning Board and its subcommittees.

Administration's Response

2. Town Planning Board (the Board) is a statutory body appointed by Chief Executive (CE) to discharge the functions as laid down in section 3 of the Town Planning Ordinance (the Ordinance). For the better discharge of these functions, CE may also, from among the members of the Board, appoint committees of TPB to exercise some of its functions. The composition and functions of the Board and its committees are given below.

I. Town Planning Board

(a) Composition

The Board consists of the Chairman (currently the Secretary for Planning and Lands, the Vice-chairman (currently the Director of Planning), five other official Members (currently the Secretary for Housing, the Deputy Secretary for Transport (Planning and Management), the Director of Home Affairs, the Director of Environmental Protection, the Director of Lands, or their alternates) and 26 non-official Members. The Deputy Director of Planning/District is appointed the Secretary to the Board.

All Members of the Board are appointed by the Chief Executive under section 2(1) of the Ordinance and each appointment is announced in the Hong Kong Government Gazette. The tenure of appointment is usually for a period of two years. The non-official Members represent a wide range of professions, expertise and community interests.

(b) Functions

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, the main functions of the Board are:

- Consideration of new plans (i.e. Outline Zoning Plans and Development Permission Area Plans)
- Consideration of objections to statutory plans and, if considered necessary, make amendments to plans to meet the objections
- Submission of draft plans together with any unwithdrawn objections to the CE in Council for approval
- Review of planning applications
- Approval of Development Scheme Plans under section 14 of the Land Development Corporation (LDC) Ordinance
- Consideration of requests for extension of the validity of planning permission
- Consideration of matters relating to the functioning of the Board including the endorsement of TPB Guidelines

(c) Frequency of Meeting

The Board meets regularly to discharge its functions, normally on alternate Fridays of each month.

II. Planning Committees

3. With the enactment of the Town Planning (Amendment) Ordinance 1991 which extended statutory planning to the non-urban areas and the general increase in the workload of the Board, two Planning Committees were set up, namely the Metro Planning Committee (MPC) and the Rural and New Town Planning Committee (RNTPC).

(a) Composition

Each Committee comprises the Chairman (currently the Director of Planning), the Vice-chairman (a non-official Member), five other official Members (currently the Secretary for Housing, the Deputy Secretary for Transport (Planning and Management), the Director of Home Affairs, the Director of Environmental Protection, and the Director of Lands, or their alternates) and twelve other non-official Members. The Deputy Director of Planning/District was appointed as Secretary to the two Committees.

All Members of the Committees are appointed by the Chief Executive from the Members of the Board in accordance with section 2(3) of the Ordinance.

(b) Functions

The main functions delegated to the two Committees are: -

- Consideration of amendments to draft plans
- Consideration of planning applications and developments within Comprehensive Development Areas

(c) Frequency of Meeting

The two Committees meet regularly to discharge their functions, usually on the other Fridays of each month when there is no meeting of the Board.

III. Objection Hearing Committee (OHC)

4. With the enactment of the Town Planning (Amendment) Ordinance 1998, the Board is required to complete consideration of objections and submission of draft plans to the Chief Executive in Council within a statutory time limit of nine months. In order to expedite the objection consideration process, the Board is empowered to appoint committees from amongst its Members to hear objections on a need basis.

(a) Composition

Membership of OHCs is normally appointed by roster. However, Members with expert knowledge relevant to the objection cases may also be appointed. Each OHC consists of a Chairman (currently the Director of Planning) a Deputy Chairman, two official Members and five non-official Members.

(b) Function

Upon completion of preliminary consideration of objections to a draft plan by the Board, the Board will decide whether an OHC should be appointed to hear the objections. Pursuant to section 2A of the Ordinance, the appointed OHC may exercise the following functions:

- Consideration (hearing) of unwithdrawn objections or further objections either individually or collectively under sections 6(6), (6A), (6B), and (8) of the Ordinance
- Amendments to statutory plans to meet objections or further objections under section 6(7) or (9) of the Ordinance

(c) Frequency of Meeting

The OHC, if appointed, will normally meet on Tuesday.