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Clerk to Panel on Development
The Legislative Council
Legislative Council Building
8 Jackson Road
Central, Hong Kong

(Attn: Ms. Wong Siu Yee)

Dear Ms. Wong

Re: Proposal to facilitate Private Redevelopment

We refer to your letter dated 30 January 2008 under reference CB1/PL/DEV addressed to our President on the subject matter and write to confirm our support to the lowering of application threshold, from not less than 90% to not less than 80%, for compulsory land sale applications involving the following two classes of Lots: -

- (i) A Lot with "All Units but One Acquired"; and
- (ii) A Lot with All Building(s) aged 40 or above.

In addition, we have the following comments in relation to the above-mentioned two classes of Lots: -

A Lot with "All Units but One Acquired"

1. The "Unit" could be defined as all "self-contained" units as per the original building plans of the building, thus excluding all car parking spaces, roof-top areas, external walls, cocklofts and basements (in the event that these cocklofts or basements are only accessible through the ground floor units and designed as ancillary spaces to the ground floor unit in the original building plans) and alike private spaces.
2. To safeguard the interest of the minority owner, we can require the share value of the "But One" unit will not exceed 20% of the total share value of the building on existing use basis.

c/o 1202, Great Eagle Centre, 23 Harbour Road, Wanchai, Hong Kong
Tel: 2529-6606 Fax: 2529-8875 E-mail: Ltpdavid@netvigator.com

By Fax and Post
(Fax no.: 2185-7845)

27th February, 2008.



香港地產行政師學會

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Yu S.Y., Andrew	余少洋

A Lot with All Building(s) that are aged 40 or above

- In considering the redevelopment need of a building, the Lands Tribunal should not solely take into account the physical life of a building, and reject an application if the building(s) is in good state of repair or with good maintenance, but also consider amongst other factors, the economic and social life of the application building, i.e. whether such a well-maintained building aged 40 or above may be a blight or eye-score to the particular area or neighborhood, or the existing use of the application building is indeed incompatible with the surrounding uses. For example, a well-maintained residential building situated right in the midst of commercial neighborhoods and surrounded by high rise commercial or office or hotel buildings etc. is in fact "ripe" for redevelopment let alone it is in good state of repair.
- The Lands Tribunal should also take into consideration the overall town planning intentions by the Government of a particular area(s) when considering applications involving buildings of aged 40 or above and of good building conditions, so as to facilitate or expedite the implementation of the planning goals, e.g. in revitalizing a particular neighborhood(s) or area(s) by introducing new uses into these neighborhood(s) or area(s), set by the Government.

Lastly, it will be prudent if the Bureau can regularly review the outcomes of the above two proposed relaxation while at the same time, reconsider whether to extend the proposed lowering of application threshold from 90% to 80% to the "A Lot with Missing/Untraceable Owners" Lots.

Should you have any queries in this matter, please do not hesitate to contact me at 2529-6783.

Yours truly,
For and on behalf of
Hong Kong Institute of Real Estate Administrators

David Tse
Vice President (Academics & Professional Development)
MBA (Kellogg-HKUST)
FRICS FHKIS FHIREA RPS(GP) MCIREAA RBV EA

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