

Executive Summary for Oral Presentation

Bills Committee on Town Planning (Amendment) Bill 2003

24 September 03

- The AAP is an independent organization comprising of practising architectural firms in Hong Kong. As a professional body in the front line of the building industry, we have followed the matter on town planning legislation amendments closely.
- There is a need to review and amend the existing planning legislation. We should take a look again on the overall planning system to correct the defects and hardship. Unfortunately, the Town Planning (Amendment) Bill 2003 has not addressed the fundamental problems and issues in the present system.
- One of the fundamental issues is on the function of the Town Planning Board. Under the present system, the Chief Executive appoints member to the Town Planning Board and directs the Board to prepare plans. However, it can be seen in practice that the Chief Executive has very little to do with the actual plan-making process. The Town Planning Board is normally responsible for the preparation of the plan but its influence is also limited because all the work is done by the Director of Planning. Though the Town Planning Board has an independent role to play, such independence is not possible when important posts and day-to-day operation of the Board are taken up by the Government.
- A high level and accountable body should be set up to assist the Chief Executive in dealing with planning matters on territorial and policy level. We may call it a Planning Council.
- The Town Planning Board should be a truly independent body with an independent secretariat. The Board will work in accordance with policies determined by the Planning Council.

Regarding some of the proposals in the Amendment Bill:

- We have serious reservation on the practicality of reducing the processing period from 9 months to 6 months. This may be at the expense of inadequate public consultation and ultimately the quality of the plan may be affected for the sake of hurrying a quick decision.
- For application of plan amendment, the requirement for obtaining consent from the land owner is considered not necessary. The present system has already allowed the chance for the land owner to express their view or raise objection during processing of the application.
- In the case of giving notification, the requirement for the applicant to take “*all reasonable steps in the circumstances to give notification to the land owner*” is much too vague and may subject to different interpretation.
- We support the idea of delegating minor applications to subsidiary committees. However, there should be enough representations in the committee to ensure balanced view and fairness.