

14 January 2004

Clerk to the Bills Committee
Legislative Council Secretariat
3/F, Citibank Tower
3 Garden Road
Central
Hong Kong

Attn : Mr. S C Tsang

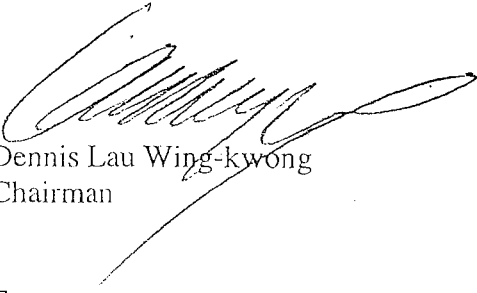
Dear Sirs,

**Written Submission of Comments on
Proposed Amendments to the Plan-Making System under
Town Planning (Amendment) Bill 2003**

We refer to your letter ref: CB1/BC/12/02 dated 8th January 2004. On behalf of the Association of Architectural Practices, I forward herewith a written submission of our comments on the proposed amendments to the plan-making system under the Bill. As requested, a soft copy of the submission is also enclosed.

Thank you for your kind attention.

Yours faithfully,
On behalf of
The Association of Architectural Practices



Dennis Lau Wing-kwong
Chairman

Encs.

DL/AA/vt



c.c. All AAP Member Practices

COMMENTS ON PROPOSED AMENDMENTS TO THE PLAN-MAKING SYSTEM UNDER TOWN PLANNING (AMENDMENT) BILL 2003

Prepared by the Association of Architectural Practices (AAP)

1. The AAP is disappointed that the Planning Department has selectively addressed a blinkered aspect of the Bill while ignoring the concerns on the wider issues. We maintain our opinion that the fundamental subject on the function and composition of the Town Planning Board should be reviewed prior to deliberation on detail particulars of the Bill.
2. Under the present system, the Town Planning Board is responsible for the preparation of plans but its influence is limited because all the work is done by the Director of Planning. Though the Board is supposed to have 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.
3. We are of the opinion that 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 the policies determined by the Planning Council.
4. Regarding the proposed amendments to the plan-making system, 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 or insufficient time for review by the Board. Ultimately the quality of the plan may be affected for the sake of hurrying a quick decision.
5. For application of plan amendment, the requirement for obtaining consent from the land owner is considered not necessary. The system has already allowed the chance for the land owner to express their view or raise objection during processing of the application.
6. 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 be subject to different interpretation.