

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 publication of draft plans for public inspection and submission of representations, representations to draft plans for comments, proposed amendments for further representations in the plan-making process, and publication of all planning applications (except applications for Class B amendments made under section 16A(2)) and reviews for public comments. All information submitted to the Board by the applicants/representers/commenters/further representers and all comments submitted by the public on the various planning applications will be made available for public inspection. However, to avoid possible abuse of the system, only the name but not other personal data submitted to the Board will be released for public information.

4.2 All new draft plans or amendments to draft or approved plans will be exhibited for public inspection for two months. Representations received during the plan exhibition period and comments received within the first three weeks of the public inspection period of the representations will be made available for public inspection at the Planning Enquiry Counters of the Planning Department. Should the Board decide to propose amendments to meet the representations, the proposed amendments will be published for public inspection for three weeks. Further representation received during the plan exhibition 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 draft plan in question. The public can make a copy of the representation, comment, and further representation 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 at the Planning Enquiry Counters of the Planning Department. Comments 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 on payment of a fee.

Publication Arrangement

4.4 A notice will be published in the Gazette and two daily Chinese and one daily English local newspapers on all new draft plans or amendments to draft or approved plans, proposed amendments to plan to meet representations, approval or refusal of plans by the CE in C, revocation or reference by the CE in C of an approved plan to the Board for replacement or amendment.

4.5 In respect of planning applications made under sections 12A and 16 and 17 reviews, a notice will be published in two daily Chinese and one daily English local newspapers and posted on or near the application site (in so far as local circumstances permit). The Board has also adopted a number of administrative measures to further enhance the release of information to the general public. The notice and a gist of the application or representation 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 submission and the arrangement for public inspection of the submission 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, 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 draft or approved plan and proposed amendments to meet representations
- notice of representations/further representations together with a gist of the representations/further representations
- notice of publication of various planning applications together with a gist of the applications for comments
- progress of consideration of representations/comments on representations/further representations and various planning applications
- application forms and guidance notes for applications
- submission forms for representations/comments on representations/further representations
- TPB Guidelines and other guidance notes

Notification of Decision

4.7 Pending the formal notification of the decision of the Board or its committees, the applicant/representer/commenter/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.

Transitional Arrangement

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.