

For Information

Bills Committee for Town Planning (Amendment) Bill 2003

Follow-up Actions Arising from Meetings on 29 April, 31 May, 10 and 15 June 2004

Purpose

At the Bills Committee meetings on 29 April, 31 May, 10 and 15 June 2004, Members requested the Administration to :

- (a) provide information on the members appointed to the Town Planning Board (TPB), including their background, years of service in TPB and the number of advisory or statutory boards of which they are members;
- (b) explain the procedures in determining the issue of notice concerning discontinuance of unauthorized development (UD) under s.23(1) of the existing Town Planning Ordinance (TPO);
- (c) confirm the types of information that will be shown on the aerial photographs of land; and
- (d) explain the relationship between the TPO and land held by military organizations and consulates.

This paper provides the requested information.

Information on TPB Members

2. Information on background of TPB Members, their years of service in TPB and the number of advisory or statutory boards of which they are members is at **Annex**.

The Procedures in Issuing Notice under s.23(1)

3. In general, when the Planning Authority considers that there is an unauthorized development under the TPO, prior warnings (either verbal or written) will be given to the concerned parties of the unauthorized development before taking statutory actions. After collection of sufficient evidence to proceed with statutory actions, all the relevant facts and materials of the case will be submitted to the District Enforcement Conference¹ (DEC) for consideration. The DEC then decides on and monitors the progress of all the statutory actions under the TPO (including issue of notices under s.23(1), (2), (3) and (4A) and institution of prosecution actions under s.20(7), s.21(1) and s.23(6)). Endorsement of the DEC is required for all the above-mentioned statutory enforcement and prosecution actions under the TPO. For statutory actions of sensitive and complicated cases, the endorsement of the Director of Planning is required.

Information Shown on Aerial Photographs of Land

4. The following information is shown on an aerial photograph of land issued by the Survey and Mapping Office of the Lands Department :

- (a) the image of the land concerned;
- (b) the name of the district covered by the image in (a) above;
- (c) the date and time of taking the aerial photograph;
- (d) the height at which the aerial photograph was taken;
- (e) the serial number of the aerial photograph (which corresponds to the flight path); and

¹ The District Enforcement Conference (DEC) is chaired by the Assistant Director of Planning / New Territories. Members of the DEC comprise the Chief Town Planner and Senior Town Planners of the Central Enforcement and Prosecution Section (which is responsible for the enforcement and prosecution in development permission areas).

- (f) the issuing authority, i.e. the Survey and Mapping Office.

Land held by Military Organizations and Consulates

5. Land held by military organizations in the urban areas has long been covered by statutory plans and thus is subject to the TPO. These sites are mainly specified as military use on the relevant outline zoning plans. Military sites in the rural New Territories are, however, not covered by statutory plans. Since the primary objective of extending planning control to the rural New Territories in 1991 was to empower the Planning Authority to take enforcement action against the incompatible open storage and port back-up uses in these areas, it is not intended to subject areas (such as military sites) which are not susceptible to incompatible uses to statutory control. If a military site is to be released for other uses upon agreement of the Garrison, the Administration will then incorporate the released site into the statutory plan.

6. Land or premises used as consulates is/are subject to planning control. It is the practice to zone free-standing buildings occupied by consulates as “Government, Institution or Community” use. For consulates that are located within office buildings, the concerned sites are mostly zoned as “Commercial” use.

Housing, Planning and Lands Bureau
Planning Department
July 2004

Background of Non-official TPB Members (2004-2006)
(as at June 2004)

<u>Name</u>	<u>Year of Service on TPB*</u>	<u>Professional Field</u>	<u>Current Services on Government Boards & Committees</u>
Professor Patrick LAU Sau-shing, SBS	6	Architecture	<p>Member, Antiquities Advisory Board</p> <p>Member, Board of Directors of the Hong Kong Science and Technology Parks Corporation</p> <p>Member, Hong Kong Housing Authority</p> <p>Member, School Building Design Committee (Representative, Department of Architecture, University of Hong Kong)</p> <p>Member, Operations Review Committee of the Independent Commission Against Corruption</p>
Dr. Alex CHAN Siu-kun	6	Engineering	Nil
Dr. Rebecca CHIU Lai-har	6	Housing	<p>Member, Land and Building Advisory Committee</p> <p>Member, Environmental Impact Assessment Appeal Board Panel</p>
Mrs. Angelina LEE WONG Pui-ling, JP	6	Legal	<p>Member, Banking Advisory Committee</p> <p>Deputy Chairman, Mandatory Provident Fund Schemes Appeal Board</p> <p>Deputy Chairman, Occupational Retirement Schemes Appeal Board</p> <p>Member, Securities and Futures Appeals Tribunal</p> <p>Deputy Chairman, Takeovers Appeal Committee</p>

<u>Name</u>	<u>Year of Service on TPB*</u>	<u>Professional Field</u>	<u>Current Services on Government Boards & Committees</u>
Dr. Peter WONG King-keung, BBS, JP	6	Engineering	Member, Airport Authority Member, Appeals Board (Education) Vice-chairman, Hong Kong Arts Development Council Member, Noise Control Appeal Board Panel
Mr. Michael LAI Kam-cheung, JP	5	Social Welfare	Member, Disaster Relief Fund Advisory Committee Member, Elderly Commission Member, Municipal Services Appeals Board
Professor HO Kin-chung	4	Environment	Member, Advisory Committee on the Quality of Water Supplies Member, Advisory Council on the Environment Member, Court of the Hong Kong Baptist University Member, Mental Health Review Tribunal
Mr. Alex LUI Chun-wan	4	Architecture	Member, Appeal Tribunal Panel (Buildings)
Mr. Francis LUI Yiu-tung	4	Real Estate/Construction	Member, Administrative Appeals Board Member, Appeal Panel (Estate Agents Ordinance)
Mr. Keith Gordon McKINNELL	4	Surveying	Nil
Mr. NG Shui-lai, JP	4	Social Welfare	Member, Action Committee Against Narcotics Member, Hong Kong Housing Authority

<u>Name</u>	<u>Year of Service on TPB*</u>	<u>Professional Field</u>	<u>Current Services on Government Boards & Committees</u>
			Member, Legal Aid Services Council Adjudicator, Registration of Persons Tribunal
Dr. Pamela Rumball ROGERS	4	Cultural Heritage	Nil
Dr. Greg WONG Chak-yan, JP	4	Engineering	Member, Engineers Registration Board Member, Land and Building Advisory Committee Adjudicator, Registration of Persons Tribunal Member, Harbour-front Enhancement Committee (Representative, Hong Kong Institution of Engineers)
Mr. WONG Chi-kui	4	Landscape Architecture	Member, Country and Marine Parks Board
Ms. Carmen CHAN Ka-mun	2	Education	Member, Appeal Tribunal Panel (Buildings) Member, Committee on the Promotion of Civic Education Member, HKSAR Passports Appeal Board Member (Appointed), Kwai Tsing District Council Adjudicator, Registration of Persons Tribunal
Mr. Erwin A. HARDY, BBS	2	Business/Industry	Nil
Dr. Robert Moir KENNARD	2	Engineering	Nil
Professor Nora TAM Fung-ye	2	Environment	Member, Country and Marine Parks Board

<u>Name</u>	<u>Year of Service on TPB*</u>	<u>Professional Field</u>	<u>Current Services on Government Boards & Committees</u>
			Member, Environment and Conservation Fund Research Projects Vetting Sub-committee
Mr. Tony TSE Wai-chuen	2	Surveying	Member, Disciplinary Board Panel (Land Survey) Member, Land and Building Advisory Committee Member, Municipal Services Appeals Board
Dr. NG Cho Nam	New member	Environment/Conservation	Member, Advisory Committee on the Quality of Water Supplies Member, Advisory Council on the Environment Member, Energy Advisory Committee
Professor David DUDGEON	New member	Environment/Ecology	Nil
Professor Bernard Vincent LIM Wan-fung	New member	Architecture	Member, School Building Design Committee (Representative, Hong Kong Institute of Architects) Member, Appeal Tribunal Panel (Buildings)
Dr. Lily CHIANG	New member	Business/Engineering	Member, Council for Sustainable Development Member, Council of the Lingnan University Co-opted Member, Federation of Hong Kong Industries General Committee Member, Hospital Authority Adjudicator, Registration of Persons Tribunal
Ms. Sylvia YAU Siu-fee	New member	Business/Finance	Member, Antiquities Advisory Board

<u>Name</u>	<u>Year of Service on TPB*</u>	<u>Professional Field</u>	<u>Current Services on Government Boards & Committees</u>
			Member, Chinese Temples Committee Member, Fight Crime Committee
Mr. Nelson CHAN Wah-yu	New member	Business/Industry	Member (Elected), Kwun Tong District Council Vice Chairman, Area Committee, Kwun Tong Central
Mr. David CHAN Wai-ming,	New member	Business/Service	Member (Elected), Tsuen Wan District Council Member, Area Committee, Tsuen Wan Rural Lay Observer, Independent Police Complaints Council Member, Municipal Services Appeals Board
Mr. Daniel TO Boon-man,	New member	Business/Design	Member (Elected), Eastern District Council Member, Area Committee, Aldrich
Mr. Edmund LEUNG Kwong-ho, JP	New member	Engineering	Member, Administrative Appeals Board Member, Council of the Lingnan University Member, Energy Advisory Committee
Prof LEUNG Nai-kong, JP	New member	Medical & Health	Member, Advisory Committee on Immunization Chairman, Council for the AIDS Trust Fund Chairman, National Committee for the certification of Wild Poliovirus Eradication in Hong Kong Member, Dental Council of Hong

<u>Name</u>	<u>Year of Service on TPB*</u>	<u>Professional Field</u>	<u>Current Services on Government Boards & Committees</u>
			Kong Chairman, Nursing Council of Hong Kong
Mr. Tony KAN Chung-nin, BBS, JP	New member	Legal	Member (Elected), Sha Tin District Council Member, Area Committee, Sha Tin West One Member, District Fight Crime Committee, Sha Tin
Mr. Alfred Donald YAP, JP	New member	Legal	Nil
Professor Peter Ronald HILLS	New member	Environmental Policy/Town Planning	Member, Advisory Council on the Environment Member, Energy Advisory Committee Member, Innovation and Technology Fund (Environment) Projects Vetting Committee
Mr. Leslie CHEN Hung-chi	New member	Landscape Architecture	Member, land and Building Advisory Committee Member, Harbour-front Enhancement Committee (Representative, Hong Kong Institute of Landscape Architects)
Mr. Stanley WONG Yuen-fai	New member	Finance	Nil

* Some members have served for a few years on the Board. They are re-appointed to provide continuity in the work of TPB. Their experience would be most useful for the smooth functioning of the TPB.