

Powers and Functions of the Town Planning Board

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
s.3 s.4(1)	Prepare new draft plans (that is, Draft Outline Zoning Plans and Draft Development Permission Area Plans).) - Consideration is based more on district factors.
s.4A	Comprehensive Development Area Schemes: approval of Master Layout Plans and subsequent amendments.))))
s.4(2)	Recommendation to CE in C for resumption of land.	- Involving property right and government financial commitments which are considered important decisions.
s.5	Exhibition of draft plans.	
s.6(4)&(5)	Make available for public inspection and notification of representations.)
s.6A(4)	Make available for public inspection of comments.)
s.6B	Consider representations and comments on representations and decide whether to propose amendments to plans to meet the representations.) - Relating to the representation consideration procedures
s.6C(1)&(2)	Make available for public inspection and notification of proposed amendments)
s.6D(4)	Make available for public inspection of further representations)
s.6F	Consider further representations and decide whether to amend plans by the proposed amendments under s.6F(8))
s.6G	Amend draft plans by the proposed amendments (for cases without further representations).)
s.6H(2)	Make available for public inspection the amendments made under s.6F(8) or s.6G.)
s.7(1)-(3)	Make amendments to draft plans and exhibition of such amendments	
s.8	Submission of draft plans to CE in C.	- The Board should be answerable for the schedule of amendments and the schedule of representations/ comments/further representations.
s.12A(6)&(7)	Make available for public inspection and notification of application)
s.12A(12)&(14)	Make available for public inspection of comments and further information)
s.12A(13)&(15)	Determine acceptance of further information and exemption of further) - Relating to applications for amendment of plan

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
	comments and recounting of statutory time limit for processing the application	
s.12A(16)-(24)	Consider and decide on applications and undertake necessary follow-up actions.)
s.16(2C)&(2D)	Make available for public inspection and notification of applications)
s.16(2I)&(2K)	Make available for public inspection of comments and further information) - relating to applications for planning permission
s.16(2J)&(2L)	Determine acceptance of further information and exemption of further information from publication for public comments and recounting of statutory time limit for processing the applications)
s.16(3)-(5)	Consider and decide on applications.) - Consideration is mainly of local and district nature and has to operate within the Board's guidelines
s.16A(5)&(6)	Consider and decide on applications for Class B amendments to a permission granted under s.16	
s.17(2A)&(2B)	Make available for public inspection and notification of review applications)
s.17(2G)&(2I)	Make available for public inspection of comments and further information)
s.17(2H)&(2J)	Determine acceptance of further information and exemption of further information from publication for public comments and recounting of statutory time limit for processing the review applications) - Relating to review applications
s.17(3)-(6)	Consider and decide on review applications.) - To ensure consistency in the application of guidelines for s.16 applications. - To enable the consideration of the case by wider and diversified interests and by Board Members not involved in the original decision to refuse permission.
s.20(1)	Designation of Development Permission Areas.	
<u>Others</u> s.12A(25) s.16(8)	Specify by notice in the Gazette the period for determining the definition of "current land owner"	

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
s.16A(10)	Specify by notice in the Gazette the schedule of Class A and Class B amendments	
s.6(2)(b) s.6A(2) s.6D(2)(b) s.12A(3)&(10) s.16(2)&(2G) s.16A(3) s.17(2E)	Promulgate guidelines for submission of representations/comments/further representations, applications and comments on applications. Approve Development Scheme Plans prepared by the Urban Renewal Authority under section 25 of the Urban Renewal Authority Ordinance. Promulgate policy guidelines and guidelines for various applications.	- To maintain consistency in planning decision.

Powers and Functions Delegated to the Planning Committees

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
s.3 * s.4(1) *	Prepare new draft plans (that is, draft Outline Zoning Plans and draft Development Permission Area Plans).	- Consideration is based more on district factors.
s.4A	Comprehensive Development Area Schemes: approval of Master Layout Plans and subsequent amendments.	
s.5 *	Exhibition of new draft plans.	
s.7(1)-(3)	Amendments to the draft plans and amendments to the plans referred back under s.9(1)(c).	- Amendments initiated are normally of district significance, and have no territory-wide impact.
s.8 *	Submission of draft plans to Chief Executive in Council.	
s.12A	Powers and functions in relation to applications for amendment of plan.	- Consideration is mainly of local and district nature and has to operate within the Board's guidelines (major development applications can be referred to the Board for consideration).
s.16	Powers and functions in relation to applications for planning permission.	
s. 16A	Powers and functions in relation to applications for Class B amendments to permissions previously granted under s.16, s.17 or s.17B.	- For applications which are considered unacceptable by the concerned government departments or applications involving deletion of

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
s.20(1) *	Designation of Development Permission Areas.	previously proposed Government, Institution or Community (GIC) facilities from the approved development proposal, even if the deletion is initiated and agreed by the relevant government departments and/or the requirement of the GIC facilities is subject to an approval condition.

Remarks:

* The powers and functions are delegated by the Board to the two Planning Committees but in practice they are usually taken up by the Full Board.

Powers and Functions Delegated to the Representation Hearing Committee

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
s.6B	Consider representations and comments and decide whether to propose amendments to plans to meet representations.) - Deciding on representations, comments, further representations, and amendments to plans.
s.6C	Proposed amendments under s.6B(8) to be made available for public inspection.)
s.6D	Further representations in respect of proposed amendments to be made available for public inspection.)
s.6E	Treatment of withdrawn representations/comments/further representations.)
s.6F	Consider further representations and decide whether to amend plans by the proposed amendments.)
s.6G	Amend plans by the proposed amendments (for cases without further representations).)
s.6H	Effect of amendments made under s.6F(8) or s.6G.)

Remarks:

The Board may decide to conduct the hearing/further hearing itself for those representations/comments/further representations relating to issues which are of significant territorial interests or would attract wide interest of the public.

Powers and Functions Delegated to Secretary of the Board

<u>TP Ordinance</u>	<u>Description</u>
s.12A(13)&(15)	Determine acceptance of further information and exemption of further information from publication requirement and recounting of statutory time limit for processing the applications for amendment of statutory plan.
s.16(2J)&(2L)	Determine acceptance of further information and exemption of further information from publication requirement and recounting of statutory time limit for processing the applications for planning permission.
s.17(2H)&(2J)	Determine acceptance of further information and exemption of further information from publication requirement and recounting of statutory time limit for processing the review applications.

**Powers and Functions Delegated to Director of Planning,
and to Deputy Director of Planning and Assistant Directors of Planning in the
District Planning Branch of the Planning Department**

<u>TP Ordinance</u>	<u>Description</u>	<u>Remarks</u>
s. 16A(2)	Consider and decide on applications for Class B amendments to permission previously granted under s.16, s.17 or s.17B.	- For applications which are considered acceptable by the concerned government departments and do not involve deletion of previously approved GIC facilities initiated by the relevant government departments.

Powers and Functions Delegated to District Planning Officers

<u>TP Ordinance</u>	<u>Description</u>
s. 16	Approval for development on the Development Permission Area Plans which would be discontinued and the land be reinstated within 6 months.