

# 立法會 *Legislative Council*

LC Paper No. CB(1)115/08-09

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## **Panel on Development**

### **Meeting on 28 October 2008**

#### **Follow-up on matters raised at the meeting on 14 October 2008**

#### **Purpose**

This paper reports on the latest position of the matters raised at the Panel meeting on 14 October 2008, and provides relevant background information to facilitate the Panel's deliberation on the way forward.

#### **Site visit**

2. At the meeting on 14 October 2008, members agreed to conduct a site visit to --

- (a) the respective sites of the proposed Liantang/Heung Yuen Wai Boundary Control Point (BCP) on the Hong Kong side and Shenzhen side if possible;
- (b) sites in relation to the proposed connecting road on the Hong Kong side; and
- (c) the Lok Ma Chau Loop.

3. With the concurrence of the Panel Chairman, the site visit is scheduled for Saturday, 15 November 2008 from 9:30 am to 4:30 pm. The Administration has proposed an itinerary for the visit (**Appendix I**, Chinese version only). Members are requested to note that the itinerary does not include visit to the Liantang site in Shenzhen, as according to the Administration, there is no relevant facility of the proposed BCP in Liantang at present and the Liantang site can be viewed from the Hong Kong side.

4. Subject to any views from members on the proposed itinerary, the Legislative Council (LegCo) Secretariat will issue a circular to invite members to join the visit. As the Administration will put up a funding proposal on the proposed BCP, non-Panel Members will also be invited to join the visit.

### **Subjects to be discussed by the Panel in the 2008-2009 legislative session**

5. Members suggested a number of subjects for discussion by the Panel in the 2008-2009 legislative session. These subjects have been included in the Panel's List of Outstanding Items for Discussion. In line with the normal practice, the Administration has been consulted on the timing for discussion of the suggested items, and its proposed timing is shown in the aforesaid List<sup>1</sup>.

6. The List will be updated in consultation with the Administration prior to each regular Panel meeting, and the updated List will be referred to by the Panel at each regular meeting in deciding the discussion items for the following meeting(s).

### **Setting up subcommittees under the Panel to study certain subjects**

7. Some members suggested at the meeting on 14 October 2008 that the Panel might consider setting up subcommittees to study the following subjects --

- (a) planning for the new Central harbourfront;
- (b) review of the functions of the Town Planning Board and town planning procedures; and
- (c) review of the Urban Renewal Strategy.

8. Members may wish to note the following background information in considering how to follow up these issues.

#### Planning for the new Central harbourfront

9. In view of the wide public concern over the Tamar development project and the planning for the Central waterfront, the Panel set up a Subcommittee to Review the Planning for the Central waterfront (including the Tamar Site) on 17 December 2005. The Subcommittee had held eight meetings with the Administration from January 2006 to June 2007. Out of these eight meetings, there were dedicated sessions for hearing views from deputations at four meetings. The Subcommittee's deliberations had focused on the Tamar

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<sup>1</sup> Where the Administration has not made suggestion on the discussion timing, the proposed timing for discussion for the items concerned is tentatively shown as "To be decided".

development project at its first four meetings, and thereafter had focused on the planning for the sites along the new Central waterfront that were not yet developed.

10. As the Finance Committee had approved funding for implementation of the Tamar development project on 23 June 2006, and noting that the Administration had commenced the Urban Design Study for the New Central Harbourfront with public engagement, the Panel decided at its meeting on 23 October 2007 that there should be no need for the Subcommittee to continue its work, and outstanding issues relating to the planning for the Central waterfront should be followed up by the Panel.

11. Thereafter, the Panel discussed with the Administration the Urban Design Study for the New Central Harbourfront - Stage 2 Public Engagement in April 2008. During the discussion, some members considered that the proposals in the Stage 2 study, in particular the Administration's proposal to reduce the intensities of the planned developments at certain harbourfront sites, had heeded some major public demands. Some other members however expressed concern that the scale of certain planned developments at the harbourfront was still too large to be acceptable and that there would not be enough space for free public enjoyment of the harbourfront. There was also a view that the Administration's decision to reduce development intensities was contrary to the strong market demand for Grade A offices and would lead to a substantial loss in public revenue. There were suggestions from members that facilities that could cater for art performances and restaurants would be necessary to attract people flow, and that a harbour authority with representation from members of the public should be formed.

12. The Panel noted the Administration's explanation that the proposed reduction in development intensities was decided in response to public aspirations with due consideration given to different factors. There would be a 2-kilometre continuous waterfront promenade and hence the availability of ample space for the public to enjoy the harbourfront. There would be a multi-modal transport system and a multi-level (underground, at-grade and elevated) pedestrian network to enhance public access to the new harbourfront. The Administration concurred with members the need to provide facilities which could attract people flow at different locations along the harbourfront to enhance its vibrancy. As for the suggestion of setting up a harbour authority, the Administration informed members that a subcommittee under the Harbour-front Enhancement Committee was studying the matter.

13. Concerning the re-assembly of the Queen's Pier, some members expressed the view that it should be placed at the waterfront to resume its pier function. Some other members requested for re-assembly in-situ and adequate consultation be made with professional bodies on the design proposals. The Administration pointed out that the design proposals for re-assembling Queen's

Pier were prepared by professionals of the Planning Department based on views received. The Administration would continue to hear views from the public on the re-assembly location.

*Proposed way forward*

14. Recently, the Administration has indicated its plan to brief the Panel on the latest findings and recommendations of the Urban Design Study for the New Central Harbourfront in the first quarter of 2009. Members may wish to consider the need for setting up a subcommittee on the subject after further discussion with the Administration.

Review of the functions of Town Planning Board and town planning procedures

*The Amendment Ordinance passed in 2004*

15. The existing Town Planning Ordinance (TPO) was first enacted in 1939. After publishing the White Bill on Town Planning for public consultation in 1996, the Administration introduced the Town Planning Bill (the 2000 Bill) into LegCo in February 2000. LegCo had not completed scrutiny of the 2000 Bill because of inadequate time before expiry of the first legislative term. Taking into account the experience of the 2000 Bill, the Administration introduced in May 2003 the Town Planning (Amendment) Bill 2003 (the 2003 Bill) with the objectives to expedite the plan-making process, enhance transparency and public involvement of the planning approval process, strengthen enforcement control against unauthorized developments as well as increase the efficiency of the Town Planning Board (TPB). The 2003 Bill was passed by LegCo on 7 July 2004. The Town Planning (Amendment) Ordinance 2004 (the Amendment Ordinance) came into operation on 10 June 2005.

*Issues raised by Members and Heung Yee Kuk at various forums*

16. At present, members of TPB including the chairman and vice-chairman are appointed by the Chief Executive. Members of the Bills Committee on Town Planning (Amendment) Bill 2003 had urged the Administration to critically and comprehensively review the composition and operation of TPB at the stage two amendments of the TPO. Members were concerned in particular about the small quorum of five members for meetings of TPB which currently comprises 37 members.

17. At the meeting with LegCo Members on 29 November 2005, Heung Yee Kuk (HYK) Councillors had raised concern about the checks and balances in respect of the exercise of powers by TPB. HYK Councillors cited the example of the new policy on land filling, which was introduced by TPB in February 2005 without prior consultation with HYK. HYK was concerned that the interests of

landowners in the New Territories were affected in the absence of adequate checks on the powers of TPB.

18. The Panel had not specifically discussed the powers/functions of TPB and the town planning procedures as a separate discussion item in recent years, but related issues were raised when discussing various town planning projects and related subjects. Some major issues raised by members include --

- (a) whether TPB should be serviced by an independent secretariat;
- (b) whether there are effective mechanisms for public engagement in the planning process; and
- (c) whether important planning intentions can be effectively implemented under the present planning control mechanisms.

#### *Proposed way forward*

19. The powers/functions of TPB and the town planning procedures involve a wide range of issues. The Panel may wish to consider what specific issues or problems should be raised and discuss with the Administration to ascertain latest developments, before deciding on the need for setting up a subcommittee to follow up the relevant issues.

### Review of the Urban Renewal Strategy

#### *Background*

20. The Government provides policy guidelines on urban renewal for the Urban Renewal Authority (URA) through the Urban Renewal Strategy (URS), which was promulgated in November 2001. The URS spells out the principles and objectives of urban renewal, the targets and role of URA, the land assembly process, the processing of projects, financial arrangements, parameters and guidelines.

21. In recent years, the public has expressed a stronger interest in participating in the planning of urban renewal projects. At the same time, there are growing community sentiments towards heritage conservation, including preserving buildings, collective memories and the characteristics of certain areas or districts. There are strong calls both from LegCo and the Administration for URA to devote greater efforts in the community engagement process, particularly at the planning stage of its projects. The Panel has also noted that the land resumption process of URA's redevelopment projects often gives rise to lots of grievances. Affected property owners and tenants often complain that their interests are not adequately protected under the relevant legislation and URA's compensation policy. Some members have also pointed out that the present

mode of operation of URA cannot effectively cater for a collaborative approach whereby the affected residents and business operators can play an active role in the planning process or opt to have a stake in the redevelopment projects. There is also the view that the self-financing approach of URA and the existing arrangement of making acquisition offers after completion of the statutory planning process should be reviewed.

*Launch of the URS review by the Administration in July 2008*

22. In view of the new developments and the problems associated with URA's work, the Panel had urged the Administration to conduct a comprehensive review of the URS. In his 2008-2009 Budget Speech delivered on 27 February 2008, the Financial Secretary announced that the Development Bureau and URA would conduct a review of the URS. In June 2008, the Administration briefed the Panel on the overall approach, modus operandi and public engagement process of the review. The Administration expected that the review would take about two years to complete. During the review, URA would continue with its on-going projects, including the 25 projects inherited from the ex-Land Development Corporation (LDC), in accordance with the existing policies.

23. The URS Review was formally launched on 18 July 2008, and a Steering Committee on Review of the URS has been set up under the chairmanship of the Secretary for Development. The Administration has also appointed two consultants to provide consultancy services for public engagement and to conduct a study on urban renewal policy.

24. During the Panel discussion in June 2008, members in general welcomed the review, but there were concerns that the pace of urban renewal would be slowed down during the two-year review. Members also gave views on the directions for urban renewal in future, such as overhaul of URA's compensation and rehousing policies, conservation of heritage buildings and features, preservation of local economic activities and social fabric, reduction of development intensities, adoption of a district-based approach in urban regeneration, and review of procedures to enable acquisition of properties before completion of planning.

25. Meanwhile, some members expressed grave concern that demolition of communities with special characters and emergence of high-density developments would continue to be resulted from URA's redevelopment projects during the review period. Some members also expressed grave concern that certain redevelopment projects that had been commenced by URA were highly controversial, and the planning and compensation arrangements were far from satisfactory. These members urged the Administration/URA to adopt a flexible approach and consult the stakeholders to identify alternative arrangements acceptable to them as far as possible.

*Proposed way forward*

26. Given that the Administration has commenced a review of the URS, the Panel may consider the following options for its monitoring work --

- (a) to invite the Administration and URA to brief the Panel regularly on the progress of the review as well as the work of URA; or
- (b) to set up a subcommittee to study the issues relating to the URS, to monitor the progress of the URS review being undertaken by the Administration and to make recommendations where appropriate; meanwhile, the Administration and URA should regularly brief the Panel on the work of URA.

27. If the Panel's decision is to set up a subcommittee, members are requested to consider the proposed terms of reference, work plan and time frame of the subcommittee set out in **Appendix II**.

**Advice sought**

28. Members are requested to note this paper and to give views on how the Panel should follow up the various subjects raised, in particular the following three subjects --

- (a) planning for the new Central harbourfront;
- (b) review of the functions and operation of Town Planning Board and town planning procedures; and
- (c) review of the Urban Renewal Strategy.

**立法會發展事務委員會  
一天實地視察  
(2008年11月15日)**

**落馬洲河套，蓮塘/香園圍口岸及邊境禁區**

**建議行程**

上午 9 時 30 分	乘小型旅遊巴士由立法會大樓出發
上午 10 時 30 分	抵達落馬洲警署，遠眺落馬洲河套附近一帶的情況
上午 10 時 30 分至 11 時	規劃署人員簡介有關落馬洲河套規劃工作最新的進展、邊境禁區規劃研究的背景，及附近濕地保育的情況
上午 11 時至 11 時 20 分	沿邊境渠務署維修小路進入落馬洲河套區範圍
上午 11 時 20 分至 11 時 45 分	經馬草壟(古河北新發展區的一部分)前往白虎山
上午 11 時 45 分至下 午 12 時 20 分	抵達白虎山山腳，步行約 90 梯級至山上水務署儲水庫的屋頂，可眺望深圳的蓮塘及香港竹園村一帶的情況  規劃署及土木工程拓展署人員簡介蓮塘/香園圍口岸發展概念
下午 12 時 20 分至 12 時 40 分	前往午膳地點(地點待定)
下午 12 時 40 分至 1 時 45 分	午膳  (我們亦將安排專車接載不參加下午視察的議員返回立法會大樓，約於 2:30 到達立法會)



下午 1 時 45 分至 2 時 15 分	前往周田村及鳳凰湖村
下午 2 時 15 分至 2 時 45 分	參觀周田村及鳳凰湖村的鄉村發展及有歷史價值的屋宇
下午 2 時 45 分至 3 時	前往受蓮塘/香園圍新口岸而須搬遷的竹園村
下午 3 時至 3 時 30 分	規劃署人員簡介竹園村情況
下午 3 時 30 分	離開竹園村，經吐露港公路返回立法會大樓
下午 4 時 30 分	返抵立法會大樓

**Proposed Subcommittee on Review of Urban Renewal Strategy**

**Proposed Terms of Reference**

The proposed Terms of Reference is as follows --

"To study issues relating to the Urban Renewal Strategy, and to make recommendations where necessary."

**Proposed workplan**

The Subcommittee will focus its work on the following major areas --

- (a) various approaches to urban renewal and how the balance should be struck between redevelopment and rehabilitation/preservation;
- (b) financing model for urban renewal;
- (c) compensation and rehousing policies;
- (d) the planning and redevelopment process; and
- (e) the scope of work of the Urban Renewal Authority and its mode of operation.

**Proposed time frame**

The Subcommittee would aim to complete its work within six to nine months.