

ITEM FOR ESTABLISHMENT SUBCOMMITTEE OF FINANCE COMMITTEE

HEAD 138 – GOVERNMENT SECRETARIAT : DEVELOPMENT BUREAU (PLANNING AND LANDS BRANCH)

Subhead 000 Operational expenses

Members are invited to recommend to the Finance Committee the creation of the following permanent posts in the Planning and Lands Branch of the Development Bureau with effect from 1 April 2009 –

- 1 Administrative Officer Staff Grade C
(D2) (\$122,700 - \$130,300)

- 1 Government Town Planner
(D2) (\$122,700 - \$130,300)

PROBLEM

The Secretary for Development (SDEV) needs dedicated support at the directorate level in implementing policies on harbourfront enhancement initiatives, and in providing strategic and policy inputs on cross-boundary planning and development issues. Some of the existing Principal Assistant Secretary (PAS) posts in the Planning and Lands Branch (PLB) of the Development Bureau (DEVB) are also overloaded.

PROPOSAL

- 2. SDEV proposes to create the following two permanent posts with effect from 1 April 2009 –

/(a)

- (a) one Administrative Officer Staff Grade C (AOSGC) (D2) post to strengthen the policies on harbourfront enhancement, to devise and co-ordinate the implementation of harbourfront enhancement initiatives as well as to provide dedicated support to the Harbourfront Enhancement Committee (HEC)¹ and its subsidiary bodies, and to more actively engage concern groups in harbour preservation; and
- (b) one Government Town Planner (GTP) (D2) post to handle cross-boundary planning and development issues, to provide policy steer for the planning of the boundary areas including those to be released from the Frontier Closed Area (FCA), and the Lok Ma Chau Loop, as well as to co-ordinate the planning and implementation of the New Development Areas (NDAs) in North East New Territories and at Hung Shui Kiu.

We also propose to take the opportunity to rationalise the distribution of duties among two of the existing PAS posts in the bureau's PLB.

JUSTIFICATION

Creation of an AOSGC Post on Harbourfront Enhancement

Protection and Preservation of Victoria Harbour

3. Victoria Harbour is an important natural asset shared by all the people of Hong Kong. As pledged by the Chief Executive (CE) in the 2008-09 Policy Address, DEVB will co-ordinate the work of different government departments to ensure the effective implementation of projects to beautify and revitalise the harbourfront area. Our ultimate objective is to develop continuous promenades along both sides of Victoria Harbour. Specifically, we will –

- (a) set up a dedicated team in PLB to be headed by one AOSGC (D2) (designated as the Principal Assistant Secretary (Harbour) (PAS(H)) to handle harbourfront-related planning and land issues;
- (b) co-ordinate inter-departmental efforts on harbourfront planning;

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¹ HEC has been set up to advise the Government through SDEV on planning, land uses and developments along the existing and new harbourfront of Victoria Harbour, with a view to protecting the Harbour; improving the accessibility, utilisation and vibrancy of the harbourfront areas; and safeguarding public enjoyment of the Harbour through a balanced, effective and public participation approach, in line with the Harbour Planning Principles and Harbour Planning Guidelines. HEC is composed of official and non-official members, the latter including representatives of professional institutes and concern groups as well as individual members.

- (c) identify “quick-win” projects for public enjoyment of the harbourfront as early as possible;
- (d) open up as much unoccupied government land as possible (including, where appropriate, sites now under short term tenancies) for the development of continuous promenades along the harbourfront; and
- (e) strengthen engagement of District Councils, the HEC, harbour preservation groups and the public in identifying and implementing both long-term as well as short-term harbourfront enhancement projects where appropriate.

Strategies in Formulating and Implementing Harbourfront Enhancement Initiatives

4. There are existing restrictions in the planning and use of waterfront sites. Port-related economic activities and privately-owned harbourfront land have posed constraints to the development of continuous promenades along the waterfront. Existing roads along the harbourfront, such as the Island Eastern Corridor and the Kwun Tong Bypass, also limit the opportunities for harbourfront enhancement and affect the visual appeal of the harbourfront area. Difficulties in identifying project proponents, works agents and management agents have also affected the implementation of harbourfront enhancement proposals.

5. With the policy intent stated in CE’s 2008-09 Policy Address, we will press ahead with harbourfront enhancement work on a short, medium and long term basis, in consultation with the parties concerned. While proposals of different nature have already been identified by parties including District Councils and the Harbour Business Forum as well as members of HEC, the implementation of individual projects requires very careful planning, efficient co-ordination and strong execution work. Such work includes identification of works agents; confirmation of feasibility; funding approval; planning, design and construction; establishment of the management arrangement as well as public engagement and partnership from different sectors of the community. Given the wide scope of enhancement initiatives and the evolving vision for our harbourfront, continuous and sustained efforts are necessary to see through the various possible initiatives.

6. More specifically, building on the success of the temporary promenades in the West Kowloon Cultural District waterfront and the former Wan Chai Public Cargo Working Area (now called the “pet garden”), we will launch a

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number of short-term improvements including “quick-win” projects, such as building a temporary promenade at the Kwun Tong Public Cargo Working Area (PCWA), a 200 metre section of which has recently been released upon the re-arrangement of berths and pending the long-term implementation of the full waterfront promenade that has already been planned under the Outline Zoning Plan. Before the implementation of the temporary promenade could be followed up by the works departments, DEVB had taken the lead to liaise with all the responsible bureaux and departments for the PCWA to secure the release of the 200 metre of waterfront for enhancement for public enjoyment. An ad hoc arrangement had also been worked out which involves the Civil Engineering and Development Department, the Architectural Services Department and the Leisure and Cultural Services Department in the actual delivery of the project. Another example is the proposed improvement of directional signage to the harbourfront, complementing the Hong Kong Tourism Board’s Visitor Signage Improvement Scheme, to provide clear directions to visitors, from other districts or abroad, to access the harbourfront. DEVB will be working on this initiative, with input from the Planning Department (PlanD) and the Tourism Commission, in consultation with the Transport Department for the implementation of works by the Highways Department. To ensure timely implementation of the signage in various districts, very close and wide liaison with all the districts and their local community bodies concerned is required in completing this task.

7. Medium term work includes studying the feasibility of public private partnership to develop the waterfront promenade adjoining the Comprehensive Development Area near the Hung Hom Pier, as a major step towards linking up the Hung Hom waterfront to the existing promenade of Tsim Sha Tsui, and developing practicable models for the sustainable management of harbourfront areas in line with the Harbour Planning Principles and Harbour Planning Guidelines² for Government’s consideration. Given the concerns of different parties, the development of the waterfront promenade at the Hung Hom Pier has not progressed as quickly as we would have liked. Hence, we are developing more innovative thinking and conducting intensive discussion with stakeholders in the hope of implementing a better waterfront promenade at Hung Hom. To this end, we will compress the internal consultation process within the Government and, where required, seek steer and blessing from a higher level in order to arrive at an early solution.

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² As part of the Harbour Plan Review, HEC has endorsed a set of Harbour Planning Principles which aim to serve as guidelines for all individuals and organisations in the planning, preservation, development and management of Victoria Harbour and its harbour-front areas. The Principles are broad in nature and conceptual. To enable relevant stakeholders and members of the public to better understand the intentions and requirements of the Principles, a set of Harbour Planning Guidelines have also been endorsed by HEC. HEC will make reference to the Guidelines in considering and tendering advice on development proposals in and around the Victoria Harbour. Individual project proponents are also encouraged to comply with the Guidelines as far as possible and practicable.

8. Discussions about practicable management models of the harbourfront are still on-going. We have an open mind as to the models to be adopted. The aim is to provide the most effective and efficient model for the management of a vibrant, accessible and sustainable harbourfront. Possibilities for greater private sector participation and community involvement in the management models for different enhancement projects are being explored by the Task Group on Management Model set up under HEC. The Task Group has already studied the management models of similar projects both locally and overseas. Management models are complex as each involves a different matrix of planning vision, financial arrangements, management mechanism and community buy-in. PAS(H) will have to draw upon the contribution of members of the Task Group and help prepare the Task Group's recommendations to HEC. The recommendation would likely bring changes to Government policy and practices on the implementation and management of public facilities. DEVB is pushing ahead with this study which will break new ground when the initiative is brought to fruition and can be a good reference to other policy bureaux when pushing forward with similar changes.

9. Longer term work includes studies on the beneficial re-use of piers which have been left idle but cannot be replaced under the restriction on reclamation in the Harbour, and which can contribute significantly to increased land-sea interface and vibrancy of the waterfront; and improvement to the accessibility of the harbourfront by relocating or setting back existing public facilities which are incompatible with a vibrant waterfront. While the study on the re-use of piers will take time, which again would require input and co-operation of various Government bureaux and departments and engagement of stakeholders in the process, DEVB as the policy bureau for harbourfront enhancement would also need to secure the funding and implementation agents for the maintenance of the piers concerned pending any longer term development. Accessibility meanwhile is a problem both along the waterfront and from the hinterland to the waterfront. These will have an impact on various facilities under the purview of different Government bureaux and departments. Hence, cross-department contribution, under the lead of DEVB, in terms of reprovisioning of existing facilities, design and construction works, management and maintenance will be required to make our efforts in harbourfront enhancement a success. Better co-ordination will be required under the current public works mechanism for individual bureaux or departments to develop their facilities on the harbourfront in response to the strong community demand for a holistic approach in developing the harbourfront to meet the social and economic needs of Hong Kong. All these are long-term efforts in support of the vision to beautify and revitalise harbourfront areas as set out in the Policy Address which require the constant efforts of a dedicated officer.

10. All the work set out above require on-going efforts, not just in working with different Government bureaux and departments but also the local communities, in terms of project identification, development and implementation, for which PAS(H) will have to focus attention working under the steer of senior colleagues, including SDEV. Such co-ordination cannot be done at the departmental level and leadership at the bureau level is required. PAS(H) will closely work with PlanD and the Lands Department to ensure that our planning and land administration mechanisms support harbourfront development and enhancement proposals.

Permanent need for the PAS(H) post

11. As Victoria Harbour is an important natural asset to all people in Hong Kong, a long-term commitment and continued efforts to protect and preserve the Harbour are essential. Major infrastructure projects along both sides of the Harbour have been or will soon be taking place, for example, the northern shore of Hong Kong Island will be given its permanent shape by 2017 after the reclamation in Central, Wan Chai and Causeway Bay for the construction of the Central-Wan Chai Bypass; and the Kai Tak Development on the other side of the Harbour will be substantially completed by 2021. The creation of a permanent PAS(H) will ensure dedicated efforts to co-ordinate harbourfront developments both within the Government and the community.

12. Apart from internal co-ordination within the Government, public engagement will be an essential part of PAS(H)'s work, and regular and sustained consultation with all stakeholders such as non-governmental organisations, business groups and District Councils will be conducted on harbourfront enhancement policies as well as individual projects. Due to keen public interest in the protection and use of our Harbour, public engagement has become a very important area of work at all stages of harbour planning and development, practically a standing item. Public engagement is time-intensive, and directorate level involvement is necessary in most cases. This aspect of work will require focused attention, dedication and commitment of PAS(H). PAS(H) will also need to advise relevant departments on their public engagement programmes to make sure that their harbourfront development proposals would address public concerns, and facilitate co-ordination among departments to respond to those concerns. Furthermore, PAS(H) will also be responsible for supporting the deliberations of the Subcommittee on Harbourfront Planning newly established under the Legislative Council (LegCo) Panel on Development. We understand that the Subcommittee will commence work very soon and its terms of reference will cover the harbourfront areas on both sides of the Harbour.

/Existing

Existing Staffing for Harbourfront Enhancement

13. Currently, the Deputy Secretary (Planning and Lands)1 is supported by two permanent AOSGC (D2) posts, namely Principal Assistant Secretary (Planning and Lands)1 [PAS(PL)1], responsible for all land matters, and Principal Assistant Secretary (Planning and Lands)2 [PAS(PL)2] responsible for all planning matters. All harbour-related planning issues and harbourfront enhancement initiatives come under PAS(PL)2. However, when the workload in respect of harbourfront enhancement started to increase in 2003-04, and when HEC was established in 2004, no additional support at the directorate level was provided. This is not satisfactory as PAS(PL)2 oversees all planning work across the territory.

14. Over the past few years, the volume and complexity of planning matters have increased exponentially. In addition to providing policy input in handling territorial, sub-regional and district planning issues, such as the review of FCA and the planning issues arising from major infrastructural development such as the Shatin to Central Link, the Hong Kong-Zhuhai-Macao Bridge, the Mass Transit Railway South Island Link, etc., PAS(PL)2 is also responsible for land use planning policies such as development intensity and those relating to the Town Planning Ordinance which are subject to increasingly close scrutiny of the civil society. She also has to oversee PlanD's initiative to progressively stipulate in all Outline Zoning Plans clear development restrictions such as plot ratio, site coverage and/or building height where justified to improve the living environment, and work on individual cases where development intensity is a concern to the community. She is also responsible for handling planning policy issues and legal challenges relating to development projects, some of which are very major, such as the Central Reclamation Phase III and Wan Chai Development Phase II. In addition, an enormous amount of time and efforts need to be dedicated to the overall co-ordination of efforts from all government bureaux and departments and the engagement of interest groups on various harbourfront related issues such as the Urban Design Study for the New Central Harbourfront and the accessibility and facilities of the harbourfront areas in various districts. It is clear that it is no longer feasible for PAS(PL)2 to undertake effectively on a part-time basis the harbourfront and cross-boundary planning and development initiatives, especially when each has become a significant, substantial and important area of work affecting Hong Kong's long-term development and quality of life.

15. The proposed creation of the PAS(H) and GTP posts will not completely relieve the surplus workload of PAS(PL)2, because at the same time, enhanced policy input is required for territorial studies, in district-specific matters

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as well as individual development projects, with a much greater degree of interface with the public. Planning policy input is also required for major development projects that do not fall under DEVB, for example, the other major railway projects that are coming on stream and that would affect land use planning in the districts concerned. Furthermore, as the development of Hong Kong as a city matures, land use planning to meet with the competing demands under different policy objectives becomes increasingly complex to resolve and the community has had increasingly higher expectations for a better planned living environment within both their local living areas as well as Hong Kong as a whole.

16. Other than harbour-related duties, PAS(H) will take over responsibility for the Town Planning Appeal Board from PAS(PL)2. The Appeal Board, dealing with appeals against Town Planning Board (TPB) decisions, has been placed under PAS(PL)2 since 2006 for administrative convenience. The opportunity is now taken to separate policy responsibility for the Town Planning Appeal Board from the Town Planning Board. The Town Planning Appeal Board is an independent statutory body set up under the Town Planning Ordinance to consider town planning applications rejected by the Town Planning Board. In the past few years, the cases that came before the Town Planning Appeal Board have become more complicated and complex. Also, PAS(H) would take over from PAS(PL)1 the task of considering applications for commercial concessions at franchised ferry piers, and handling interface with those at licensed ferry piers. The proposed job description of PAS(H) is at Enclosure 1.

Encl. 1

Rationalisation of duties between PAS(PL)1 and PAS(PL)2

17. With the proposed creation of the PAS(H) and GTP posts, we will also take the opportunity to rationalise the division of work between PAS(PL)1 and PAS(PL)2 such that PAS(PL)2 may take over some of the responsibilities of PAS(PL)1 which carry a larger planning element. Please refer to Enclosures 2 to 6 for details of the proposed changes as well as existing and revised job descriptions of the two posts.

Encls.
2 - 6

Proposed Changes to the Staffing for Harbourfront Enhancement

18. To achieve our commitment in protection and preservation of Victoria Harbour, we will set up a new Harbour Unit in PLB of DEVB to be headed by the new PAS(H) who will be supported by two additional non-directorate posts, viz. one Administrative Officer and one Personal Secretary I. In addition, one Senior Administrative Officer and one Senior Executive Officer will work under the Harbour Unit through internal redeployment.

/Creation

Creation of a GTP Post on Cross-boundary Planning and Development

Increasing Importance of Cross-boundary Development

19. In the 2007-08 and 2008-09 Policy Addresses, CE has stressed the importance of accelerating infrastructural development and strengthening cross-boundary infrastructure co-operation as a means to sustain Hong Kong's economic growth. The accelerating pace of economic integration between Hong Kong and the Mainland, particularly the Guangdong Province has been manifested, through enhanced co-operation through the Guangdong/Hong Kong Co-operation Joint Conference and Pan Pearl River Delta (PRD)³ Forum. Previous co-operation with Guangdong was mainly confined to the construction of cross-boundary infrastructure on a project-by-project basis, whilst the partnership approach today is heading towards a wide front of areas including overall planning of the boundary district, establishment of a high level joint task force between the Hong Kong and Shenzhen Governments to liaise matters of mutual benefits, co-ordinating the development of boundary control points on two sides, planning of the Greater PRD⁴, etc. Such a trend has given rise to the demand for a more co-ordinated and integrated forward planning for the future development of Hong Kong, the Hong Kong-Shenzhen metropolis and the Greater PRD Region. In tandem with this is an increasing need for a robust regional development strategy and framework, an effective inter-government liaison mechanism to foster more co-ordinated and synchronised infrastructural planning and development of the two cities of Hong Kong and Shenzhen and the wider PRD Region.

Growing Strategic Importance of the NDAs

20. Also in the 2007-08 Policy Address, CE pledged to revive the planning and engineering studies on the NDAs in North East New Territories (including Kwu Tung North, Fanling North, Ping Che/Ta Kwu Ling) and at Hung Shui Kiu. These NDAs will be required to ease pressure on developed areas and meet the demand for land arising from population growth. They will provide land for various uses such as housing, employment, high-value added and non-polluting industries. Moreover, the planning and development of these NDAs would need to take into account their physical proximity with the boundary district and thus the strategic role they may perform in the overall development of Hong Kong. For example, the Ping Che/Ta Kwu Ling NDA is close to the proposed Liantang/Heung Yuen Wai Boundary Control Point which is scheduled for operation in 2018, and the Kwu Tung North NDA is relatively close to the Lok Ma Chau Loop where Hong Kong and Shenzhen are joining hands to co-develop on the basis of mutual benefits.

/Latest

³ The Pan PRD includes nine provinces in southwestern and southern China, Hong Kong and Macau.

⁴ The Greater PRD includes not only the nine major cities in Guangdong like Guangzhou and Shenzhen in the PRD but also the two Special Administrative Regions of Hong Kong and Macau.

Latest progress

21. Over the past year, significant progress has been made on various fronts which has contributed to continuing cross-boundary infrastructural development, further regional co-operation and integration across the boundary, and development of the NDAs. Such progress which is driven or supported by DEVB is briefly summarised below –

(a) Co-ordinating Committee on Cross-boundary Infrastructural Development (CCCID)

Established in March 2008, the CCCID is under the chairmanship of the Chief Secretary with Secretaries of concerned bureaux as its members, with its secretariat provided by PlanD under close supervision of DEVB. The Committee is tasked to formulate an integrated cross-boundary infrastructure development strategy, strengthen the planning and co-ordinating capabilities in related infrastructure developments, and consider various major cross-boundary infrastructure development issues that span across different policy areas. It has provided an important platform for deliberating key issues and strategies for important cross-boundary infrastructure development.

(b) Hong Kong-Shenzhen Joint Task Force on Boundary District Development

Under the “Co-operation Agreement on Recently Initiated Major Infrastructural Projects” signed by Hong Kong and Shenzhen on 18 December 2007, the Hong Kong-Shenzhen Joint Task Force on Boundary District Development (Joint Task Force) was set up to co-ordinate, liaise and steer work on the studies in relation to the planning and development of land in the boundary district. The Joint Task Force is headed by SDEV and Executive Deputy Mayor of Shenzhen. It has met twice making good progress and is scheduled to hold two regular meetings in a year to discuss issues of mutual concerns. Four working groups have been formed to expedite the planning and development of the Liantang/Heung Yuen Wai Boundary Control Point and Lok Ma Chau Loop.

(c) Liantang/Heung Yuen Wai Boundary Control Point and its Connecting Road

On 18 September 2008, the Joint Task Force agreed to the construction of the new Control Point, which would enhance passenger and cargo flows and strengthen the linkage between Hong

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Kong/Shenzhen and the eastern part of Guangdong as well as adjoining provinces like Jiangxi and Fujian. Scheduled for operation by 2018, the new boundary control point would further extend the economic hinterland of Hong Kong and Shenzhen. It also carries strategic and macroscopic implications on the long-term development of Hong Kong and Shenzhen. The agreement to proceed with the development of a new control point has marked a substantive achievement in co-operation in boundary development. Detailed layout planning, engineering investigation and environmental impact assessment of the new control point will commence in early 2009.

(d) Lok Ma Chau Loop

Hong Kong and Shenzhen carried out a public engagement exercise in both sides respectively on the future land use of the Lok Ma Chau Loop in June and July 2008. Amongst various uses proposed, higher education, research and development of new high technology, and cultural and creative industries received wide support from the communities of both sides. We are assessing these proposals in greater depth and consulting stakeholders on the feasibility of various proposals. A comprehensive planning and engineering study on the Loop will commence in mid-2009, for completion in end 2011.

(e) Planning and Engineering Feasibility for the NDAs

We commissioned the Planning and Engineering Study on the North East New Territories NDAs in June 2008, for completion in end 2010. The main tasks of the study include preparation of Recommended Outline Development Plans and Recommended Layout Plans, carrying out preliminary design of engineering works, formulation of implementation strategies for the NDAs, and undertaking associated site investigation including supervision. We have just commenced the Stage 1 Public Engagement Exercise in November 2008.

As regards the Hung Shui Kiu NDA, we will commence a similar planning and engineering study in 2009, for completion in 2011.

(f) Study on Land Use Planning for the Closed Area

In September 2006, the Government announced the results of the review of the coverage of the FCA, proposing to reduce the FCA

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land coverage from about 2 800 hectare to about 800 hectare. Taking account of the comments received during the consultation exercise conducted from September to November 2006, the Government announced in January 2008 the finalised plan of further reducing the FCA coverage to about 400 hectare. The new FCA boundary will come into effect in phases to tie in with the phased completion of the construction of the proposed boundary fences and associated works for safeguarding the security of the boundary. The first phase is anticipated to be completed around end 2010, and the last phase, around end 2012.

In September 2007, the Government commissioned consultants to carry out a study with a view to formulating a planning framework based on the sustainable development principles. Such planning framework will provide guidance for the conservation and development of the large area to be released from the FCA and for preparation of statutory town plans before the new FCA boundary comes into effect. The Stage I public engagement exercise on the draft concept plan has been completed. Taking into account the public comments received, the proposals in the draft Concept Plan are being refined for incorporation into the Draft Development Plan which is scheduled for public consultation in April 2009.

Existing Staffing for Cross-boundary Planning and Development

22. Owing to the heavy commitment of PAS(PL)2 on other local planning policy issues, a supernumerary GTP post, designated as PAS(PL)5, has been created in PLB since 1 January 2008 through temporary redeployment of existing manpower resources within the Government to take charge of the work set out in paragraphs 19 to 21 above. In view of the increasing workload and the permanent nature of the new duties, we consider it necessary to have a permanent D2 post dedicated at the bureau level to continue the much-needed policy effort and co-ordinate various on-going and forthcoming initiatives in relation to cross-boundary planning and planning for the boundary district. The officer will liaise closely with senior officials in the Mainland and carry forward various planning and development projects in a timely and effective manner. He will also co-ordinate a wide range of tasks in relation to LegCo and Executive Council submissions, engagement of the public in new policy initiatives, securing of funding sources, and monitoring the work of concerned departments in taking forward the on-going and forthcoming cross-boundary planning initiatives. Such tasks could only be effectively accomplished by a directorate staff at the bureau level. Given the nature of the work involved, it is appropriate to have a professional town planner at a sufficiently senior level and acquainted with planning and development knowledge of both Hong Kong and the Mainland to take up the post.

23. In the light of the anticipated tremendous increase in workload as well as the importance and complexities of duties in connection with cross-boundary planning and the need for co-ordinating various planning studies and projects, we consider it necessary to create a GTP post to take up the policy matters.

24. In view of the fact that the tasks involved are complex, time-critical with wide-ranging implications, we have reviewed the temporary arrangement of having a supernumerary GTP post to handle the tasks through redeployment and find that there is a need to create a permanent GTP post to provide policy steer on cross-boundary related planning issues. As the existing manpower of DEVB is already fully committed, it is not feasible to meet the staffing requirement through redeployment of existing resources.

Proposed Changes to the Staffing for Cross-boundary Planning and Development

Encl. 7 25. In the light of our growing involvement with cross-boundary development in our remit, as well as the importance, complexity, urgency and long-term nature of the tasks, we propose to create a permanent GTP post to head a dedicated team to take charge of the work involved. The job description of the proposed GTP post is at Enclosure 7. The proposed GTP will be supported by three additional non-directorate posts, viz. one Senior Town Planner, one Senior Executive Officer and one Personal Secretary I.

Structure of the PLB

Encls. 8 & 9 26. The existing and the proposed organisation charts of PLB are at Enclosure 8 and Enclosure 9 respectively.

Alternatives considered

27. PLB's directorate structure comprises one Permanent Secretary, two Deputy Secretaries, four PASs and one Principal Executive Officer. There has not been any increase in PLB's directorate establishment since 2002, notwithstanding the continued growth of its policy portfolio. The policy units are overstretched and cannot adequately cope with the many demands placed on them.

28. Apart from PAS(PL)1 and PAS(PL)2 covered above, there are two AOSGC posts under Deputy Secretary (Planning and Lands)2, namely Principal Assistant Secretary (Planning and Lands)3 [PAS(PL)3] and Principal Assistant Secretary (Planning and Lands)4 [PAS(PL)4]. We have critically examined the possible redeployment of these two directorate officers within PLB to take on tasks of the proposed PAS(H) and PAS(PL)5 posts. However, as both of them are already fully committed to their existing work schedules, it is operationally not possible for them to effectively take up the whole or part of the work relating to harbourfront or cross-boundary planning and development initiatives. For details of the work schedule of these two posts, please refer to Enclosure 10.

Encl. 10

FINANCIAL IMPLICATIONS

29. The proposed creation of the AOSGC and GTP posts will bring about an additional notional annual salary cost at mid-point of \$3,036,000, as follows –

Rank	Notional Annual Salary Cost at Mid-point (\$)	No. of post
AOSGC (D2)	1,518,000	1
GTP (D2)	1,518,000	1
Total	3,036,000	2

The additional full annual average staff cost, including salaries and on-cost, for these two posts is \$4,370,000. We will include the necessary provision in the 2009-10 draft Estimates to meet the cost of the proposed creation of the posts. The proposal is covered in ECI(2008-09)7 on “Update on Overall Directorate Establishment Position” issued by the Administration in November 2008.

30. As for the five additional non-directorate posts mentioned in paragraphs 18 and 25 above, the notional annual salary cost at mid-point is \$3,099,000 and the full annual average staff cost, including salaries and on-cost, is \$3,982,000.

/PUBLIC

PUBLIC CONSULTATION

31. We briefed the LegCo Panel on Development on 8 December 2008 on the proposed creation of the PAS(H) and PAS(PL)5 posts. The majority of members supported the proposed creation of posts.

ESTABLISHMENT CHANGES

32. The establishment changes in PLB of DEVB for the last two years are as follows –

Establishment (Note)	Number of posts			
	Existing (as at 1 December 2008)	As at 1 April 2008	As at 1 April 2007	As at 1 April 2006
A	9 [#]	9	9	9
B	29	29	28	27
C	61	59	59	59
Total	99	97	96	95

Note:

- A - ranks in the directorate pay scale or equivalent
- B - non-directorate ranks, the maximum pay point of which is above MPS Point 33 or equivalent
- C - non-directorate ranks, the maximum pay point of which is at or below MPS Point 33 or equivalent
- # - as at 1 December 2008, there was no unfilled directorate post in PLB

CIVIL SERVICE BUREAU COMMENTS

33. The Civil Service Bureau supports the proposed creation of two permanent posts, namely one AOSGC and one GTP, to strengthen the directorate support in the PLB of DEVB in taking forward harbourfront enhancement and cross-boundary development issues, as well as to rationalise distribution of duties at PAS level in the PLB. The grading and ranking of the proposed posts are considered appropriate having regard to the level and scope of the responsibilities required.

/ADVICE

ADVICE OF THE STANDING COMMITTEE ON DIRECTORATE SALARIES AND CONDITIONS OF SERVICE

34. The Standing Committee on Directorate Salaries and Conditions of Service has advised that the grading proposed for the posts would be appropriate if the proposals were to be implemented.

Development Bureau
January 2009

**Proposed Job Description of the Post of
Principal Assistant Secretary (Harbour)**

Rank : Administrative Officer Staff Grade C (D2)

Responsible to : Deputy Secretary (Planning and Lands)1

Major Duties and Responsibilities –

1. Provide policy input to all harbour-related planning and land matters.
2. Provide support to the Harbourfront Enhancement Committee (HEC), a high-level advocacy committee on planning, land uses and developments along the existing and new harbourfront of Victoria Harbour.
3. Oversee the operation of and provide support to the Sub-committee on Harbour Plan Review, Task Group on Urban Design Study for the New Central Harbourfront and Task Group on Management Model for the Harbourfront and other sub-committees/task groups as may be formed under HEC.
4. Identify short, medium and long term harbourfront enhancement initiatives and co-ordinate and monitor their implementation, including the identification of works and management agents, with Government departments and any other concerned parties, amongst others. One major project coming on stream will be the implementation of the recommendations of the Urban Design Study for the New Central Harbourfront.
5. Spearhead and promote active engagement with stakeholders and the public, including HEC, District Councils and any interested bodies during different stages of the harbourfront enhancement initiatives and report on progress to HEC and its Sub-committee and Task Groups as appropriate.
6. Process and co-ordinate submissions on harbour-related issues to the Legislative Council Panel and its Subcommittee on Harbourfront Planning, the Public Works Subcommittee, the Finance Committee and concerned District Councils.
7. Oversee the operation of the Town Planning Appeal Board.

**Rationalisation of duties between
Principal Assistant Secretary (Planning and Lands)1 [PAS(PL)1] and
Principal Assistant Secretary (Planning and Lands)2 [PAS(PL)2]**

PAS(PL)1 is responsible for all land administration matters and her schedule is heavily overloaded. Since the post was created in 1981, there has been a substantial increase of workload in view of the development of land administration matters in Hong Kong for the past 20 more years. However, there has not been a corresponding increase of manpower. She is now the only PAS responsible for all land matters in the Development Bureau.

2. Given the growing public interest in land administration issues and the increase in workload on the land administration purview, PAS(PL)1 will have to give greater attention to on-going policy review. Example subjects of concern to the public include the provision of public facilities in private developments; and the streamlining of the development approval process. In addition, the formulation and review of policy relating to resumption and clearance of land for new infrastructural projects, which could be contentious, is most critical for the smooth progress of such development projects and the associated creation of job opportunities. Recent examples include those associated with new infrastructural projects, such as the Guangzhou-Shenzhen-Hong Kong Express Rail Link, and sewerage projects, such as the Lam Tsuen and Kau Lung Hang sewerage project.

3. With the proposed creation of the Principal Assistant Secretary (Harbour) and Principal Assistant Secretary (Planning and Lands)5 posts, we propose to rationalise the duties such that PAS(PL)2 may take over some of the responsibilities of PAS(PL)1 which carry a larger planning element. Specifically, we will re-distribute the following tasks of PAS(PL)1 to PAS(PL)2 –

- (a) tasks which are related to reduction in development intensities;
- (b) tasks with certain planning angles, such as the Co-ordinating Committee on Land-use Planning and Control relating to Potentially Hazardous Installations; and
- (c) tasks relating to the preparation of Orders under the Hong Kong Airport (Control of Obstructions) Ordinance, the creation of easements in or over land under the Electricity Networks (Statutory Easements) Ordinance and the adaptation of the Occupiers Liability Ordinance.

The existing and revised job descriptions of the two posts are at Enclosures 3 to 6.

**Existing Job Description of the Post of
Principal Assistant Secretary (Planning and Lands) 2**

Rank : Administrative Officer Staff Grade C (D2)

Responsible to : Deputy Secretary (Planning and Lands)1

Major Duties and Responsibilities –

1. Provide policy input to the amendment of the Town Planning Ordinance and oversee the progress of the 2003 Town Planning Amendment Bill.
2. Provide policy input to and oversee progress of the various planning studies concerning long-term territorial development, sub-regional development, and other subjects which are sector- or district-specific, including harbourfront development.
3. Provide policy input to and oversee progress of major development projects such as the South East Kowloon Reclamation, Central Reclamation Phase III, Wanchai Development Phase II and the New Development Areas in the New Territories.
4. Process and co-ordinate development- and planning-related Public Works Subcommittee and Finance Committee submissions, including the presentation of papers at Legislative Council (LegCo) discussions and the lobbying for support from LegCo Members.
5. Provide policy input to the effort on establishing closer links with the Mainland on planning matters.
6. Provide secretariat support to the Committee on Planning and Land Development.
7. Provide support to the Harbourfront Enhancement Committee (HEC) and oversee the operation of and provide support to the Sub-committee on Harbour Plan Review, Task Group on Urban Design Study for the New Central Harbourfront and Task Group on Management Model for the Harbourfront under HEC.
8. Undertake housekeeping duties relating to the Planning Department and oversee the operation of the Town Planning Appeal Board.

**Revised Job Description of the Post of
Principal Assistant Secretary (Planning and Lands) 2**

Rank : Administrative Officer Staff Grade C (D2)

Responsible to : Deputy Secretary (Planning and Lands)1

Major Duties and Responsibilities –

1. Provide policy input to and oversee planning studies concerning territorial development, sub-regional development, and other sector- or district-specific development projects.
2. Provide policy input to and oversee the progress of the implementation of the Town Planning Ordinance, covering both the town planning process and enforcement issues.
3. Provide policy input to and oversee progress of major development projects such as Central Reclamation Phase III and Wanchai Development Phase II.
4. Provide planning policy input to major infrastructural projects or public facilities with significant land use implications such as the West Kowloon Reclamation Area, South Island Line, Sha Tin to Central Link, the Hong Kong-Zhuhai-Macao Bridge and Guangzhou-Shenzhen-Hong Kong Express Rail Link (in the urban areas).
5. Provide secretariat support to the Committee on Planning and Land Development.
6. Service the Co-ordinating Committee on Land-use Planning and Control relating to Potentially Hazardous Installation and prepare Orders under the Hong Kong Airport (Control of Obstructions) Ordinance, the creation of easements in or over land under the Electricity Networks (Statutory Easements) Ordinance and the adaptation of the Occupiers Liability Ordinance.
7. Process and co-ordinate development- and planning-related Public Works Subcommittee and Finance Committee submissions, including the presentation of papers at Legislative Council (LegCo) discussions and the lobbying for support from LegCo Members.
8. Undertake housekeeping duties relating to the Planning Department.

**Existing Job Description of the Post of
Principal Assistant Secretary (Planning and Lands) 1**

Rank : Administrative Officer Staff Grade C (D2)

Responsible to : Deputy Secretary (Planning and Lands)1

Major Duties and Responsibilities –

1. Formulate policy relating to land resumption/clearance, compensation, land supply/disposal (e.g. property market stabilisation measures).
2. Deal with Legislative Council (LegCo) and District Councils on the implementation of land policy matters, e.g. attendance at case conference, LegCo Panel/Finance Committee Meetings.
3. Oversee the implementation of land administration matters by the Lands Department, e.g. dealing with land disputes, commenting on land premium assessments.
4. Attend meetings of boards and committees and follow up on land matters raised e.g. the Land and Building Advisory Committee, the Bureau's Liaison meeting with Heung Yee Kuk, Co-ordinating Committee on Land-use Planning and Control relating to Potentially Hazardous Installations.
5. Undertake housekeeping duties relating to the Lands Department.

**Revised Job Description of the Post of
Principal Assistant Secretary (Planning and Lands) 1**

Rank : Administrative Officer Staff Grade C (D2)

Responsible to : Deputy Secretary (Planning and Lands)1

Major Duties and Responsibilities –

1. Formulate and keep under review policies relating to land supply and land disposal, including Application List for Land Sale, private treaty grants, short term tenancies, lease modification, land exchange and lease extension etc. Examples include the flexible use of land resources in Tin Shui Wai for achieving social objectives, the land exchange involving the Park Island and Ma Wan Park development, and the extension of lease of the Ocean Terminal.
2. Deal with land-related policy and land administration issues, including land control and lease enforcement, streamlining of procedures under the land-related development process, like the pilot scheme on the dedicated team, and adverse possession. Examples include the review on the policy of provision of public facilities in private developments.
3. Formulate and keep under review policies relating to land acquisition and land resumption, and handling petitions against re-entry of land. Examples include the land resumption involving new infrastructural projects like Guangzhou-Shenzhen-Hong Kong Express Rail Link, and sewerage projects like Lam Tsuen and Kau Lung Hang sewerage projects, etc.
4. Formulate and keep under review policies relating to unique New Territories land matters, including the Small House Policy, Village Expansion Areas, Government Rent exemption for indigenous villagers, New Territories (NT) Exempted Houses (and issues arising from it, such as emergency vehicular access requirement) and NT zonal compensation system.
5. Undertake housekeeping duties relating to the Lands Department and provide support for the Bureau's representative attending meetings like the Business Facilitation Advisory Committee, and see to the operation of the Land and Building Advisory Committee, the SDEV-Heung Yee Kuk Liaison Committee and the Compensation Review Committee.

**Proposed Job Description of the Post of
Principal Assistant Secretary (Planning and Lands) 5**

Rank : Government Town Planner (D2)

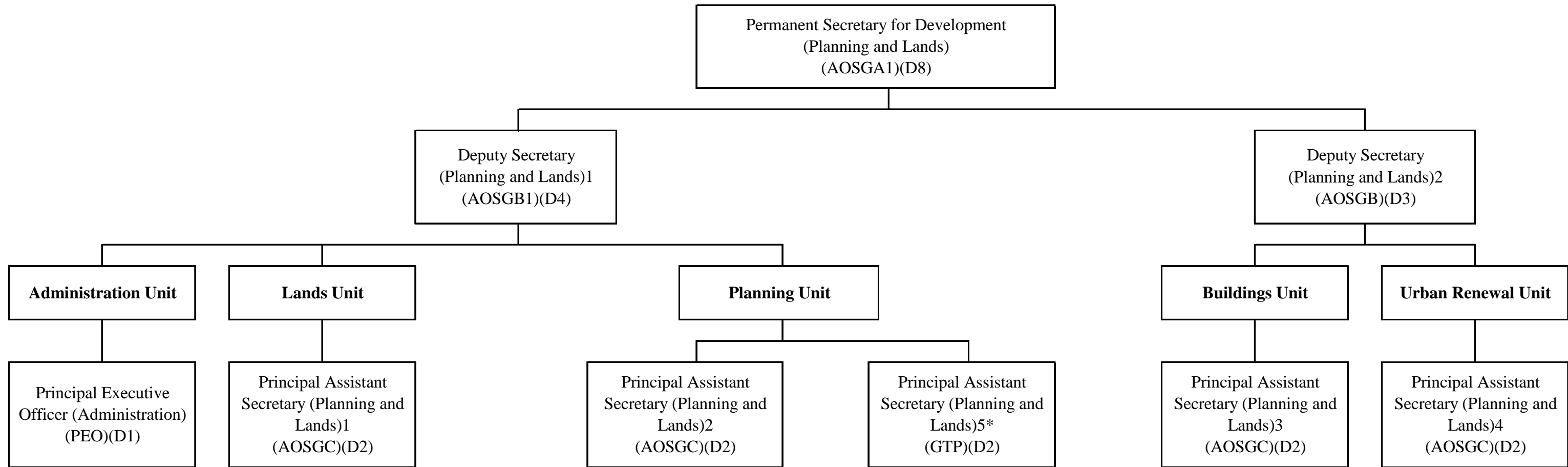
Responsible to : Deputy Secretary (Planning and Lands)1

Major Duties and Responsibilities –

1. Assist in formulating strategies and policies, co-ordinating with relevant bureaux and departments in facilitating cross-boundary planning and infrastructure developments, and handling issues arising from Guangdong/Hong Kong (HK) Joint Conference and Pan Pearl River Delta (PRD) Region co-operation.
2. Co-ordinate with the Planning Department to ensure smooth operation of the Co-ordinating Committee on Cross-boundary Infrastructure Development (chaired by the Chief Secretary for Administration) and the HK-Shenzhen (SZ) Joint Task Force (JTF) on Boundary District Development (co-chaired by the Secretary for Development and the Executive Vice Mayor of the SZ Municipality Government), and to provide secretariat support to the Working Group on Mode of Development of the Lok Ma Chau Loop (co-chaired by the Permanent Secretary for Development (Planning and Lands) and the Director-General of Development and Reform Bureau of the SZ Municipality Government) under the JTF.
3. Handle planning policy issues of major cross-boundary infrastructural projects such as the Guangzhou-SZ-HK Express Rail Link and the HK-SZ Airports Rail Link, and to monitor individual projects at the boundary areas, such as the Lok Ma Chau Loop, the Liantang/Heung Yuen Wai Control Point and any possible additional boundary crossing points.
4. Handle policy issues relating to and oversee the implementation of the proposals arising from the planning and engineering studies on the New Development Areas in North East New Territories and at Hung Shui Kiu, the land use planning studies on land to be released from the Frontier Closed Area (FCA), and the enhancement of the Shau Tau Kok area retained in the FCA.
5. Initiate, co-ordinate and monitor, where necessary, public engagement exercises in relation to the planning of the cross-boundary infrastructural projects and the studies as mentioned in item 4 above.

6. Assist in taking forward the proposals and monitoring their implementation under the “HK 2030 Study”, which has translated the vision of position HK as Asia’s world city into specific planning goals and objectives.

Existing Organisation Chart of the Planning and Lands Branch of the Development Bureau

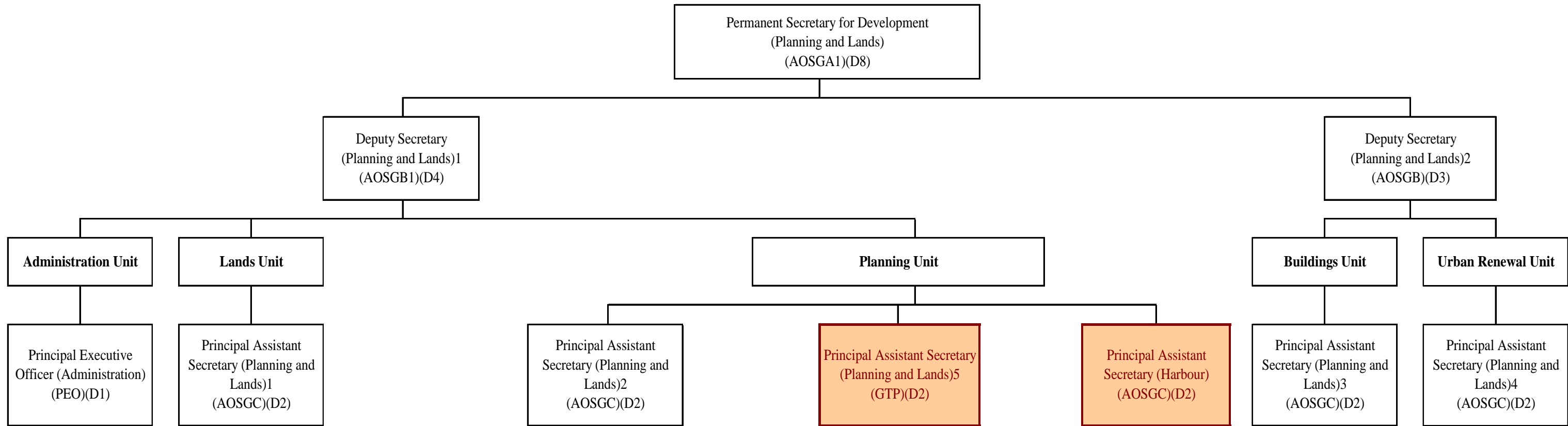


* Supernumerary post created under delegated authority

Legend

- AOSGA1 Administrative Officer Staff Grade A1
- AOSGB1 Administrative Officer Staff Grade B1
- AOSGB Administrative Officer Staff Grade B
- AOSGC Administrative Officer Staff Grade C
- GTP Government Town Planner
- PEO Principal Executive Officer

Proposed Organisation Chart of the Planning and Lands Branch of the Development Bureau



Proposed Administrative Officer Staff Grade C and Government Town Planner posts

- Legend
- AOSGA1 Administrative Officer Staff Grade A1
 - AOSGB1 Administrative Officer Staff Grade B1
 - AOSGB Administrative Officer Staff Grade B
 - AOSGC Administrative Officer Staff Grade C
 - GTP Government Town Planner
 - PEO Principal Executive Officer

**Duty Schedule of
Principal Assistant Secretary (Planning and Lands) 3 [PAS(PL)3] and
Principal Assistant Secretary (Planning and Lands) 4 [PAS(PL)4]**

PAS(PL)3 heads the Buildings Unit and assists the Deputy Secretary (Planning and Lands)2 [DS(PL)2] in the housekeeping of the Buildings Department and the Land Registry, and is responsible for a full range of policy work on building safety and land registration matters. Apart from the recurrent house-keeping and resource management duties, the post is hard pressed by a few pieces of major legislative proposals, including the subsidiary legislation for the implementation of a minor works control system in Hong Kong, a comprehensive review of the Land Titles Ordinance which will lead to a complex amendment bill, as well as major amendments to the Buildings Ordinance for the introduction of the Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme. The above tasks require high level steer and close liaison with departments and various stakeholders. PAS(PL)3 is also responsible for the on-going reviews of a number of regulations under the Buildings Ordinance with a view to introducing a performance based regulatory regime. Amendment regulations will be introduced in due course.

2. Legislative work aside, another major exercise on PAS(PL)3's schedule is the public engagement and review of policies on the development of a quality and sustainable built environment. The exercise comprises in-depth review of a wide spectrum of policies covering gross floor area concessions, sustainable building design guidelines and building energy consumption which will have a profound and long-term impact on the built environment in Hong Kong. On top of the above, PAS(PL)3 is also devoting a substantial portion of time to provide policy input and steer for the Buildings Department's various policies, including building maintenance and repair, demolition of unauthorised building works as well as handling water seepage complaints. All the aforementioned tasks require dedicated and high level policy steer and input to ensure prompt and efficient delivery. PAS(PL)3 therefore cannot take on another major area of work without adversely affecting his own schedule of work.

3. PAS(PL)4 provides support to DS(PL)2 in providing policy guidance to the Urban Renewal Authority (URA)'s urban renewal programme, overseeing its implementation of the urban renewal programme vis-à-vis relevant provisions in the Urban Renewal Authority Ordinance and the Urban Renewal Strategy, scrutinising URA's Corporate Plans and Business Plans, processing the URA's

land resumption applications and dealing with related political and public relations issues. Some on-going major URA's Projects include the Kwun Tong Town Centre (K7) Redevelopment Project; Staunton Street/Wing Lee Street project (H19); Peel Street/Graham Street Project (H18); Lee Tung Street/McGregor Street Project (H15); Sham Shui Po Projects (K20-22) and Sai Yee Street Project (K28).

4. A major task currently handled by PAS(PL)4 is the review of the Urban Renewal Strategy. This is a comprehensive review of the current set of policy guidelines on urban renewal. The objective is to ensure that the Urban Renewal Strategy will continue to reflect the aspirations and priorities of the community on urban regeneration in Hong Kong. PAS(PL)4 is also looking after revitalisation of industrial buildings, revitalisation initiatives of Old Wan Chai, and facilitation of redevelopment by the private sector through the Land (Compulsory Sale for Redevelopment) Ordinance. PAS(PL)4 therefore does not have spare capacity to take up any substantial new policy areas.
