

**SUBMISSION OF THE DRAFT TAI HO
OUTLINE ZONING PLAN NO. S/I-TH/1A
UNDER SECTION 8 OF THE TOWN PLANNING ORDINANCE
TO THE CHIEF EXECUTIVE IN COUNCIL**

1. Introduction

The purposes of this paper is to seek Members' agreement that the draft Tai Ho Outline Zoning Plan (OZP) No. S/I-TH/1A (the draft OZP) (**Annex I**) together with its Notes (**Annex II**) are suitable for submission under section 8 of the Town Planning Ordinance (the Ordinance) to the Chief Executive in Council (CE in C), and that the updated Explanatory Statement (ES) (**Annex III**) is suitable for submission to the CE in C together with the draft OZP.

2. Background

- 2.1 On 24.8.2016, under the power delegated by the Chief Executive, the Secretary for Development directed the Town Planning Board (the Board), under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Tai Ho area.
- 2.2 On 24.3.2017, the draft Tai Ho OZP No. S/I-TH/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of 1,063 representations were received. On 23.6.2017, the representations were published for three weeks for public comment and two comments on the representations were received.
- 2.3 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.

3. Submission to the Chief Executive in Council

- 3.1 In accordance with section 8 of the Ordinance, the Board shall submit the draft OZP, together with a schedule of the representations (if any), comments on the representations (if any), further representations (if any) and amendments (if any) to the CE in C within nine months of the expiration of the plan-exhibition period.
- 3.2 On 13.2.2018, the Chief Executive, under section 8(2) of the Ordinance, agreed to extend the statutory time limit for the Board to submit the draft OZP to the CE in C for a period of six months from 24.2.2018 to 24.8.2018.
- 3.3 Since the representation consideration process has been completed, the draft OZP together with its Note and updated ES is now ready for submission to the CE in C. For submission to the CE in C, the draft Tai Ho OZP No. S/I-TH/1

has been renumbered as S/I-TH/1A. Opportunity is also taken to update the ES to reflect the latest position of the draft OZP. For easy reference, the amendments are highlighted in ***bold and italics*** or ~~strike-out~~ form.

- 3.4 After the Board had decided not to propose any amendment to the draft Tai Ho OZP to meet the representations on 3.11.2017, the Court of First Instance laid down its judgement on 24.11.2017 on the judicial review against the draft OZPs of Hoi Ha, Pak Lap and So Lo Pun. The Board Secretariat is reviewing the follow up action to be taken to comply with that judgement. The findings of that review may have a bearing on the designation of “Village Type Development” zone on the draft Tai Ho OZP. The CE in C will be so apprised of the position, and it is for the CE in C to approve, refuse to approve or refer the draft OZP to the Board for further consideration and amendment in accordance with section 9 of the Ordinance.

4. **Decision Sought**

Members are invited to:

- (a) agree that the draft Tai Ho OZP No. S/I-TH/1A and its Notes at **Annexes I and II** respectively are suitable for submission under section 8 of the Ordinance to the CE in C;
- (b) endorse the updated ES for the draft Tai Ho OZP No. S/I-TH/1A at **Annex III** as an expression of the planning intention and objectives of the Board for the various land-use zonings on the draft OZP and issued under the name of the Board; and
- (c) agree that the updated ES is suitable for submission to the CE in C together with the draft OZP.

5. **Attachments**

Annex I	Draft Tai Ho OZP No. S/I-TH/1A
Annex II	Notes of the draft Tai Ho OZP No. S/I-TH/1A
Annex III	Explanatory Statement of the draft Tai Ho OZP No. S/I-TH/1A

**PLANNING DEPARTMENT
JUNE 2018**