

**APPLICATION TO THE CHIEF EXECUTIVE
UNDER SECTION 8(2) OF THE TOWN PLANNING ORDINANCE
FOR EXTENSION OF TIME LIMIT FOR SUBMISSION OF THE
DRAFT TAI HO OUTLINE ZONING PLAN NO. S/I-TH/1
TO THE CHIEF EXECUTIVE IN COUNCIL FOR APPROVAL**

1. Introduction

The purpose of this paper is to seek Members' agreement to apply to the Chief Executive (CE), under section 8(2) of the Town Planning Ordinance (the Ordinance), for an extension of time limit for submission of the draft Tai Ho Outline Zoning Plan (OZP) No. S/I-TH/1 to the Chief Executive in Council (CE in C) for approval. The time limit for submission of the draft Tai Ho OZP is required to be extended for a period of six months from 24.2.2018 to 24.8.2018.

2. Background

- 2.1 On 24.3.2017, the draft Tai Ho OZP No. S/I-TH/1 (**Plan 1**) was exhibited for public inspection under section 5 of the Ordinance.
- 2.1 During the two-month plan exhibition period, a total of 1,063 representations were received. On 23.6.2017, the Town Planning Board (the Board) published the representations and, in the first three weeks of the publication period, a total of two comments on the representations were received.
- 2.2 After giving consideration to the representations under section 6B(1) of the Ordinance on 3.11.2017, the Board decided not to propose any amendment to the draft OZP to meet the representations under section 6B(8) of the Ordinance.
- 2.3 According to the statutory time limit, the draft OZP shall be submitted to the CE in C for approval on or before 24.2.2018.
- 2.4 However, on 24.11.2017, the Court of First Instance handed down its judgment on the judicial review (JR) in relation to the approval of the draft OZPs of Hoi Ha, Pak Lap and So Lo Pun. The Court also ordered that the OZPs had to be remitted to the Board for reconsideration.

3. Need for Extension of the Statutory 9-month Time Limit

- 3.1 The Secretariat of the Board is studying the Court's judgment on the JR in relation to the draft OZPs of Hoi Ha, Pak Lap and So Lo Pun, including its implications on proceedings of other draft OZPs, and seeking advice from the Department of Justice. It is unlikely that the plan-making process for the draft Tai Ho OZP No. S/I-TH/1 could be completed within the 9-month statutory time limit for submission of the

draft OZP to the CE in C for approval (i.e. before 24.2.2018).

3.2 In view of the above, there is a need to apply to the CE for an extension of the statutory time limit for six months to allow sufficient time to complete the plan-making process of the draft OZP prior to submission to the CE in C for approval.

4. Decision Sought

Members are invited to agree that the CE's agreement should be sought under section 8(2) of the Ordinance to extend the time limit for submission of the draft Tai Ho OZP No. S/I-TH/1 to the CE in C for a period of six months from 24.2.2018 to 24.8.2018.

5. Attachment

Plan 1 Draft Tai Ho Outline Zoning Plan No. S/I-TH/1

**PLANNING DEPARTMENT
FEBRUARY 2018**