

香港特別行政區政府

The Government of the Hong Kong Special Administrative Region

發展局

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20 April 2015

Ms Sharon Chung,
Clerk to Panel on Development,
Legislative Council Complex,
1 Legislative Council Road,
Central, Hong Kong

Dear Ms Chung,

Panel on Development

Review on the Town Planning Ordinance, Functions of the Town Planning Board and Related Issues

In relation to Dr Hon Kenneth CHAN's letter dated 24 November last year to the Chairman of the Legislative Council Panel on Development (the Panel) regarding the review on the Town Planning Ordinance (TPO), functions of the Town Planning Board (TPB) and related issues, we have already issued a reply concerning the TPO on 13 February 2015, and would like to provide a further reply with respect to the judicial review (JR) cases concerning TPB, as follow.

TPB, as an independent statutory body, is fully empowered to handle the JR cases concerning TPB. As we understand it, regarding the JR cases heard by the Court of Appeal (CA) as mentioned in Dr Hon CHAN's letter (CACV127/2012, CACV129/2012, CACV232/2012 and CACV233/2012), TPB has already applied for leave to appeal to the Court of Final Appeal against CA's decisions. Since the legal proceedings of these JR cases are still on-going, we

consider it not appropriate to discuss at the Panel at this stage the TPB meeting procedures related to these cases, so as not to affect the legal proceedings concerned.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'C. Cheung', written in a cursive style.

(Cyrus CHEUNG)
for Secretary for Development