

For information

Bills Committee on Town Planning (Amendment) Bill 2003

**Notices in relation to Applications for Amendment of Plans
and Planning Permissions**

Purpose

In February 2004, we submitted a paper (Paper No. CB(1) 1022/03-04(02)) to the Bills Committee explaining the measures to be adopted by the Administration to publicize draft plans, amendments to plans and planning applications. When considering the proposed provision concerning applications for amendment of plans (section 12A) in the Amendment Bill at the meeting held on 20 May 2004, Members requested the Administration to –

- (a) propose a Committee Stage Amendment (CSA) to section 12A(7)(b) to the effect that a notice shall be published in two local Chinese newspapers and one English newspaper; and
- (b) provide further information about the minimum size of notice and the provision of such details in the guidelines / code of practice of the TPB.

2. This paper provides the requested information. Since there are similar proposed provisions for applications for permission under s.16 and applications for review under s.17, information provided in this paper also cover these two types of applications.

The Provisions in the Bill

- 3. Under sections s.12A(7), s.16(2D) and s.17(2B), the Board shall -
 - (a) cause a notice to be posted in a prominent position on or near the land to which the application relates, or on any premises or structure on the land, at the beginning of the period during which the application is available for public inspection; or
 - (b) cause a notice to be published once a week in a local newspaper during the first 3 weeks of the period referred to in (a).

Posting of Site Notices

4. As far as the posting of site notice is concerned, as foreshadowed in our earlier paper, it would be difficult to prescribe in the Ordinance the size of the site notice to cater for the various types of applications. To allow flexibility, it is considered more appropriate to do so in the form of Town Planning Board (TPB) guidelines.

5. The size of the site notice will be about **16 inches x 23 inches** (A2 size) or **23 inches x 32 inches** (A1 size), depending on the circumstances of individual case. Generally speaking, A1 size notice would be used wherever practicable, say, for applications for development on open land (e.g. open storage or comprehensive development on a vacant site or proposed rezoning of a piece of agricultural land). For applications for change of use of premises (e.g. showroom or “shop and services” in an industrial building or kindergarten in an existing building), it would be more effective to post the notice at the main lobby/entrance of the building. As there may be difficulty in posting the A1 size notice at the lobby/entrance, A2 size notices will be posted instead.

6. As suggested by Members at previous meetings, the Administration will also put up roadside notices, wherever practicable and necessary, to draw public attention to the concerned application(s). Subject to the discussion with the relevant departments on the requirements of putting up roadside notices, the size of such notices will be about 33 inches x 60 inches. Other administrative measures as set out in Paper No. CB(1) 1022/03-04(02) would also be considered by the Administration to further improve the effectiveness of notification.

7. Site notices would generally be more effective where the interested parties are limited to those living in the vicinity. It is therefore the policy intention that a site notice will be posted for each and every application wherever practicable. However, we anticipate that site notices could not be posted for non site-specific applications (e.g. an application for amending the Notes of a statutory plan). In such cases, the TPB will publish notices in the newspapers.

Publication of Notice in Newspapers

8. As for notice in newspapers, in the light of Members’ suggestion, the Administration will propose CSAs to require the notice to be published in two Chinese and one English newspaper.

9. The details of the above publication arrangement for applications for amendment of plans and planning permission will be set out in the TPB guidelines.

Housing, Planning and Lands Bureau
Planning Department
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