

Bills Committee on Town Planning (Amendment) Bill 2003

**List of follow-up actions arising from discussion
at the meeting on 10 June 2004**

The Administration was requested:

Sections 12A(23) and 16(8)

- (a) to revise the Committee Stage Amendment to the definition of current land owner to include owners pending registration;
- (b) to reconsider how an applicant is deemed to have notified the land owner. Some members suggest that where the land owners are less than a certain number, such as 30 or 50, an applicant shall be required to notify the landowners by registered mails;

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- (c) to report to the Panel on Planning, Lands and Works the implementation of the Bill in respect of the following aspects:
 - (i) posting of site notices. TPB will, as far as practicable, cause a notice concerning planning applications to be posted in a prominent position and published in newspapers. The site for posting of notice should have heavy pedestrian flow in order to attract wider public attention;
 - (ii) definition of current land owner. TPB will, after consulting the trade, publish in the Gazette a period before a planning application for the purpose of determining the current land owner as registered in the Land Registry;
 - (iii) maintaining notices about planning applications being kept posted. The Administration will liaise with the Home Affairs Department to carry out periodic check of notices to ensure as far as possible the notices kept posted;
 - (iv) relationship between Town Planning Ordinance (TPO) and land held by military organizations and consulates. The Administration is requested to provide a paper for the Bills Committee's consideration and later discussion by the Panel on Planning, Lands and Works and/or the Panel on Security;

- (v) principles underlying the local and overseas town planning systems. Members are concerned how the objective stipulated in section 3(1) of TPO is achieved by TPB in the discharge of its functions and about the relative importance accorded to public interest and private interest in the plan-making and approval processes. The Administration is requested to provide a paper to the Bills Committee's consideration and later discussion by the Panel on Planning, Lands and Works;
 - (vi) voting by TPB members without hearing all relevant representations. Some members are concerned that a decision made by TPB may be subject to challenge if TPB members vote on a matter without hearing all the relevant representations; and
 - (vii) use of land in areas covered by conservation-related zoning. A member is concerned about the criteria adopted for considering and approving land use in areas covered by conservation-related zoning; and
- (d) to review at the later stages of amendments to TPO the viability of making available information relating to appeal applications for public inspection.

Council Business Division 1
Legislative Council Secretariat
14 June 2004