

Subject Description Form

Subject Code	BRE336
Subject Title	Development Control Law
Credit Value	3
Level	3
Pre-requisite / Co-requisite/ Exclusion	NIL
Objectives	Build up practical knowledge on property development control law and current measures imposed by government affecting the development and use of property.
Intended Learning Outcomes	Upon completion of the subject, students will be able to: - 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. - Review and apply relevant legal principles laid down in legal cases to different aspects of development control mechanisms. - 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. - Conduct a most appropriate planning on design and construction of property amongst other choices on the basis of latest legislative issues. - Analyze and interpret the liabilities of professionals in the course of property development and re-development. - Communicate effectively with other players of development or re-development teams.
Subject Synopsis/ Indicative Syllabus	<i>Town Planning Ordinance:</i> 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. <i>Buildings Ordinance:</i> Development and building control through administrative measures, regulations and codes of practice on new building works and existing building works; control and enforcement of Minor works and Unauthorized Building Works; role of Authorized Person, Registered Structural Engineer and Registered Contractor. <i>Government Lease and Conditions:</i> Land tenure system, Lease conditions; control and enforcement; modification and renewal. <i>Professional Liabilities:</i> Professional licensing and liabilities in pre-construction, construction and post-construction stages. <i>Other Related Laws:</i> Environmental control laws; law relating to dilapidation and occupation of building; and Practice Notes for building professionals and registered contractors.

Teaching/Learning Methodology	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 shall 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 Methods in Alignment with Intended Learning Outcomes	The coursework in the form of 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 control law through project work and tutorial assignments. Questions will be asked during presentation to ensure the students have achieved the intended learning outcomes. <table><tr><th rowspan="2">Specific assessment methods/tasks</th><th rowspan="2">% weighting</th><th colspan="6">Intended subject learning outcomes to be assessed</th></tr><tr><th>a</th><th>b</th><th>c</th><th>d</th><th>e</th><th>f</th></tr><tr><td>1. Project</td><td>40</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td></tr><tr><td>2. Tutorial participation and discussion</td><td>10</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td><td>√</td></tr><tr><td>3. Examination</td><td>50</td><td>√</td><td>√</td><td>√</td><td></td><td>√</td><td></td></tr><tr><td>Total</td><td>100 %</td><td colspan="6"></td></tr></table> *Students must pass all the course work components and the examination to pass the subject								Specific assessment methods/tasks	% weighting	Intended subject learning outcomes to be assessed						a	b	c	d	e	f	1. Project	40	√	√	√	√	√	√	2. Tutorial participation and discussion	10	√	√	√	√	√	√	3. Examination	50	√	√	√		√		Total	100 %						
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Reading List and References	Bacon, N. (1996). <i>Conveyancing 2nd Edition</i>, Hong Kong: FT Law & Tax Asia Pacific. Buildings and Lands Department (1991), <i>Building Control in Hong Kong</i>, HK Government Printer. Chan, E.H.W. and E.H.K. Yung (2004) Is the Development Control Legal Framework Conducive to a Sustainable Dense Urban Development in Hong Kong? <i>Habitat International</i>, 28(3) 409-426																																																					

	H.K. Government (latest edition). <i>Buildings Ordinance and Regulations</i>, HK Government Printer. H.K. Government (latest edition). <i>Town Planning Ordinance and Regulations</i>, HK Government Printer. H.K. Government <i>Town Planning in Hong Kong</i>, HK Government Printer. Built Environment at the crossroads (1996). <i>The 1996 Fourth World Congress of Building Officials, Hong Kong</i>, WOBO, HK. Hong Kong e-legislation: https://www.elegislation.gov.hk/ Lai, L.W.C. , Ho, D. C.H. and Leung, H.F. (2017) <i>Change in use of land : a practical guide to development in Hong Kong</i>, 3rd Edition, Hong Kong University Press. Litton., J. & Kate, Olley, K. (2018) <i>Planning Law in Hong Kong</i>. LexisNexis. Nissim, R. (2016) <i>Land Administration and Practice in Hong Kong</i>, 4th Edition, Hong Kong University Press. Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Contractors, latest edition, Buildings Department. Tong, A. (2013) <i>Building and Development Control Legislation in Hong Kong</i>, PACE Publishing: Hong Kong.
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