

立法會

Legislative Council

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Report of the Panel on Planning, Lands and Works for submission to the Legislative Council

Purpose

This report gives an account of the work of the Panel on Planning, Lands and Works from October 2004 to June 2005. It will be tabled at the meeting of the Legislative Council (LegCo) on 6 July 2005 in accordance with Rule 77(14) of the Rules of Procedure of LegCo.

The Panel

2. The Panel was formed by resolution of LegCo on 8 July 1998 and as amended on 20 December 2000 for the purpose of monitoring and examining Government policies and issues of public concern relating to lands, buildings and planning matters, works and water supply, and the Public Works Programme. The terms of reference of the Panel are in **Appendix I**.

3. For the 2004-05 session, the Panel comprises 14 members. Hon LAU Wong-fat and Hon Patrick LAU Sau-shing were elected Chairman and Deputy Chairman of the Panel respectively. The membership list of the Panel is in **Appendix II**.

The work

West Kowloon Cultural District development

4. During the 2004-05 session, the Panel continued to examine the issues relating to the development of West Kowloon Cultural District (WKCD). Following the announcement of the result of stage one of assessment of Invitation for Proposals on 10 November 2004, the Panel invited the Chief Secretary for Administration to explain the way forward. Members reiterated their concerns about the adoption of the single-package approach, the mandatory provision of a large-sized canopy and the need to know the financial arrangements for the WKCD project. The Panel passed three motions urging

the Administration to respectively review the single-package approach, to extend the consultation period on screened-in proposals from three to six months and to disclose information on the financial arrangements of the three screened-in proposals.

5. For the purpose of understanding the contents of the screened-in proposals, the Panel made a guided tour to the exhibition of the three screened-in proposals on the first day of exhibition. All proponents were also invited to attend the Panel meeting held after the guided tour to elaborate on their plans. About 30 organizations from building and arts and cultural sectors made oral presentation to the Panel. Members noted the diverse views expressed by organizations on the WKCD project. While some organizations lent their support to the development of an integrated arts, cultural and entertainment district, others criticized the approach adopted and considered that the Administration should not confine its choice to one of the three screened-in proposals. As the issue was of wide public concern, LegCo passed a motion on 5 January 2005 urging the Administration to review various issues of the WKCD development. The House Committee decided on 21 January 2005 to set up a subcommittee to follow up on the motion. The Panel therefore decided that further study of the issues of WKCD would be taken up by the subcommittee.

Development along the Victoria Harbour

6. Development along the Victoria Harbour remained high on the agenda of the Panel throughout the year. The Panel followed up on the Government's undertaking to comprehensively review Wan Chai Development Phase II (WDII) and Kai Tak in the light of the judgment delivered by the Court of Final Appeal on reclamation. For the purpose, the Government set up two subcommittees under the Harbour-front Enhancement Committee (HEC) to advise on WDII Review and Kai Tak Review.

7. Members noted with concern that in February 2005 the Subcommittee on WDII Review withdrew an information kit under public consultation which had given rise to confusion. Members reiterated their views that the public should be fully consulted on alternatives other than the building of a Trunk Road to relieve traffic congestion problem. These measures included full utilization of the Western Harbour Crossing; electronic road pricing; rationalization of franchised buses; restricting loading and unloading activities in Central; extending Mass Transit Railway to Kennedy Town; and building new hillside escalators from Central to Mid-levels. When a revised information kit was issued by the Subcommittee on WDII Review in April 2005, the Panel convened a meeting immediately to examine the subject. Many members considered that the revised information kit did not include sufficient information to enable the public to make an informed choice. For example, there was no mention of the extent of reclamation required under

each of the proposed options. The Panel found it necessary to further discuss the issue after the Administration had collected public views through opinion surveys, public forums and charrettes.

8. As regards Kai Tak Review, the Panel noted that stage 1 of the public participation programme took place between September and November 2004. About 240 written submissions were received. Like WDII, some members considered that the principle of “zero reclamation” should be observed. “Zero reclamation” would be one of the options to be included in stage 2 public consultation programme to be launched by the Administration in developing the outline concept plan for Kai Tak. Members considered that in planning for the way forward for Kai Tak, particular attention should be paid to the environmental problem of the Kai Tak Approach Channel and the need or otherwise for a stadium and marine facilities. The Panel would follow up the matter in the next session.

Development of Lantau

9. The Panel examined the Concept Plan for Lantau drawn up by the Lantau Development Task Force headed by the Financial Secretary. Members generally supported the identification of a few key development themes for community discussion, namely economic infrastructure and tourism, theme attractions based on heritage, local character and natural landscape, maximizing the recreation potential of country parks and meeting conservation needs. In developing Lantau, members stressed the need to provide timely the transport infrastructures and to balance the interests of different stakeholders, such as fishing community, private land owners and environmentalists. To further understand the views of different interest groups, the Panel planned to receive deputations after the Administration had compiled the public views collected during public consultation.

Town planning

10. The Panel supported the commencement of the Town Planning (Amendment) Ordinance 2004 to increase transparency and public participation of the plan making and planning approval processes. To ensure that the matters raised in the relevant Bills Committee were properly dealt with before the Amendment Ordinance came into operation, the Panel held two meetings to examine, amongst other things, the arrangement for posting and maintaining site notices on planning applications and the eight sets of new/revised Town Planning Board Guidelines.

11. Members considered that the Amendment Ordinance was a step forward to revamp the plan making and planning approval systems. Further reforms were needed in relation to the composition of the Town Planning Board (TPB), the quorum of TPB meetings and the further opening up of TPB

meetings. The Administration was urged to address these issues in the next rounds of review of the Town Planning Ordinance.

Urban renewal

12. Following the enactment of the Landlord and Tenant (Consolidation) (Amendment) Ordinance 2004 to abolish security of tenure and statutory compensation, the Panel examined the proposed arrangements for domestic tenants affected by redevelopment projects and received deputations to listen to their views. Members noted the respective policies applied to ex-Land Development Corporation projects and new urban renewal projects. Members were concerned in particular about the valuation of property and the availability of an independent arbitration mechanism to adjudicate the Home Purchase Allowance (HPA) rate. Noting that the calculation of HPA rate was based on seven separate valuations of a notional seven-year replacement flat respectively prepared by seven professional surveyor firms, the Panel called on the Urban Renewal Authority (URA) to disclose the professional valuations. In response to members' request, the URA agreed to state the names of the seven surveyor firms and the seven figures used in the calculation of HPA rate in the acquisition offers issued by the URA, starting from March 2005. The URA also launched a trial mechanism for appointing surveyor firms through ballot instead of open tender.

13. Apart from examining the compensation arrangements, the Panel also met with the Wan Chai District Council (WCDC) to explore how the old district of Wan Chai should best be renewed. Members appreciated the survey undertaken by the WCDC in this respect. They supported that regeneration of old urban districts should, as far as possible, proceed with minimal disruption to local communities and businesses. Members urged the Administration to actively discuss with WCDC concerning the Lee Tung Street project in Wan Chai.

Land disposal

14. The Panel held a series of meetings including a joint meeting with the Panel on Financial Affairs to examine issues relating to land disposal and its implications on Government revenue. Members noted the two ways to dispose of Government land, namely land sale through the Application List System and private land grant. Members welcomed that the Administration took into account their view and included more sites of smaller size in the 2005-06 Application List to facilitate participation by small developers. They however remained concerned about the change of land use, in particular in respect of land granted by way of private treaty. Members noted that some of the land changed the specific purposes to which the private treaty was granted. Other land was left unused and undeveloped for a long period of time. Members found it necessary to address several issues including the mechanism

for approving the change of lease modification; the mechanism for negotiating the premium payable for change of lease modification; and the appropriateness of subsidizing commercially operated infrastructure projects in the form of land. The Administration was urged to expedite the review on the enforcement of the cessation of user clause in the lease conditions of private treaty grants and to report to the Panel on measures to improve the situation.

Land registration

15. Pursuant to the passage of the Land Titles Bill in the last legislative session, the Panel noted the progress of preparatory work for the implementation of a new system of registering the title to land to replace the existing deeds registration system. On the proposal to create one permanent and four supernumerary directorate posts in the Land Registry to assist with the preparation and operation of the new land title registration system, members reiterated the importance of observing the consensus reached with the Administration that the creation of any directorate posts needed to be offset by the deletion of a corresponding number of directorate posts.

16. To address a long standing problem, the Panel supported the proposed legislation for the reconstitution of missing and illegible Government leases. Members noted the intention of the Administration to introduce an automatic reconstitution mechanism for Block Crown Leases issued in early 1900s which were substantially in the same terms. For missing or illegible Government leases that could not be reconstituted automatically, they could be reconstituted on application. Persons who incurred loss or damage as a result of automatic reconstitution might make a statutory claim against the Government. Members made several suggestions to improve the proposed legislation, including specifying the identified missing or illegible leases in a schedule to facilitate amendment and allowing the affected persons to make claim without a time limit. The Panel noted that the proposed legislation would be introduced in the 2005-06 session.

Public works

17. The Panel was briefed on the implementation of the Public Works Programme Information System (PWPIS) which was launched on 1 December 2004. PWPIS is a computer system designed to provide timely data on works contracts and consultancy agreements, versatile tools as well as efficient means of communication among 14 bureaux and departments involved in managing and monitoring public works. Members welcomed the setting up of a committee which would meet every three months to review the data required and improve PWPIS according to prevailing circumstances. They called on the introduction of measures to improve access to information on public works in particular by District Councils and the construction industry.

18. During the 2004-05, the Panel discussed two public works projects before the financial proposals were submitted to the Public Works Subcommittee for consideration. The first project was drainage improvement works to upgrade the flood protection level in Northern New Territories which had become susceptible to flooding after the conversion of some of the farmlands and fishponds to open storage yards. Whist supporting the project, the Panel requested the Administration to expedite and complete the works before the rainy seasons.

19. The second works project deliberated by the Panel was stage 2 of the replacement and rehabilitation programme of aged water mains. Members supported the engagement of consultants to carry out detailed design for the works. Recognizing that many water mains were approaching the end of their service lives which would increase maintenance costs and pipe failures, the Panel urged the Administration to accelerate the whole replacement and rehabilitation programme as far as practicable. The Panel also called on the use of better quality pipe materials and wider use of common utility duct systems to minimize road openings.

Council Business Division 1
Legislative Council Secretariat
30 June 2005

Panel on Planning, Lands and Works

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to lands, buildings and planning matters, works and water supply and Public Works Programme.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Panel on Planning, Lands and Works

Membership list for 2004-2005 session

Chairman Hon LAU Wong-fat, GBS, JP

Deputy Chairman Hon Patrick LAU Sau-shing, SBS, JP

Members Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
Hon James TO Kun-sun
Hon WONG Yung-kan, JP
Hon CHOY So-yuk
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Albert CHAN Wai-yip
Hon LEE Wing-tat
Hon LI Kwok-ying, MH
Hon Daniel LAM Wai-keung, BBS, JP
Hon Alan LEONG Kah-kit, SC
Hon CHEUNG Hok-ming, SBS, JP

(Total: 14 members)

Clerk Miss Odelia LEUNG

Legal Adviser Ms Bernice WONG