

立法會

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Report of the Panel on Development for submission to the Legislative Council

Purpose

This report gives an account of the work of the Panel on Development from October 2008 to June 2009. It will be tabled at the meeting of the Legislative Council (LegCo) on 8 July 2009 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, 9 October 2002, 11 July 2007 and 2 July 2008 for the purpose of monitoring and examining Government policies and issues of public concern relating to lands, buildings, planning, water supply, development-related heritage conservation, Public Works Programme and other works matters. The terms of reference of the Panel are in **Appendix I**.

3. For the 2008-2009 session, the Panel comprises 24 members. Hon LAU Wong-fat and Prof 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**.

Major work

Major infrastructure projects

Central-Wan Chai Bypass and Wan Chai Development Phase II

4. In November 2008, the Administration briefed members on the temporary reclamation works for the proposed Trunk Road comprising Central-Wan Chai Bypass and Island Eastern Corridor Link, and the reprovisioning arrangements for affected vessels in Causeway Bay Typhoon Shelter upon further review of the project in the light of the court's judgement

delivered on 20 March 2008 ruling that the Protection of the Harbour Ordinance (Cap. 531) does apply to the proposed temporary reclamation works for the road scheme. The Administration also provided an updated comparison of the Tunnel Option and Flyover Option to supplement the "Report on Cogent and Convincing Materials to Demonstrate Compliance with the Overriding Public Need Test" issued in February 2007 to address specifically the reclamation requirements.

5. In May 2009, the Administration consulted the Panel on the funding proposals for the construction of the Trunk Road, the engineering works for Wan Chai Development Phase II, and the development of a permanent government helipad at the north-eastern corner of the Hong Kong Convention and Exhibition Centre for use by the Government Flying Service and for the spare capacity to be made available for the provision of domestic commercial helicopter services.

6. The Panel noted that the Trunk Road could cater for traffic needs arising from increased population and new developments in the area at least up to 2020, by which time its volume to capacity ratio would be 0.7. It was the last missing strategic link in the east-west direction and could alleviate traffic congestion along the northern shore of Hong Kong Island. Noting that the Administration was confident that the present proposal could meet the legal requirements under the Protection for the Harbour Ordinance (Cap. 531), members in general were supportive of implementing the Trunk Road project as soon as possible. The main concerns raised by members were the traffic arrangements during the construction of the Trunk Road and the coordination between the Trunk Road construction works with those of the Shatin to Central Link project to be carried out at the Causeway Bay Typhoon Shelter. Members urged the Administration to ensure the relevant arrangements would minimize disruption to traffic and disturbance to users of the typhoon shelter.

7. Some members opined that the Administration should implement comprehensive traffic management measures after the commissioning of the Trunk Road. Otherwise, the Trunk Road would induce more traffic and further new roads would be required in future. Members were also concerned whether the job opportunities created by the implementation of the Trunk Road and related infrastructure projects would benefit local professionals and workers. The Administration advised that there were strict requirements for admitting non-local workers. While the Administration could not specify in tender documents for public works projects that local professionals must be employed because this would be in breach of the World Trade Organization Agreement on Government Procurement, when assessing the tenders, additional marks would be awarded to contractors employing professionals with local experience.

Kai Tak Development

8. The Panel continued to monitor the 320-hectare Kai Tak Development (KTD) in the current session. In January 2009, the Administration provided the Panel with an overview of the implementation plan for the KTD. In March 2009, the Administration briefed the Panel on the detailed design and construction of infrastructure including roadworks, footbridges, drainage and sewerage systems etc. in the KTD, and the detailed design of environmental improvement works to the Kai Tak approach channel (KTAC) and Kwun Tong typhoon shelter, before the relevant funding proposals were submitted to the Public Works Subcommittee for consideration. Members conducted a site visit to KTAC in February 2009 during which the Administration introduced and demonstrated the bio-remediation treatment for tackling the environmental problems at KTAC.

9. Members urged the Administration to ensure the timely implementation of road infrastructure, parks and other community facilities in KTD to serve the needs of the future residents in KTD. Besides, the ancillary facilities in KTD should dovetail with the completion of the Cruise Terminal. There should be good connectivity and integration between KTD and the nearby old districts. There should also be indicators to assess whether environmental friendly facilities, such as the district cooling system, had achieved their targets. The Administration should establish a one-stop government service centre and some government offices currently located at prime sites should be relocated at the proposed Kai Tak Government Offices. Members also urged the Administration to locate roads further away from the harbourfront and pedestrian footpaths and to provide sufficient space and facilities for leisure activities of the public along the harbourfront areas in KTD.

10. Taking note of members' concerns and suggestions, the Administration assured members that there would be sufficient facilities for the public rental housing residents who would move into KTD during the first stage of its implementation. The proposed monorail system and pedestrian links would provide good connectivity within KTD and between KTD and nearby districts. Apart from the Kai Tak Government Offices, the Administration had reserved sites for various government and community facilities in KTD, including a district hospital. KTD would facilitate the revitalization of nearby old districts.

11. A number of members expressed grave concern about the pollution and odour problems at the KTAC. The Panel noted that the Administration planned to adopt a three-pronged approach to tackle the problem. In the short term, bio-remediation treatment would be adopted to change the nature of the sediments so as to eliminate the odour. In the long term, the bottom dissolved oxygen level of the water at KTAC would be increased by creating a 600-metre wide opening at the former runway, through which water of comparatively better quality from Victoria Harbour could be brought into KTAC by tidal flush.

Another long term measure was to intercept polluted discharges from the hinterland from entering KTAC. Some members expressed doubt about the effectiveness of the proposed bio-remediation treatment in tackling the pollution problem at KTAC. Some other members relayed the worry of the residents in the nearby districts that the water quality at To Kwa Wan Typhoon Shelter would deteriorate after creating the proposed 600-metre wide opening. The Administration advised that the proposal to adopt the bio-remediation treatment was based on the successful experience of treating Shing Mun River and Sam Ka Tsuen and the results of site trials at KTAC. The Administration would ensure that the water quality at KTAC would be up to the required standard before creating the 600-metre wide opening.

Development of the Lok Ma Chau Loop

12. In February 2009, the Administration briefed the Panel on the proposal to carry out a planning and engineering study and associated site investigation works for the proposed development of the Lok Ma Chau Loop. The Panel noted that in view of the unique history of the Loop which was within the Shenzhen's jurisdiction before 1997, Hong Kong and Shenzhen Governments had agreed to jointly develop the site for mutual benefits of the two cities. It was also agreed that higher education might be developed as the leading use in the Loop, with some elements of hi-tech R&D facilities and creative industries. Part of the costs of the proposed study would be shared by the Shenzhen Government, which would also commission a separate study for the area to the north of the Loop in Shenzhen

13. Noting that there were other on-going and forthcoming studies on the Closed Area, the North East New Territories New Development Areas and the proposed Liantang/Heung Yuen Wai Boundary Control Point, members urged the Administration to ensure that there would be effective co-ordination between these studies and the proposed study on the Loop. The Administration assured members that there would be effective coordination among the various related studies. As regards the land use of the Loop, members in general agreed that higher education should be the leading use in the Loop, and called on the Administration to solicit views from local higher education institutions on the development proposals for the Loop.

Buildings

Lift safety

14. The accidents involving lifts in both private buildings and public rental housing had aroused much public concern on the need to strengthen the current regulatory regime on lift safety. The Panel on Development and the Panel on Housing held two joint meetings in December 2008 and February 2009 to discuss the regulatory regime on lifts and the improvement measures to strengthen lift

safety. The Panels noted that while conducting investigation on the lift incidents, the Administration had adopted a package of improvement measures in parallel to strengthen lift safety in Hong Kong. The measures included a comprehensive review of the regulatory framework covering lift workers, registered lift engineers and statutory penalty levels; enhancement of the Code of Practice for Lift Works and stepping up the lift inspection work of the Electrical and Mechanical Services Department (EMSD); an undertaking to conduct 100% audit inspection of the lifts installed in Tenant Purchase Scheme housing estates; and enhanced publicity on lift maintenance.

15. Members held the view that more resources should be allocated to lift inspection work in the coming financial year. To ensure quality lift maintenance, consideration should be given to setting out in the Codes of Practice on Lift Safety the minimum time and number of workers required for carrying out maintenance work. Apart from stepping up inspection, there was also a need to enhance the management culture in Hong Kong. Each contractor should be required to establish a quality management system for the maintenance work and to ensure that their workers were provided with regular training to enhance their skills. The relevant legislation should also be updated so that contractors would be held responsible for their maintenance work. To facilitate owners' corporations in selecting the most appropriate service providers, the Administration should consider releasing scores of its internal marking scheme on contractors upon request by owners' corporation. As regards workers' competence, members opined that those who possessed sufficient skill and experience, but had not undergone formal academic training or craft apprenticeship should take a trade test. Those who could reach the required standard should be qualified as a "competent worker". The remaining should be required to attend the relevant courses to enhance their competence to the required standard.

16. The Panel noted the information provided by the Administration in April 2009 on the results of EMSD's audit inspection of lifts installed in the Tenant Purchase Scheme housing estates in Hong Kong and other actions taken by EMSD to assist lift owners to manage lift maintenance. The Administration undertook to continue to report to the Panel the latest developments on the improvement measures taken to strengthen lift safety in Hong Kong.

Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme

17. In the previous year, the Administration had sought members' views on the selection of target buildings, inspection items and operational procedures under the proposed Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme. In February 2009, the Administration briefed the Panel on the proposed arrangements for the regulation of service providers under

the two proposed schemes, and advised that the Administration planned to introduce the relevant legislation by the end of 2009

18. Members pointed out that many residents, especially those who were less well-off and living in old districts, were worried about the costs required for the repair works. They urged the Administration to ensure that it would provide clear information and a comprehensive range of assistance to the owners concerned. Members suggested the Administration consider bearing the first-time inspection costs, and providing one-stop service to facilitate owners to apply for assistance under various building maintenance assistance schemes.

19. On the provision of technical and financial support, the Administration advised that various financial assistance schemes were available, such as the Building Maintenance Grant Scheme for Elderly Owners operated by the Hong Kong Housing Society and the Building Safety Loan Scheme administered by the Buildings Department. Such financial assistance schemes would be applicable to the Mandatory Building Inspection Scheme and could cater for the needs of elderly owners. The Administration assured members that it would coordinate these assistance schemes and ensure that the necessary ancillary facilities and measures would be in place to address the concerns of the public.

20. Members considered that the Administration should have a mechanism to ensure that the service providers performed their duties diligently. The Administration assured members that the Buildings Department would conduct audit checks to ensure that inspections and maintenance works had been carried out properly by professionals and inspectors. The department would also step up the auditing inspections during the initial stages of implementing the two schemes. Members also emphasized the need for a convenient information dissemination system which would provide owners' with information such as inspection and repair items, benchmark fee levels and lists of service providers. The Administration advised that such information would be disseminated through electronic means or through the Property Management Advisory Centres of the Hong Kong Housing Society (HKHS). The Hong Kong Institute of Surveyors and HKHS would prepare benchmark fee levels for various works items, so that owners could assess whether the fees offered by service providers were reasonable.

Operation Building Bright

21. In March 2009, the Administration presented a proposal to implement the Operation Building Bright (the Operation) at a non-recurrent government expenditure of \$700 million, together with a contribution of \$150 million each from HKHS and the Urban Renewal Authority (URA), to assist owners of about 1 000 old buildings to carry out repair works over the next two years. Members were in support of the Operation and agreed that it should be launched as soon as possible to create job opportunities and enhance building safety.

22. Members discussed with the Administration the implementation arrangements, including the procedures and eligibility criteria for selection of buildings for assistance under the Operation, mechanisms to monitor the tendering procedures of owners' corporations to prevent malpractices, and the determination of priority works items for the use of grants. In view of the effectiveness of the initiative in creating job opportunities within a short time frame, some members urged the Administration to actively consider increasing the Government's financial commitment to benefit more buildings.

23. On 26 May 2009, the Financial Secretary announced a new round of relief measures including, among others, increasing the provision for the Operation by \$1 billion. The Administration briefed the Panel on 23 June 2009 on the latest progress of the Operation and its proposal of increasing the provision for the Operation. The Administration advised that with a total budget of \$2 billion, the Operation should be able to assist about 2 000 target buildings and create 20 000 job opportunities for construction and maintenance workers as well as related professionals and technicians. Members welcomed the proposal, and agreed that after completion of the works in respect of all the valid applications under Category 1 received in response to the first call for applications and selected buildings under Category 2, if there were still uncommitted funds available, the Administration should make use of part of such remaining funds to accept new applications for Category 1 target buildings. In this connection, some members suggested the Administration consider relaxing the eligibility criterion of "the buildings comprise no more than 400 residential units" for new applications from owners' corporations. Noting that HKHS and URA would continue to provide one-stop technical assistance to help owners to carry out the repair works, members called on the Administration to provide comprehensive advice for owners in respect of various building maintenance subsidy schemes and the funding schemes under the Environment and Conservation Fund to promote building energy efficiency.

Urban renewal

Review of the Urban Renewal Strategy

24. The Administration launched the review of the Urban Renewal Strategy (URS Review) in July 2008. The Review comprised three stages, namely "Stage 1 -- Envisioning", "Stage 2 -- Public Engagement" and "Stage 3 -- Consensus Building". In January 2009, when the Review was at the end of the Envisioning Stage, the Administration reported to the Panel the progress of the Review and invited members' views on the key issues relating to urban regeneration that should be examined during the Review. The Panel noted that the Review was intended to be a root-and-branch one, with no pre-determined agenda. There would be robust and extensive public engagement. The Administration would also draw reference from the challenges faced by six

comparable Asian cities in urban renewal and the methods they used to overcome those challenges. In April 2009, the Panel held a special meeting to receive public views on the URS Review and related issues.

25. During the discussions, members expressed various views and suggestions about the Review. In gist, members considered that there should be more urban regeneration and compensation options for affected residents and business operators. The Administration and URA should solicit the public's views on where urban renewal projects should be carried out. The Administration should adopt a macro planning perspective in planning urban renewal and should conserve the characters and activities of a district in addition to heritage buildings. To evaluate the actual impacts of urban redevelopment projects, the Administration or URA should conduct tracking studies on residents and business operators affected by redevelopment projects. There was also a need to review the role of and funding arrangements for the social service teams tasked to provide assistance to affected residents.

Progress of work of the Urban Renewal Authority

26. In June 2009, the Administration reported to the Panel the progress of the work of URA and its work plans for the coming year. The Panel noted that URA had successfully commenced all 25 projects announced but not completed by the former Land Development Corporation. For the coming year, in view of the scale of the ongoing complex projects and that the URS Review was underway, the Administration considered it realistic and appropriate for URA to focus more on completing the commenced projects and avoid commencing other large-scale, controversial redevelopment projects. URA would put more efforts on its rehabilitation and revitalization work in the coming years to complement the Development Bureau's policy initiatives to provide a quality city environment.

27. A number of members raised concern about the transparency of URA's financial information and urged URA to disclose the financial results of individual redevelopment projects. For URA's redevelopment projects, members called on URA to provide affected property owners with the joint redevelopment and flat-for-flat/shop-for-shop compensation options, and to conduct tracking surveys to evaluate the actual social impacts of the projects. Members also discussed with the Administration and URA the financial arrangements for URA in the medium term and in the long run, including URA's plan to seek external financing through bond issues.

Proposals to facilitate redevelopment by the private sector: application threshold under the Land (Compulsory Sale for Redevelopment) Ordinance

28. In June 2009, the Administration solicited Panel members' views on its proposals to lower the application threshold for certain classes of lots with

respect to applications for compulsory order for sale under the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) for redevelopment of the lots. The proposals were to lower the application threshold to 80% for the following three classes of lots --

- (a) lots with "all units but one" acquired;
- (b) lots with all buildings aged 50 or above; and
- (c) lots with industrial buildings aged 30 or above located in non-industrial zones.

29. The Administration advised that in formulating the latest proposals, it had taken into account the comments made by members and deputations on its previous proposals introduced in May 2006 and January 2008, as well as the aspirations of individual owners and views of the industry on the subject.

30. The Panel received a number of submissions from various parties and individual citizens on the subject, and noted that there were divergent views on the Administration's proposals. Some members expressed strong reservation on the proposals and raised concerns about the adequacy of protection for minority owners and tenants if the application threshold was lowered to 80% in respect of the abovementioned three classes of lots. Some members called on the Administration to put in place complementary measures to enhance the protection of minority owners and tenants. There was a concern that as the Town Planning Board had not yet completed the review of existing Outline Zoning Plans to impose appropriate development controls, the acceleration of privately-led redevelopment projects would result in undue increase in development density. In order to gauge public views on the Administration's proposals, the Panel agreed to hold a special meeting in July 2009 for the purpose.

Heritage conservation

31. The Administration briefed the Panel members on the progress of the key initiatives of its heritage conservation work in December 2008 and April 2009. Noting that the Administration had adopted the district-based approach for planning the preservation and revitalization of the old Wan Chai area and the vicinity of Hollywood Road, members suggested that the approach could also be adopted for the conservation work of other districts such as Kowloon City and various areas in the New Territories. Members also gave views on the conservation arrangements for various heritage sites, the engagement of District Councils and other organizations in pursuing conservation initiatives, and also on the need to ensure accessibility/affordability of revitalized historic buildings and their facilities to the public.

32. Regarding the proposed grading of 1 444 historic buildings in Hong Kong, members were concerned whether the Administration would and had the necessary means to take prompt action in protecting privately-owned historic buildings from damage. The Administration assured members that it would adopt an active approach in protecting heritage buildings. The Administration would inform the owners of Grade I private buildings of the status and historic significance of the buildings, and negotiate with the owners if they had any intention to redevelop their buildings. The Administration could offer different kinds of economic incentives on a case-by-case basis, such as in-situ land exchange, non-in-situ land exchange and cash compensation. If necessary, the Administration could declare a historic building as a provisional monument to give the building immediate protection. Furthermore, financial support would be provided to private owners of graded buildings which were not declared as monuments to facilitate renovation and conservation of those buildings.

33. In February 2009, the Administration reported to the Panel on the selection results of the seven buildings included under Batch I of the Revitalizing Historic Buildings Through Partnership Scheme (Revitalization Scheme) as well as the way forward. The Panel noted that the Secretary for Development had granted approval-in-principle to the recommended projects. The selected non-profit making organizations, being proponents of the recommended projects, would proceed with the pre-tender work and preparation of submissions for seeking funding approval from the Finance Committee. During the discussion, members sought explanation for selecting the SCAD Foundation (Hong Kong) Limited to revitalize North Kowloon Magistracy, and enquired how the selected projects would be monitored to ensure that the revitalization objectives could be met.

34. In April 2009, the Administration briefed the Panel on the review and conclusion of Batch I of the Revitalization Scheme, and implementation details of Batch II of the Revitalization Scheme. In order that there would be fair competition among project proponents, members suggested that the Administration should refine the assessment criteria to ensure clarity and consider specifying a particular use for each historic building under the Revitalization Scheme.

Provision of public facilities in private developments

35. In the previous year, the Panel held discussions with the Administration and deputations on issues relating to the provision and management of public facilities in private developments. In December 2008, the Administration briefed members on the preliminary findings and recommendations of its review concerning the provision of public open space (POS) in private developments. The Panel held a special meeting in February 2009 to receive public views on the subject. In May 2009, the Administration reverted to the Panel and sought

members' specific views on a number of policy and operational issues as well as the way forward.

36. The Administration considered that the policy on the incorporation of public facilities in private developments for public use in general should be upheld. Public facilities, other than POS and public access, in private developments should not present any major problems. In respect of existing cases of POS in private developments, the Administration's position was that in fulfillment of the contractual spirit, existing POS in private developments should continue to be managed and maintained in compliance with the requirements in the leases. Where POS was on Government land, the Administration considered that it was reasonable for the Government to recover the POS subject to resource availability. Where POS was on private land, the Administration held that there was no question of the Government resuming or taking over POS. The principle of public accessibility to these POS should be upheld and these POS should continue to be privately managed. However, in very exceptional cases, the Administration might consider sympathetically waiving the requirement for public accessibility in the lease for certain POS on private land, based on the individual merits of the case and subject to specified criteria.

37. Members in general supported the policy framework and approaches recommended by the Administration. Members however urged the Administration to exercise extra care in handling existing outstanding cases of private developments. In identifying suitable solutions to these cases, members requested the Administration conduct adequate consultation with the owners/residents and the local communities concerned, and handle the cases in a transparent, fair and sensible manner. The Administration should also formulate management guidelines for reference by owners of the relevant private developments.

Measures to foster a quality and sustainable built environment

38. In view of rising public concerns over the quality and sustainability of the built environment, in particular the effect of gross floor area (GFA) concessions granted under the Buildings Ordinance (Cap. 123) on building height and bulk, the Administration had conducted a preliminary review on the subject. In December 2008, the Administration briefed the Panel on the major issues identified and the broad policy options. The Administration advised that in view of the complexity of the matter, it would collaborate with the Council for Sustainable Development to conduct a three-month extensive public engagement exercise. Through the exercise, the Administration hoped to address various concerns such as sustainable development in society, review of the provision of green features in buildings, aspirations of residents for green features, flexibility in architectural design and concerns over the impact of massive buildings.

39. Some members considered that there was urgency in implementing measures to plug existing loopholes, such as tightening up the discretion that might be exercised by the Building Authority in granting GFA concessions. While appreciating that the issues involved were complex, the members considered that the Administration should implement the measures by stages. Some other members supported that a comprehensive review was required. They urged the Administration to gauge public views comprehensively and then take forward the matter resolutely. Members also gave views on other related planning issues.

Measures to prevent new developments from creating a wall effect and to reduce development intensity in developed areas

40. In November 2008, the Administration updated the Panel on the progress of the implementation of various measures to address the "wall effect" in developments, in particular the review of the approved schemes of the above-station property development projects at the Nam Cheong Station and the Yuen Long Station along the West Rail (WR). Members noted that under the proposed revised schemes for the development projects, there were reductions in total GFA, plot ratio, building height and podium levels, as well as enhancement in breezeway/visual corridors, air ventilation and urban design.

41. Some members commended the Development Bureau for its effort in improving the development schemes to respond to public aspirations for a better built environment. Responding to members' enquiries about the scope for further enhancement to the revised schemes if there was such demand from the local communities, the Administration advised that in putting forward the revised schemes, apart from the views and aspirations of the local communities, the Administration had to take into account other wider considerations such as housing supply. The Administration would explain the revised schemes to the relevant District Councils. On members' suggestion of conducting reviews of other similar developments, the Administration advised that while the hotel development at the WR Tsuen Wan West Station was being reviewed, there was no plan to revise the schemes of property development at other railway stations.

Hong Kong Special Administrative Region's post-quake reconstruction support work in Sichuan

42. On 18 July 2008, the Finance Committee approved the creation of a new commitment of \$2 billion for the establishment of the Trust Fund in Support of Reconstruction in the Sichuan Earthquake Stricken Areas as the Hong Kong Special Administrative Region's (HKSAR) financial commitment to the reconstruction support work in the initial stage. The Administration briefed the Panel in October 2008, February 2009 and June 2009 on the progress of HKSAR's reconstruction support work in Sichuan. On the latter two occasions, the Administration also consulted the Panel on the proposed financial

commitments of \$4 billion for the second stage and \$3 billion for the third stage reconstruction support work, before seeking approval from the Finance Committee for the relevant funding proposals.

43. During Panel discussion in February 2009, a number of members expressed concern about the monitoring of the quality, progress and fund management of the reconstruction projects. The Administration assured the Panel that the reconstruction projects supported by HKSAR would meet the latest requirements set by the Mainland authorities. The "Cooperation Arrangement on the Support of Restoration and Reconstruction in the Sichuan Earthquake Stricken Areas" signed by HKSAR and Sichuan Provincial Governments defined the responsibilities of the two governments, the technical standards for reconstruction support work and the project management arrangements. The Panel noted that for each reconstruction project supported by HKSAR, the HKSAR Government would sign a "project cooperation arrangement" with the Sichuan Provincial Government, which would form the basis for the two sides to monitor project progress systematically and to ensure that the works were carried out in compliance with the Mainland laws and regulations. At the request of the Panel, the Administration provided further details about the management and monitoring arrangements after the meeting.

44. In considering the proposed financial commitment for the third stage reconstruction support work in June 2009, members urged the Administration to organize as soon as possible a visit to Sichuan for LegCo Members to enable Members to obtain first-hand information on the progress of the reconstruction work and how funding support from HKSAR had been utilized. While some members expressed support for the proposed financial commitment so that the much needed road infrastructure and other facilities could be constructed without unnecessary delay, some other members considered that the Administration should not seek funding approval from LegCo in such haste, as the Administration had yet to provide information to demonstrate proper use of HKSAR's funding for the first stage and second stage reconstruction support projects.

45. During the Panel discussions, members also urged the Administration to help organize professionals in Hong Kong to participate in the reconstruction projects in Sichuan, and assist Hong Kong's non-government organizations in obtaining greater flexibility in the planning and delivering of their support services and in helping Mainland voluntary organizations in capacity building.

Other matters deliberated

46. The Panel received a briefing in October 2008 from the Secretary for Development on the relevant policy initiatives under the Chief Executive's Policy Address 2008-2009. The major issues discussed include the progress of major

infrastructure projects, promotion of employment, initiatives to promote a sustainable built environment and heritage conservation initiatives.

47. During the current legislative session, the Panel also received briefings by the Administration on the following subjects --

- (a) the Planning and Engineering Study on North East New Territories New Development Area (Stage One Public Engagement);
- (b) the fatal falling gate incident at the Hang Ngai Manufacturing and Hostel in Hung Hom and the current minor works delivery system administered by the Architectural Services Department; and
- (c) the proposal to provide additional area for the future Legislative Council Complex in the Tamar Development Project; and
- (d) the proposed Building (Construction) (Amendment) Regulation 2009 to update the design requirements for imposed loads of buildings.

48. The Panel discussed the following funding and staffing proposals before the Administration submitted the proposals to the Public Works Subcommittee and the Establishment Subcommittee --

- (a) new agreement for supply of Dongjiang water;
- (b) increase in the approved project estimate for Central Reclamation Phase III and extension of the scope of project to implement protection works in order to remove constraints to the development of the new Central harbourfront in light of delays to the implementation programme of the Central-Wan Chai Bypass and Island Eastern Corridor Link;
- (c) dredging, management and capping of a new sediment disposal facility at Sha Chau;
- (d) increase in the approved total allocation for works-related block allocations under the Capital Works Reserve Fund for 2009-2010 to implement more minor works projects;
- (e) Greening Master Plans for Kowloon West, Hong Kong Island and Kowloon East -- studies and works;
- (f) construction of the part of the cycle track network connecting Sheung Shui, Fanling, Tai Po, Sha Tin and Ma On Shan;

- (g) conversion of Old Tai O Police Station into Tai O Heritage Hotel under the Revitalization Scheme;
- (h) creation of a permanent Principal Assistant Secretary for Development post for taking forward harbourfront enhancement initiatives and a Government Town Planner post in Planning and Lands Branch of Development Bureau for handling cross-boundary planning and development issues;
- (i) creation of two supernumerary Chief Engineers (D1) Directorate posts in the Civil Engineering and Development Department to strengthen the department's capability in taking up the planning and implementation of the KTD and Liantang/Heung Yuen Wai Boundary Control Point projects; and
- (j) creation of a supernumerary post of Administrative Officer Staff Grade B in the Development Bureau as the Head of the Development Opportunities Office in the Development Bureau.

Subcommittees

49. The Panel noted that in the Chief Executive's Policy Address 2008-2009, the Administration would commit additional resources to strengthen the policy on harbourfront planning and implementation of harbourfront enhancement initiatives. In November 2008, the Panel agreed that a subcommittee, named as the Subcommittee on Harbourfront Planning, should be formed under the Panel to monitor and study the planning, land use and related issues in respect of the harbourfront areas on both sides of the Victoria Harbour. The Subcommittee has held five meetings to deliberate over the Administration's harbourfront enhancement initiatives and relevant policies, and conducted a round-the-harbour tour in February 2009.

50. The Panel held a joint meeting with the Panel on Home Affairs in November 2008 to discuss the development of the West Kowloon Cultural District (WKCD) project since the enactment of the West Kowloon Cultural District Authority (WKCDA) Ordinance and the way forward for monitoring the project. Members urged the Administration to expedite the implementation of the WKCD project to create more employment opportunities amidst the financial tsunami. Members expressed concern over the appointment of the WKCDA Board, as well as a number of issues relating to the implementation of the WKCD project. The Panels subsequently agreed in December 2008 to appoint a joint subcommittee, named as the Joint Subcommittee to Monitor the Implementation of the West Kowloon Cultural District Project, under the two Panels to monitor issues relating to the implementation of the WKCD project, including the work of the WKCDA, the project's interface with arts and cultural development, and other related matters. The Joint Subcommittee has held five

meetings and deliberated various issues including the appointment of the members of the Board of the West Kowloon Cultural District Authority, the establishment and work of the Consultation Panel, the master planning of WKCD, and the planning and development of M+. The Joint Subcommittee received views from deputations on the above and related issues in June 2009.

51. The Panel discussed the proposed amendments to the Land Titles Ordinance in December 2008. In January 2009, the Panel held a joint meeting with the Panel on Administration of Justice and Legal Services and decided to set up a joint subcommittee, named as the Joint Subcommittee on Amendments to Land Titles Ordinance, to monitor the Administration's work on the preparation of amendments to the Land Titles Ordinance in a focused manner and provide input in the bill drafting process. The Joint Subcommittee has held four meetings. The main issues deliberated include the risks and problems identified by the Administration in implementing the Land Titles Ordinance (Cap. 585) enacted in 2004 pursuant to its post-enactment review, and the options available for dealing with amendments to the conversion and rectification arrangements in the enacted Ordinance. The Joint Subcommittee received views from deputations on the above and related subjects in March 2009.

Site visits

52. During the period from October 2008 to June 2009, the Panel conducted visits to the following sites --

- (a) Lok Ma Chau Loop, proposed Liantang/Heung Yuen Wai Boundary Control Point and Frontier Closed Area in November 2008;
- (b) Kai Tak Approach Channel in February 2009;
- (c) completed works of the Greening Master Plan for the Central District in March 2009; and
- (d) proposed cycle track network in the New Territories (section from Sheung Shui to Ma On Shan) in April 2009.

Meetings held

53. From October 2008 to end of June 2009, the Panel has held a total of 20 meetings, including two joint meetings with the Panel on Housing, one joint meeting with the Panel on Administration of Justice and Legal Services, and one joint meeting with the Panel on Home Affairs.

Panel on Development

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to lands, buildings, planning, water supply, development-related heritage conservation, Public Works Programme and other works matters.
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 Development

Membership list for 2008-2009 session

Chairman Hon LAU Wong-fat, GBM, GBS, JP

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

Members

Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Albert CHAN Wai-yip
Hon LEE Wing-tat
Hon Alan LEONG Kah-kit, SC
Hon CHEUNG Hok-ming, GBS, JP
Hon KAM Nai-wai, MH
Hon Cyd HO Sau-lan
Hon Starry LEE Wai-king
Hon Tanya CHAN
Dr Hon Priscilla LEUNG Mei-fun
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP (since 22 October 2008)
Dr Hon Samson TAM Wai-ho, JP

(Total: 24 members)

Clerk Ms Anita SIT

Legal Adviser Miss Winnie LO