

# Appeals body for NT land disputes

By JEREMY LAU

THE Government will set up an independent body later this year to resolve disputes between the Town Planning Board and land owners in the New Territories over the use of farm land for other purposes.

The new board is intended to resolve disagreements following controversial new legislation which provoked a storm of protest from the Heung Yee Kuk, which represents about 500,000 indigenous New Territories inhabitants.

The new legislation extends town planning rules to the New Territories but the rural residents have complained that the regulations will limit their ability to develop their land.

At present only the Executive Council is empowered to hear appeals against the Town Planning Board but a government spokesman said yesterday the bill would allow the Governor to appoint a number of panel members to hear cases.

It is hoped the new body will relieve Exco of the possibility of being swamped by appeals from disgruntled New Territories land owners.

It is not known if the Government will appoint any members of the Heung Yee Kuk or other New Territories groups to the appeal board but it is expected these groups will demand representation.

The spokesman said each appeal case would be heard by the chairman of the board, who had yet to be appointed by the Governor, together with four other members from the panel.

"On completion of a hearing, the appeal board will confirm, reverse or vary

the decision appealed against and may make an order for costs incurred in relation to the appeal," he said.

The spokesman said the appeal board's decision on any appeal case would be final.

He added that compensation to land owners would be dealt with in a comprehensive review of the Town Planning Ordinance later this year.

The need for an independent appeal board came to the fore during the consultation on the Town Planning (Amendment) Bill last year.

The bill, which was passed by Legco earlier this year following six months of intense public debate, did not provide such an independent body to hear appeals from landowners barred by the Town Planning Board from using their farm land.

The Government intended to curb the conversions of farm land to open storage through the new legislation.

But the Heung Yee Kuk claimed that the interest of the rural land owners would be adversely affected and could freeze profitable uses of their land.

The kuk claimed the legislation was a violation of the fundamental human rights of the indigenous people of the New Territories.

Officials of the local branch of the New China News Agency had once sided with the organisation and claimed the hasty move by the Government in going ahead with the bill was tantamount to a breach of the Sino-British Joint Declaration.

When the bill was tabled for its first reading last November, five legislators, who were also members of the Heung Yee Kuk, walked out in protest.