

Bills Committee on Town Planning (Amendment) Bill 2003

**List of follow-up actions arising from discussion
at the meeting on 3 February 2004**

The Administration was requested:

CB(1) 678/03-04(03)

- (a) to consider the need and the practicality of expressly providing in the law the size and format of a notice to be posted in the relevant site or published in a local newspaper concerning draft plans, amendments of plans and planning applications. Members considered it important to prescribe effective means to draw the attention of the relevant persons to the draft plans, amendments of plans and planning applications;
- (b) to clarify whether there was any administrative or legal mechanism to enable the Town Planning Board (TPB) to revoke its decision where material information provided by applicants or commenters is subsequently found to be false. If the answer is negative, please consider the merits of providing such a mechanism. Members are concerned about the absence of safeguards under the present provisions of the Bill to deter the provision of false information by applicants or commenters and nullify the relevant decisions made by TPB;
- (c) to provide a paper to explain the principles underlying the local town planning system. Whether land use or land ownership is the primary consideration in town planning. Whether planning permission runs with the land, the landowners or the applicants. What the order of priority is in so far as the different interests of landowners, applicants and members of the public are concerned. In this connection, please compare the rights of applicants, landowners and third parties in plan making and planning applications under the existing Town Planning Ordinance and the Bill;
- (d) to advise from the policy and legal points of view whether it is in order to enact retrospective provisions to make past planning applications available for public inspection; and

CB(1) 678/03-04(04)

- (e) to review the merits of providing for third party review concerning planning applications.