

How to Participate in Statutory Plan-making Process

Introduction

The Town Planning Ordinance as amended in 2023 introduces a new statutory plan-making process (**Figure 1**). This pamphlet aims to briefly explain how the public can participate in such process.

Readers are reminded that this pamphlet is for reference only and should not be regarded as a formal interpretation of the law. Enquiries on this pamphlet should be addressed to the Secretariat of the Town Planning Board (the Board) or the Planning Enquiry Counters of the Planning Department.

Secretariat of the Board

Address : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
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E-mail address : tpbpd@pland.gov.hk

Planning Enquiry Counters of the Planning Department

Addresses : 17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong
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14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories
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E-mail address : enquire@pland.gov.hk

Representation Relating to a Plan

All new plans and amendments to plans will be exhibited for two months for public inspection. During this exhibition period, any person may make representations (either supportive or adverse) to the Board in respect of the new plan or the amendments.

Hearing of Representations

The Board or its Representation Hearing Committee (RHC) will hold a hearing to consider the valid representations received. The persons who have submitted representations may attend the hearing and be heard by the Board/RHC. If the representer is not a natural person (e.g. the representer is a company/organization/group), the representer may authorize a natural person to attend the hearing. If the representer is a natural person, he/she is required to attend the hearing in person. If the TPB is satisfied that the representer is unable to attend the hearing due to exceptional circumstances, the representer may authorize another natural person to attend the hearing and speak on his/her behalf.

After the hearing, the Board/RHC will decide whether to propose amendment(s) to the plan to meet the representations.

Further Representation in Respect of Proposed Amendment(s)

Any amendment(s) proposed by the Board/RHC after the hearing will be published for public inspection.

During the first 3 weeks of the public inspection period of the proposed amendment(s), any person may make further representations in respect of the proposed amendment(s) (either supportive or adverse) to the Board. The Board/RHC will consider the further representation and decide whether to amend the plan by the proposed amendment(s).

If there is no opposing further representation, the Board/RHC will hold a meeting to consider the further representation received and to amend the plan by the proposed amendment(s). If no further representation is received, the Board/RHC will amend the draft plan by the proposed amendment(s).

Submission to Chief Executive in Council

Upon completion of the representation consideration process, the Board is required to submit the plan incorporating the amendments together with the representations and further representations to the Chief Executive in Council (CE in C) for approval within five months from the expiry of the last plan exhibition period (or as extended by the Secretary for Development (SDEV) for two months and thereafter, further extended by the SDEV for two more periods (of 2 months each) under exceptional circumstances).

Submission Requirements

All representations/further representations must be made within the statutory time limit. They should be forwarded to the Secretary of the Town Planning Board by hand, post, fax or e-mail (contact details are the same as those for the Secretariat of the Board). To facilitate processing of the submissions, the person who submits representation/further representation must provide the necessary information as required under the Town Planning Board Guidelines on Submission and Processing of Representations and Further Representations under the Town Planning Ordinance by filling in a submission form (i.e. Form No. S6 and S6D respectively). The forms are available at the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department and can be downloaded from the Board's Website (<http://www.tpb.gov.hk/>).

Representations/further representations can also be submitted online by clicking "Plans under Processing" on the Board's webpage under "Statutory Plans".

Documents Available for Public Inspection

- All representations/further representations and amendment(s) proposed by the Board/RHC after the representation hearing as well as the amendment(s) made by the Board upon completion of the representation consideration process are available for public inspection until the CE in C has made a decision on the plan.

Figure 1 The New Plan-making Process

