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26 November 2012

Implementation of North East New Development Area

We have worked on the planning and implementation of many developments in the New Territories for more than 20 years. During this period we have noticed that the time frame for implementing developments has increased. This is not because of a fundamental problem with the land exchange process, but more one of an increasingly bureaucratic process for implementing it.

The process of developing private housing is dependent on the private developers constructing the new buildings. As the developers already own much of the developable land within the New Development Areas (NDA's) a rational and analytical approach should be adopted so as to identify any specific problems that have arisen in the process of implementing development through land exchanges with the existing owners. It is not evident as to the problems involved and why the usual approach cannot be adopted for the implementation of the NDA's.

One delaying factor has been the unnecessarily extended informal consultation process which has taken too long to be completed and has not been able to reach a satisfactory conclusion as to the way forward. This process cannot go on without an end in sight. Once sufficient agreement – as opposed to complete consensus – has been achieved, then the proposals should be quickly put to the Town Planning Board and the statutory public consultation process commenced, where the formal hearings can be used to address any out-standing issues.

Once the zoning is confirmed, the process of converting these sites to residential development could be facilitated by adopting a Public Private Partnership Approach (PPP). The role of the Government (the Public) would be in providing the essential infrastructure such as drainage and roads, and the private developers provide the residential development and some of the minor infrastructural requirements, and possibly some of the community facilities.

To ensure this development process can proceed effectively, the zoning for residential development should be related to the private developers land holdings, as far as is possible. The sites need not be too big. This will facilitate the land exchange process and reduce implementation time. Also the development parameters should be clearly specified in the zoning on the Outline Zoning Plan so that public, owners and government are all aware of what is proposed on the site. The use of complex zoning, such as Comprehensive Development Area zones should be minimized so that implementation time is reduced.

Land Exchange and Lease

The focus on the land exchange process is likely to provide the biggest reduction in processing time. This should include the use of a more simplified lease document which does not duplicate matters specified on the statutory plans, in the planning standards and guidelines, and through the Buildings Ordinance. More simplified documentation does not mean less control – it would mean less duplication of controls. More specific time limits should be placed on the Land Exchange process so that the initial draft leases can be completed quickly and then to look at how the land premium assessment process can be made shorter.

Without this rational assessment of how the process can be improved, there is inadequate reason to completely abandon the land exchange process in the NDA's as is currently proposed. Resumption of private land should only be a last resort, and only when a clearly defined and specific public purpose is required, such as for open space, public housing, a road or a community facility. It should not be used as a means for taking away existing land rights and selling them to someone else.

Yours faithfully



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