DEVELOPMENT CONTROL LAW

Subject Aim:

This subject is intended to:

1. Build up practical knowledge on property development control law and current measures imposed by government affecting the development and use of property.

Learning Outcomes:

Students will demonstrate their ability to:-

1. Comprehend the importance of the planning, building law and other aspects of legislation together with other non-statutory requirements on properties for evaluation of impacts on property development and redevelopment.
2. Apply their learnt knowledge on the integrated approach to legal control of new development and existing properties in the course of development and re-development process.
3. Conduct a most appropriate planning on design and construction of property amongst other choices on the basis of latest legislative issues.
4. Analyse and interpret the liabilities of professionals in the course of property development and re-development.
5. Function on multi-disciplinary teams as capacity of discipline leader.
6. Communicate effectively with other players of development or re-development teams.

Brief Syllabus Content:

Planning Ordinance:
Planning law affecting property development; function of the Town Planning Board, the Appeal Board and Land Development Corporation; zoning plans and development control administration; enforcement, appeal and enquiries process.

Buildings Ordinance:
Development and building control through administrative measures, regulations and codes of practice; control and enforcement of illegal and dangerous structures; role of Authorized Person, Registered Structural Engineer and Registered Contractor.

Government Lease and Conditions:
Development conditions; control and enforcement; modification and renewal.

Professional Liabilities:
Professional licensing and liabilities; modern development in the law of contract and tort, post-construction liabilities and insurance.

Other Related Laws:
Environmental control laws; law relating to dilapidation and occupation of building; and Practice Notes for building professionals and registered contractors.
### Learning and Teaching Approach *(tasks and activities designed to achieve learning outcomes):*

The basic concept of law and critical procedures related to development control will be explained in lectures. Tutorial and seminars will be arranged for discussion in specific topic set for the students in order to facilitate two-way communication and to understand the students’ difficulties and needs. Case study projects will be assigned to small group of 4-5 students to encourage students to take initiation to research and explore options, to tackle problem and to benefit from peer group learning. The project will emphasis on the application of knowledge and to understand the integration of the subject material with other subjects in a development project. Experience practitioners will be invited to deliver lectures and seminars for updated input on the current practice.

### Assessment strategy *(assessment of student performance resulting from learning tasks):*

The coursework continuous assessment will account for 50% and the written examination will account for 50%. The marking will emphasis assessing on both the process and submitted product. Students are encouraged to explore options of property development within the constraint of development law through project work and tutorial assignments. Questions will be asked during presentation to ensure the students have achieved the learning outcomes.

### Reading List:

**Recommended:**

- Buildings and Lands Department (1991), *Building Control in Hong Kong*, HK Government Printer

**Supplementary:**

- Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Contractors, latest edition, Buildings Department
- H.K. Government *Town Planning in Hong Kong*, HK Government Printer
- Built Environment at the crossroads (1996) the *1996 Fourth World Congress of Building Officials, Hong Kong*, WOBO, HK