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HPLB(PL) TC 8/04

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By Fax (2869 6794)

Bills Committee on

Town Planning (Amendment) Bill

Legislative Council

3/F Citibank Tower

3 Garden Road

Hong Kong

(Attn.: Ms Odelia Leung)

Dear

**Town Planning (Amendment) Bill 2003**

At the Bills Committee meeting on 4 May 2004, the Administration was requested to consider the suggestion of expressly providing in law that the hearing part of the Town Planning Board (TPB) meetings be open to the public.

The issue of opening up TPB meetings was discussed at previous Bills Committee meetings and the meeting of the LegCo Panel on Planning, Lands and Works on 27 January 2004. The Panel was informed that the TPB has given careful deliberations to the matter and TPB members endorsed the proposal of opening up its meetings to the general public, except for the deliberation part which would continue to be held in private. To keep the public well informed of its deliberation in arriving at a decision, the TPB has also agreed to release the minutes of its meetings for public information by posting these on its website. In addition, the TPB would consider other measures to share with the public

the work of the Board, such as press briefings to be held by the Chairman or members after meetings whenever major developments or issues had been discussed, and regular workshops with the media and public forums to maintain a close dialogue with the public on general planning issues. All these arrangements can be made administratively without legislative amendments. While Members at the Panel meeting had expressed different views on the extent of opening up TPB meetings, we took note that measures to enhance the transparency of the TPB's operation were generally supported.

We have considered the Bills Committee's suggestion made on 4 May 2004 of adding an express provision in the Amendment Bill to allow for opening up the hearing part of the TPB meeting. Since various sub-sections under sections 6D, 6H, 12A and 17 in the Amendment Bill have made reference to meetings held by the TPB to consider planning applications and representations/further representations, there would be complications in making express provisions for opening up only the hearing part but not the deliberation part of such meetings. In addition, the TPB is also prepared to open up those meetings (except for the deliberation part) involving plan making and consideration of section 16 planning applications to allow the public to observe the proceedings. We are concerned that a comprehensive review of all relevant parts of the Amendment Bill in order to work out the necessary Committee Stage Amendments at this late stage may delay the consideration of the Amendment Bill. Legislative provision also reduces the flexibility for the TPB to consider further opening up arrangements in the future.

Several statutory boards/committees such as the Liquor Licensing Board and the Housing Authority have adopted administrative measures to open up their meetings without amending the relevant ordinances. We consider that this should be a more flexible and pragmatic approach at this stage.

I wish to reiterate our commitment to promote a more open and transparent planning process. Once LegCo passes the Amendment Bill, the TPB would open up its meetings. We are prepared to reaffirm this commitment at the Second Reading debate of the Amendment Bill. In fact, action has already been taken by the TPB Secretariat to set up a venue for accommodating the general public to observe the TPB meetings. It is expected that the venue would be ready in time for

opening up the meetings when the Amendment Ordinance comes into effect.

Yours sincerely,

( Thomas Tso )  
for Secretary for Housing, Planning and Lands

c.c. Director of Planning (Attn.: Mr. Jimmy Leung)  
Department of Justice (Attn: Ms Sherman Chan)