



THE LAW SOCIETY'S COMMENTS ON TOWN PLANNING (AMENDMENT) BILL

The Law Society has seen the Response to the Proposed Amendments to the Town Planning Ordinance by The Real Estate Developers Association of Hong Kong ("REDA") of April 2003.

Except for the matters mentioned in this letter where we may differ from REDA and for our additional comments, the Law Society supports REDA's comments.

Clause 6 – Exhibition of draft Plans

We consider that there should be more public notice that a plan has been gazetted – whoever the proponent of the plan is. There should be more effective use of advertisements in the press and in appropriate cases, same form of direct notification to owners who are affected.

Clause 6D and 9 – Consideration of representations

We consider that both preliminary consideration of representations and the further objection procedure (to an amendment made to meet an original objection) should be retained as they serve useful purposes. In other words, the existing three-stage procedure should be kept.

Some of our members support shortening the time for lodging and dealing with representations and some think the process should be longer. Whatever the length of time provided for, both groups are concerned that any shortening of time as compared with the existing procedure should not be at the expense of the public's need to have sufficient time to absorb the effect of a published plan or proposal and to react to it. Further, more emphasis should be placed on consultation with the public and affected owners and on making the administrative process more efficient and effective.

Clause 13 – Amendment on application

We consider that notice of the application should be made by the Board to the owner where a person other than the owner applies for amendment.

Further, the owner should have a right to object and to appear at the hearing of the application.

Those procedures should apply also to applications by the Government.

Clause 14 – Regulations

On fees, (c) our concern is that the fees should be reasonable and not excessive.

The Law Society of Hong Kong
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