

HOW MUCH DO YOU KNOW ABOUT SITE NOTICE FOR PLANNING APPLICATION?

Introduction

Under the Town Planning Ordinance, as amended by the The Town Planning (Amendment) Ordinance 2004, the Town Planning Board (the Board) is required to publish all planning applications (except for the applications for certain amendments to previously approved development schemes), either by posting site notices or advertising notices in local newspapers.

This pamphlet aims to provide answers for the public, particularly the owners, occupiers/tenants, Incorporated Owners and management companies, to queries relating to the posting and removal of site notices.

Readers are reminded that this pamphlet is for reference only and should not be regarded as a formal interpretation of the law. Enquiries on this pamphlet should be addressed to the Secretariat of the Board or the Planning Enquiry Counters of the Planning Department.

Secretariat of the Board

Address : 15/F, North Point Government Offices,
333 Java Road,
North Point, Hong Kong

Tel : 2231 4810 or 2231 4835

Fax : 2877 0245 or 2522 8426

E-mail address : tpbpd@pland.gov.hk

Planning Enquiry Counters of the Planning Department

Addresses : 17/F, North Point Government Offices,
333 Java Road,
North Point, Hong Kong

or

14/F, Sha Tin Government Offices,
1 Sheung Wo Che Road
Sha Tin, New Territories

Hotline : 2231 5000

E-mail address : enquire@pland.gov.hk

What is the purpose of posting a site notice?

- ◆ To inform the public that an application has been made; and
- ◆ To invite the public to submit comments on the application.

A site notice will contain the following information:

- (a) the place and hours at which the application is available for public inspection;
- (b) the specified period within which comments on the application may be made to the Board; and
- (c) the place and hours at which any comments so made will be available for public inspection.

What applications need to be published for public comments?

- ◆ amendments of plan (section 12A);
- ◆ planning permission (section 16); and
- ◆ review of the Board's decision made under section 16 (section 17).

In practice, the Board will post site notices for all these three types of applications in so far as local circumstances permit unless:

- (a) the application involves a large area or many buildings;
- (b) the application site is remote and inaccessible by the public; or
- (c) the application is not site-specific (e.g. application for amending the Notes of the statutory plan generally).

When will a notice be posted?

In general, a site notice will be posted on the same day when the application is advertised in the local newspapers and is made available for public inspection and comments. In the event of bad weather and other unforeseen factors, delays in posting may however occur but all efforts will be made to arrange for posting the notice as soon as practicable.

What is the size of a notice? Where will it be posted?

- (a) For applications involving a change of use within premises (e.g. showroom or shop and services in an industrial building or kindergarten in an existing building):
 - (i) the notice is about A2 size (i.e. 420mm x 594mm or 16" x 23"); and
 - (ii) it will be posted at the building where the application premises is located in the following order of preference:
 - on notice board of the building;
 - inside main lobby of the building;
 - inside lift lobby/lift(s) of the building; or
 - on main gate/outer wall of the building.
- (b) For applications for development on open land (e.g. open storage or comprehensive development on a vacant site or proposed rezoning of a piece of agricultural land):
 - (i) the notice is about A1 size (i.e. 594mm x 841mm or 23" x 32"); and
 - (ii) it will be posted on the fencing or railing along the boundary of the application site. If neither fencing nor railing exists, the notice will be attached to a pole which is then fixed on the ground within the application site.
- (c) For any of the above applications, if the subject of the application is of territorial or major local significance, an additional notice of about 867mm x 1577mm or 33" x 60" will be mounted on a roadside railing in the locality of the application site/premises.

Who will post the notice?

The staff of the Planning Department will post the site notice on behalf of the Board. They will show their Identity Cards of the Government of the Hong Kong Special Administrative Region when performing the duties.

If the application site/premises involve(s) no Incorporated Owners/management office/caretaker, the staff of the Planning Department will post the notice themselves. Otherwise, they will seek assistance from the responsible person of the Incorporated Owners/management office or the concerned caretaker for posting the notice or request him/her to post it.

Why posting more than one site notice with different expiry dates for public comments?

Before the Board considers an application, the applicant may submit further information to supplement his/her original submission. If the Board decides that such further information should also be published for public comments, a further notice (distinguished by a different colour) would be posted with a new expiry date for the submission of public comments. Comments on the further information may be submitted to the Board by the date specified in the new notice.

When will a notice be removed?

A site notice will be removed when the period for making comments (normally 3 weeks) has expired. The notice will be removed by the responsible person of the Incorporated Owners/management office or the concerned caretaker or the staff of the Planning Department.

What should I do if I found that a notice has been destroyed before it expires?

If you found that a notice has been obliterated/defaced/destroyed/removed before it expires, you should inform the Secretariat of the Board immediately. The Secretariat will arrange for re-posting as soon as practicable.

Any person who obliterates/defaces/destroys/removes any site notice without the authorization of the Board may commit a criminal offence.