

PART IV - RELEASE OF INFORMATION TO THE GENERAL PUBLIC

General Principles and Practice

4.1 To enhance the transparency of the planning system and encourage greater public participation in the process, there are provisions in the Ordinance for exhibition of new plans and amendments of plans for public inspection and making representations, proposed amendment(s) by the Board for further representations in the plan-making process, and publication of planning applications under section 16 (except applications for Class B amendments made under section 16A(2)) and review applications under section 17 for public comments. All information submitted to the Board by the applicants/representers/further representers and all comments submitted by the public on planning applications for permission and review applications will be made available for public inspection. However, with recognition to the personal data protection principles, only the name but not other personal data submitted to the Board will be released for public information.

4.2 All new plans or amendments to the plans will be exhibited for public inspection for two months. Representations received during the plan exhibition period will be made available for public inspection on the Board's website and at the Planning Enquiry Counters of the Planning Department. Should the Board decide to propose amendment(s) to meet the representations, the proposed amendment(s) will be made available for public inspection. Further representations received during the first three weeks of the publication period for the proposed amendment(s), will also be available for public inspection. All information will be available for public inspection until the CE in C has made a decision in respect of the plan in question. The public can make a copy of the representations and further representations on payment of a fee.

4.3 Similarly, planning applications made under sections 12A and 16 and section 17 reviews will be made available for public inspection on the Board's website and at the Planning Enquiry Counters of the Planning Department, although the publication of section 12A applications is not required under the Ordinance. Comments on section 16 applications and section 17 reviews received within the first three weeks of the public inspection period of the applications will also be made available for public inspection. All information will be available for public inspection until the application has been considered by the Board. The public can make a copy of the applications and comments (where applicable) on payment of a fee.

Publication Arrangement

4.4 For exhibition of new plans or amendments to the plans under sections 5 and 7(2) of the Ordinance, a notice will be published in the Gazette, two daily Chinese and one daily English local newspapers as well as on the Board's website. For proposed amendment(s) proposed by the Board to plan to meet representations under section 6C, a notice will be published in two daily Chinese and one daily English local newspapers as well as on the Board's website. For notification of decision of the CE in C on approval, refusal or revocation of plans under sections 9D, 10 and 12(1), or reference by SDEV of an approved plan/ a partly approved plan to the Board for replacement or amendment under section 12(1A), a notice will be published in the Gazette. In respect of planning applications made under sections 16 and review applications under section 17, a notice will be published in two daily Chinese and one daily English local newspapers as well as on the Board's website, and the same will be posted

on or near the application site (in so far as local circumstances permit).

4.5 The Board has also adopted a number of administrative measures to further enhance the release of information to the general public. The notice mentioned in paragraph 4.4 will be posted or deposited at the Secretariat of the Board, the Planning Enquiry Counters and the relevant District Planning Office of the Planning Department, the local community centre in the vicinity of the application site, the relevant District Office and Rural Committee (if applicable) to inform the public of the deadline for making representations or submission of comments in respect of planning applications made under sections 16 and review applications under section 17 (except application under section 12A) and the arrangement for public inspection of the submissions received by the Board.

4.6 To enhance communication between the Board and members of the public, the Board's website provides general information relating to the work of the Board as well as the following specific information:

- the latest news/press release relating to the business of the Board
- the composition and functions of the Board and its committees
- the Board's Procedure and Practice including house rules for observation of open meetings
- schedule of meeting, agenda of meeting, papers, gist of decision and minutes of meeting (except for those classified as "confidential")
- statutory plans, definition of terms and master schedule of notes
- notice of publication of new plans, amendment to the plans and proposed amendment(s) proposed by the Board to meet representations
- representations/further representations with respect to the plans and proposed amendment(s)
- applicant's submissions for section 16 or 17 applications
- applicant's submissions for section 12A applications
- progress of consideration of representations/ further representations and various planning applications
- application forms and guidance notes for applications
- comment forms for sections 16 and 17 applications
- submission forms for representations/further representations and guidance notes for attending the meeting for consideration of representations
- TPB Guidelines and relevant technical documents
- certified approved master layout plans of developments in "Comprehensive Development Area" zones

Notification of Decision

4.7 Pending the formal notification of the decision of the Board or its committees, the applicant/representer/further representer may request for an immediate notification of the decision. An informal reply on the result could be conveyed verbally by the Secy/Board, with the advice that it will be subject to subsequent written confirmation, after the meeting. Request for an interim written reply may also be made to the Secy/Board in writing. The Secy/Board will formally notify the concerned parties in writing only upon confirmation of the minutes of meeting.

4.8 After each meeting, a spokesman appointed by the Secy/Board will be available to

answer enquiries from the press/media on the decisions of the Board or its committees. Individual Member shall refer any request from the general public for information on the decisions of the Board or the committees to the Secy/Board for a reply. For issues of considerable public interest, the Secy/Board will issue a press release or arrange a press briefing/conference to promulgate the Board's or the committees' decisions.

Restriction on Disclosure of Information Received Before Commencement of Town Planning (Amendment) Ordinance 2004

4.9 Other than the information provided on the Board's website and available at the Planning Enquiry Counters, all documents submitted by the applicants/objectors/proponents in respect of planning applications/objections/requests for amendment of plan prior to the commencement of the Town Planning (Amendment) Ordinance 2004 (i.e. before 10 June 2005) will not be released for public inspection unless with the consent of the applicants/objectors/proponents. They will only be released when ordered by the Appeal Board under s.17B(6)(a) of the Ordinance or by the Court.