

Clerk to Bills Committee
Legislative Council
Legislative Council Building
8 Jackson Road
Central
Hong Kong

10 April 2000

Dear Sir/Madam,

Comments on the Town Planning Bill

At the Bills Committee meeting on 28.3.2000, we raised our concern on the absence of an appropriate mechanism to enable the Town Planning Board (TPB) to participate in the planning of major road projects, and whether and how the present Town Planning Bill could address the issue of interface between the Town Planning Ordinance (TPO) and the Roads and Railways Ordinances. Members of the Bills Committee requested us to make a submission on this issue.

After discussion amongst ourselves, we, as individual Members of the TPB, would like to jointly make a submission to the Bills Committee to express our views.

Past experience tells us that, very often, many major rail/road projects are gazetted and authorized under the respective Railways and Roads Ordinances before they are brought to the attention of the TPB. There is no express provision in these Ordinances to require that the TPB must be consulted. Worst still, the existing TPO and the proposed new Bill provide that any schemes authorized under these Ordinances would be deemed to be approved for purpose of the TPO. Such major infrastructural projects have a significant impact on land use planning, and vice versa. We therefore consider it essential that the TPB should be well informed and consulted as part of the planning process before the schemes are authorized. To achieve a better integration between land use and infrastructure planning, we suggest that consideration be given to amending sections 6(h), 82 and 83 of the Town Planning Bill to the following effect:

- (a) s. 6(h) - empower the TPB to give advice to the Government relating to overall planning, including the planning of major infrastructure projects, for Hong Kong; and
- (b) s. 82 & 83 - the TPB should be consulted on new railways and major road schemes, and the TPB's views, if any, should be properly reflected in the submission to the Chief Executive in Council before a decision is made on the authorization of such schemes. Consequential amendments to the Roads and Railways Ordinances may also be necessary.

Yours faithfully,

Professor Anthony Walker
Mr. Edward Pong
Mr. Daniel Heung
Mr. Nicholas Brooke
Professor Patrick Lau