

**Business Facilitation Advisory Committee
Town Planning Task Force**

*Appeal under
Section 17(B) Town Planning Ordinance*

1. Background Information

1.1 Statistics

2001 – 2005	Total No.	Average No. p.a.
No. of appeals received by TPAB	79	15.8
No. of cases abandoned by the appellants	22	4.4
No. of appeal heard by TPAB	57	11.4
Average waiting time	-	8.5 months

1.2 Current TPAB Membership and Procedures

Please see <http://www.hplb.gov.hk/tpab/eng/general/index.html>.

At least 3 members (*including the chairman*) shall be present to hear and determine an appeal.

2. Concerns & Issues

2.1 The waiting time is too long.

2.2 The length of waiting time is uncertain.

2.3 Some of the abandonments might be due to long waiting time.

2.4 Intended appellants may opt for fresh application to the TPB hence deterring the opportunity for an independent review of the case.

3. **For Discussion**

- 3.1 Should the membership be enlarged so that more hearings could be scheduled?
- 3.2 Should regular hearing dates be scheduled e.g. 3 consecutives days every fortnight?
- 3.3 Should the procedures be amended so that there are specific period for notification, filing of documents and fixing of hearing dates?
- 3.4 How do Town Planning Appeals compare with other appeal system in terms of waiting time (*Building, Lands, etc*)?

2001 – 2005	Total No.
No. of Appeals against Building Submission Disapproval	52
No. of Cases withdrawn by the appellants	22
No. of Appeal heard by the Appeal Tribunal (Buildings)	16
Average waiting time (<i>From lodging of Appeal to the 1st Hearing</i>)	about 10 months

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