

Chapter VII : Planning and Lands

7.1 At the invitation of the Chairman, the Secretary for Planning and Lands (SPL), Mr Gordon SIU, presented the policy commitments of the Planning and Lands Bureau in 2001-02, and highlighted three priority areas, namely, long-term strategic planning for Hong Kong, improving safety and timely maintenance of buildings and signboards, and accelerating the programme for urban renewal (Appendix V-6).

Regulation of land supply

7.2 Mr LAU Ping-cheung referred to the recent announcement made by the Director of Lands (D of Lands) on the Government's intention to allocate land to the Housing Authority for it to look for private developers for developing joint housing projects. The idea was to designate 30% of the housing units in these joint projects as public housing units, while the remainder would be private units for sale in the market. He was concerned that the Government would not have any control over the pace of development of the land allocated to the Housing Authority. The proposal was therefore not in line with Government's long-standing policy of supplying sufficient land to maintain the stability of the property market.

7.3 D of Lands clarified that the proposal applied only to government land which fell between housing estates being considered for redevelopment by the Housing Authority. The purpose of the proposal was to facilitate a comprehensive development of the whole area. He assured members that the Administration had no intention to allocate land to the Housing Authority from the Application List. As regards the 30% ratio, D of Lands clarified that it was only an example to illustrate how the sharing of flats could be applied in a mixed housing scheme. Responding to Mr LAU Ping-cheung's further enquiry, D of Lands advised that the value of the land involved in the proposal in money terms might vary from case to case and nothing specific had been worked out yet. He stressed that the proposal was still being considered by the relevant bureaux.

7.4 To enhance transparency and maintain stability of the property market, SPL advised that the Administration would make conscious efforts in the coming year to facilitate the co-ordination among private developers and public bodies which were in possession of land, and to make it clear when and where land supply would be available.

Chapter VII : Planning and Lands

7.5 Responding to Miss Emily LAU's query, D of Lands clarified that at the press conference held the day before, he had only expressed his views on the property market but not encouraged anybody to buy properties. It should be the personal decisions of members of the public on whether to buy properties at this point in time.

Urban renewal projects

7.6 Mr TAM Yiu-chung urged the Administration to reserve land for the construction of public housing units for rehousing the elderly affected by urban renewal projects. SPL advised that the proposed Urban Renewal Authority (URA) would implement a 20-year programme, covering 200 urban renewal projects in nine target areas and 25 uncompleted projects of the Land Development Corporation (LDC). The new strategy for the grouping of the nine target areas for redevelopment would allow URA sufficient land resources and greater flexibility in working out with its rehousing agents, i.e. the Housing Authority and Housing Society, the plan for constructing public rental housing units for rehousing the affected tenants. It was anticipated that URA would consult the parties concerned in making the rehousing arrangements.

7.7 Mr LAU Ping-cheung noted that the provision of \$14,775,000 under Subhead 003 of the Lands Department for salaries of 30 staff to manage the clearance activities for the redevelopment programme of LDC or the future URA was to be recovered from LDC/URA as appropriate. He was concerned whether LDC had undertaken to repay the costs in the event that URA would not be formed. D of Lands confirmed that there was an arrangement for LDC to reimburse Lands Department for the costs involved in urban renewal works as long as LDC was in operation.

Small house applications

7.8 Dr TANG Siu-tong queried why the target for approving small house applications for 2001-02 was set at 1 200 when actually 1 400 applications were approved in 2000-01. D of Lands explained that Lands Department's target was to process 1 200 small house applications each year. The number of applications finally approved in the year would vary according to the availability of village extension areas, and the time required to process the applications which varied according to the complexity of the cases. D of Lands considered it more realistic to adopt the norm as the target for 2000-01. Dr TANG challenged the

Chapter VII : Planning and Lands

decision of the Lands Department and pointed out that at this pace, it would take more than ten years to process the outstanding 15 000 applications. He requested the Administration to provide additional manpower resources to expedite the process. D of Lands pointed out that in view of the zero-growth policy of the Government, additional staff was not proposed for processing small house applications. Nevertheless, the Lands Department would improve the system to enhance efficiency in this aspect.

7.9 Responding to Dr TANG Siu-tong's further question, D of Lands said that outsourcing of the processing of small house applications had previously been carried out on a trial basis where villagers could approach private land surveyors and lawyers. The scheme was dropped as no villagers had applied through that channel.

7.10 Responding to Miss Emily LAU, SPL advised that the review of the existing approving criteria under the New Territories Small House Policy had already been completed. The present policy of approving small house applications subject to the availability of village land would remain unchanged. However, the Administration was still considering whether the existing eligibility criteria for small house applications should be revised and if so, the appropriate procedures to implement the changes. As the issues would have implications on land use planning in the New Territories, the Administration was consulting the concerned organizations including Heung Yee Kuk. He assured members that the public would be consulted at an appropriate time.

Clearance of environmental black spots on private land

7.11 Noting that the environmental black spots on private land and government land were cleared by the Task Force (Black Spots) of the Lands Department, Mr Howard YOUNG sought clarification on the action to be taken by the Administration in case the owners of private land were uncooperative or could not be located. D of Lands advised that the Task Force had no authority to enter private land without the permission of the registered owners. However, the Task Force had so far made good progress on the clearance of black spots on private land. Owners were in general co-operative and prepared to undertake improvement works for their sites. In response to Mr Howard YOUNG's question on the types of improvement works, D of Lands advised that normally, landscaping works at lot boundaries and drainage improvement works were carried out. The Administration always worked with the owners concerned by

providing advice to them.

Adverse possession of government land

7.12 Mr James TO Kun-sun enquired whether the Administration had information on the extent of government land being occupied without authorization for a prolonged period. As far as he knew, occupiers who had uninterrupted and unchallenged possession and occupation of a piece of land, e.g. land in the front or at the rear lane of shops, for 20 years might claim for adverse possession. Mr TO urged the Administration to take enforcement actions to recover such land, and in case it had no records of such occupation, to start collating the information. D of Lands undertook to check if the required information was available. However, he pointed out that due to manpower resources constraint, it had not been possible for LD to monitor each piece of government land to ensure that there was no unauthorized building works (UBWs) extended from shops to pavements or rear lanes. Normally, clearance actions were taken in response to complaints.

Consultation on local planning issues

7.13 Whilst appreciating the extensive consultation conducted by the Administration on long-term planning strategies such as the study on “Hong Kong 2030 — Planning Vision and Strategy”, Mr Albert CHAN considered that more resources should be provided for consultation on local planning issues. He pointed out that the residents affected by the planning proposals were usually not aware of the publication of amendments to Town Planning Outline Zoning Plans on the Gazette. As a result, it was always too late when they became aware of any rezoning plans which might affect them. Mr CHAN enquired whether any actions could be taken to consult the affected residents more proactively.

7.14 The Director of Planning (D of Plan) advised that relevant district council(s) were consulted on the proposed amendments to Town Planning Outline Zoning Plans in accordance with the established procedures and their views were submitted to the Town Planning Board for consideration. There were also established legal procedures for the public to give their views on the zoning plan proposals. As regards applications under Section 16 of the Town Planning Ordinance (Cap. 131), there was no legal provision on the consultation procedures. Planning Department normally obtained local views through the relevant District Officer(s) of the Home Affairs Department. Mr Albert CHAN

Chapter VII : Planning and Lands

pointed out that very often, affected residents and members of the relevant district councils were consulted on the planning proposals only shortly before the proposals came into effect. He urged the Administration to improve the consultation mechanism on local planning issues. Mr SIN Chung-kai opined that the Administration should have sufficient resources to do so, having regard to the substantial provision of \$20.5 million and \$236.1 million for Town Planning Information Services and District Planning respectively in 2000-01. D of Plan however pointed out that the scope of public consultation on applications under Section 16 of the Town Planning Ordinance was limited, having regard to the fact that the Administration was not empowered to disclose information on the applications under the Ordinance. Mr SIN considered that the Administration should improve the current situation by making reference to the procedures for consulting the residents and local organizations on applications for liquor licence.

7.15 In response, SPL undertook to follow up members' concern at his meeting with members of the 18 District Councils on 27 March 2001. He would explore ways to improve the consultation mechanism on planning issues within the existing laws.

Building safety and maintenance

7.16 Referring to the provision of \$90 million for 1999-00 for the creation of 47 posts in the Buildings Department (BD) to step up its efforts to remove UBWs, Ir Dr Raymond HO Chung-tai was concerned that none of the additional posts was engineer posts. He asked whether the provision of additional staffing resources in the estimates for 2001-02 had included staff in the professional grades to ensure structural safety during clearance operations. The Director of Buildings (DB) clarified that the 47 additional posts were originally proposed for fire safety work in 2000 and onwards. He confirmed that provision had been made for the creation of engineer posts for the fire safety team and the clearance team in the current estimates.

7.17 Responding to Ir Dr Raymond HO and Mr LAU Ping-cheung, DB advised that the Administration would, in deciding the appropriate grade(s) for the additional posts to be created, take into account the job requirements for the posts and the views of the staff associations concerned.

Pilot Co-ordinated Maintenance of Buildings Scheme

7.18 In response to Mr IP Kwok-him's enquiry on the progress of the Pilot Co-ordinated Maintenance of Buildings Scheme, DB advised that since the implementation of the Scheme in November 2000, owners of 141 of the 150 selected buildings had already been notified of the details of the required improvement/repair works. Moreover, 41 meetings had been held with Owners' Corporations (OCs) of 40 selected buildings to brief owners of the extent, scope and nature of the required improvement/repair works. While owners of three selected buildings had already engaged authorized persons to carry out the necessary works, 32 removal orders had been issued to uncooperative owners.

7.19 Responding to Mr IP Kwok-him, DB advised that all of the 150 selected buildings had OCs. Head, TF added that of the 40 000 private buildings in Hong Kong, about 8 000 had OCs and about 1 000 had other forms of owners/tenants' organizations. Mr IP was concerned that a great majority of private buildings did not have OCs to co-ordinate the required improvement/repair works. Head, TF advised that the Administration had introduced a number of measures to assist owners in this respect. For example, the Buildings Management (Amendment) Ordinance 2000 enacted in June 2000 was introduced to facilitate the formation of OCs. The Building Management Co-ordinating Teams were set up under the Home Affairs Department to assist owners to form OCs and provide advice for them on building maintenance issues.

7.20 Regarding financial assistance to the owners concerned, Head, TF advised that a proposal would be put to the Finance Committee in April 2001 to merge the existing schemes, namely Building Safety Improvement Loan Scheme and the Fire Safety Improvement Loan Scheme. There would be a commitment of \$700 million under the new Comprehensive Building Safety Improvement Loan Scheme to assist owners to maintain and improve the safety of their premises. Under the new comprehensive scheme, the application procedures would be streamlined and the eligibility criteria relaxed.

Contracting out of services in Buildings Department

7.21 Noting that BD would contract out part of the enforcement works relating to UBWs in 2001-02, Miss CHAN Yuen-han was concerned how BD would monitor the quality of the services provided by the contractors, and whether reasonable salaries and conditions of employment would be clearly set

out in the contracts to safeguard the interests of the workers. In response, DB pointed out that to allow BD the flexibility in taking enforcement actions against UBWs, about 25% of the additional resources to be provided in 2001-02 would be used to engage private contractors to inspect and supervise the removal of UBWs. As a first step, three small-scale outsourced works contracts in Hong Kong, Kowloon and New Territories would be awarded. The contractors would be required to employ professional and technical staff to ensure the quality of service. It was expected that the contractors would have to offer reasonable salaries and conditions of employment to attract and retain staff with the required qualifications. BD would review the situation in the light of the experience gained before contracting out the large-scale works.

7.22 At the request of Miss CHAN Yuen-han, DB agreed to provide his advice in writing.

Proposed Tang Lung Chau Dangerous Goods Anchorage

7.23 Mr WONG Yung-kan queried why the Administration still pursued the proposal of relocating the Tsuen Wan Bay Dangerous Goods Anchorage (DGA) to Tang Lung Chau despite the objection raised by fishermen associations and Tsuen Wan District Council. The Director of Territory Development advised that the proposed Tang Lung Chau DGA was part of the Tsuen Wan Bay Further Reclamation project. The Administration was considering the views of the relevant district councils and fishermen associations, and would decide later on the way forward.