

財經事務及庫務局

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9 February 2015

Ms Sharon Chung
Clerk to Public Works Subcommittee
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
[Fax No. : 2869 6794]

Dear Ms Chung,

**Block allocations under
the Capital Works Reserve Fund for 2015-16**

The Public Works Subcommittee (PWSC) will discuss the above item on 10 February 2015 (Paper No. PWSC(2014-15)52). On 3 February, Hon WU Chi-wai requested the Government to provide supplementary information on the following three items –

- (a) Redevelopment of the squatter area at Diamond Hill for public housing development and schools;
- (b) Refurbishment of leisure pool and water play equipment in Hammer Hill Road Swimming Pool; and
- (c) Rehabilitation of concrete carriageway at Kwun Tong Road, Ngau Tau Kok Road, Chun Wah Road, Hong Ning Road and Hip Wo Street.

Supplementary information on these items is at **Enclosures 1 to 3** for reference.

Hon KWOK Ka-ki and Hon Gary FAN Kwok-wai have separately requested on the same day that the following four items be voted on separately –

- (a) Liantang/Heung Yuen Wai Boundary Control Point and associated works (connecting road);
- (b) Hong Kong section of Guangzhou-Shenzhen-Hong Kong Express Rail Link;
- (c) Liantang/Heung Yuen Wai Boundary Control Point and associated works (site formation and civil works); and
- (d) Hong Kong-Zhuhai-Macao Bridge Hong Kong Link Road.

The above four items are created under **Subhead 1100CA** “Compensation and ex-gratia allowances in respect of projects in the Public Works Programme” of **Head 701** “Land Acquisition”.

The Government has to acquire private land from time to time for the implementation of projects under the Public Works Programme (PWP), such as for construction of roads. Lands Department (LandsD) will institute resumption proceedings according to the works programmes and the statutory procedures stated in the relevant Ordinances to suit the project needs. In accordance with the law and the prevailing policy and mechanism, LandsD will also release compensation to eligible persons, including release of ex-gratia allowances to persons meeting the applicable eligibility criteria.

The four items above are **ongoing**. Projects in relation to the above **Subhead 1100CA** items have been authorised under the Roads (Works, Use and Compensation) Ordinance (Cap. 370) and the Railways Ordinance (Cap. 519) respectively. The land needed to be resumed for the relevant PWP projects had already reverted to the Government between 2010 and 2012. In accordance with the above Ordinances, appropriate compensation should be released to the parties who are entitled to compensation payment under the above Ordinances if the Government has resumed private land or underground stratum of private lots, or created easement or other rights on private land. In addition, under the existing policy, the Government will grant ex-gratia allowances to persons who are affected by such projects, subject to their meeting of the eligibility criteria. **Subhead 1100CA** is created to meet the payment of relevant compensation and ex-gratia allowances. Supplementary information on these items provided by the LandsD is at **Enclosures 4 to 7**.

Although the private land or underground stratum of private lots required for the relevant PWP projects had **already reverted to the Government**, and the easement or other rights on private land were **already created**, LandsD is still handling some outstanding compensation cases. For example, there are cases where the amount of compensation has yet to be agreed between the claimants and LandsD, some pending clarification of land title and some with LandsD yet to successfully contact the ex-land owners concerned. It is thus **necessary** for the Government to make provisions for the above four items under **Subhead 1100CA** in the next financial year, so as to facilitate LandsD to release the compensation and requisite interest to the claimants and affected parties soonest possible when agreements on compensation are reached during the year or when the ex-gratia allowances are approved. In fact, payments for compensation and ex-gratia allowances to the majority of the claimants affected by the relevant projects have already been made under these four items.

Yours sincerely,



(Jasmine Choi)
for Secretary for Financial Services
and the Treasury

c.c. Director of Lands (Attn: Ms. Joyce Ng) [Fax No. 2530 1701]

Subhead : 1004CA – Compensation for surrenders and resumptions: miscellaneous

Controlling Officer : Director of Lands

Project description	Project Estimate \$'000	Estimate 2015-16 \$'000
Redevelopment of the squatter area at Diamond Hill for public housing development and schools	74,818	3,000

(i.e. Item 3 of Part I in Annex 1A of PWSC(2014-15)52)

Project details:

Resumption of private land at the former squatter area adjoining Choi Hung Road, Po Kong Village Road and Lung Cheung Road at Diamond Hill was necessary to provide land for public housing development, schools and ancillary facilities. The resumption was ordered on 5 October 1999 and the notice of resumption of land was gazetted on 3 December 1999 under the Lands Resumption Ordinance (Cap. 124). The project involves resumption of 8 677 square metres of private land (comprising a total of 82 private lots) (reverted to the Government on 4 March 2000) and clearance of about 6.5 hectares of government and private land.

In accordance with the above Ordinance, if the Government has resumed private land, the Government should pay appropriate compensation to the parties who are entitled to compensation payment under the above Ordinance. Once an agreement is reached on the compensation payment, the Government should release compensation (with interest payment where applicable) to the aforesaid parties as soon as possible. The outstanding cases on compensation payments are mainly due to land title problems.

Subhead : 3004GX – Refurbishment of government buildings for items in Category D of the Public Works Programme

Controlling Officer : Director of Architectural Services

Project description	Project Estimate \$'000	Estimate 2015-16 \$'000
Refurbishment of leisure pool and water play equipment in Hammer Hill Road Swimming Pool	21,000	10,500

(i.e. Item 3 of Part I in Annex 3A of PWSC(2014-15)52)

Project details:

Hammer Hill Road Swimming Pool was built in 1994 with an approximate site area of 19 000 square metres. Due to high usage and normal wear and tear, the outdoor leisure pools including its pool tiles, water proofing layer and play equipment were in aging condition. In order to maintain its services to the public, a refurbishment is required to improve the condition of the leisure pools. The project scope covers redecoration, repair or replacement of existing pool tiles, waterproofing layer, outdoor water play equipment, lighting, pool deck surface drainage systems, pump room and associated electrical works, etc.

The design consultant commissioned by the Architectural Services Department has consolidated the user requirements of the project. Detail design is in progress. Site works are expected to commence in November 2015 once the works programme is confirmed with the venue management department for completion by end of March 2016.

Subhead : **6100TX – Highway works, studies and investigations for items in Category D of the Public Works Programme**

Controlling Officer : **Director of Highways**

Project description	Project Estimate \$'000	Estimate 2015-16 \$'000
Rehabilitation of concrete carriageway at Kwun Tong Road, Ngau Tau Kok Road, Chun Wah Road, Hong Ning Road and Hip Wo Street	3,450	2,700

(i.e. Item 5 of Part II in Annex 6A of PWSC(2014-15)52)

Project details:

The concrete carriageway at Kwun Tong Road, Ngau Tau Kok Road, Chun Wah Road, Hong Ning Road and Hip Wo Street has been constructed for more than 20 years. The surface of the carriageway has been deteriorating due to wear and tear and material ageing. The joint sealant of the carriageway has also suffered from depression and detachment. Rehabilitation works are required to restore the serviceability of the carriageway for public use.

The ambit of **Head 706 Subhead 6100TX** “Highway works, studies and investigations for items in Category D of the Public Works Programme” encompasses minor works covering highways, railways and railway development, bridges, subways and other structures, footways, vehicle parking, street lighting, roadside slopes, road surfacing (including joint replacement), road reconstruction and rehabilitation, traffic engineering, etc. as well as feasibility studies and site investigation in respect of highway projects. As the item “Rehabilitation of concrete carriageway at Kwun Tong Road, Ngau Tau Kok Road, Chun Wah Road, Hong Ning Road and Hip Wo Street” belongs to road rehabilitation, it is funded by **Subhead 6100TX**.

Subhead : 1100CA – Compensation and ex-gratia allowances in respect of projects in the Public Works Programme

Controlling Officer : Director of Lands

Project description	Project Estimate Estimate \$'000	Estimate 2015-16 \$'000
Liantang/Heung Yuen Wai Boundary Control Point and associated works (connecting road)	2,186,787	128,980

(i.e. Item 1 of Part I in Annex 1B of PWSC(2014-15)52)

Project details:

Details of the project were gazetted on 12 November 2010 and 19 November 2010 (as amended by Government Notice published on 9 September 2011 and 16 September 2011) under the Roads (Works, Use and Compensation) Ordinance (Cap. 370). The project was authorized on 27 March 2012 and the authorization was gazetted on 27 April 2012 and 4 May 2012.

The project (including Liantang/Heung Yuen Wai Boundary Control Point and associated works (site formation and civil works)) involves resumption of private land of about 417 681 square metres (m²) (reverted to the Government on 22 September 2012), creation of easement and other permanent rights within about 39 890 m² of private land (created on 22 September 2012), and clearance of about 513 500 m² of government land.

In accordance with the above Ordinance, if the Government has resumed private land or created easement or other rights on private land, the Government should pay appropriate compensation to the parties who are entitled to compensation payment under the above Ordinance. Once an agreement is reached on the compensation payment, the Government should release compensation (with interest payment where applicable) to the aforesaid parties as soon as possible. As at 31 January 2015, claimants of about 63% of the land compensation cases have reached agreement with the Government on compensation payment for which about \$1,457 million were paid. The remaining 37% of the cases are being processed.

Subhead : 1100CA – Compensation and ex-gratia allowances in respect of projects in the Public Works Programme

Controlling Officer : Director of Lands

Project description	Project Estimate Estimate \$'000	Estimate 2015-16 \$'000
Hong Kong section of Guangzhou-Shenzhen-Hong Kong Express Rail Link	1,858,548	107,452

(i.e. Item 2 of Part I in Annex 1B of PWSC(2014-15)52)

Project details:

Details of the project were gazetted on 28 November 2008 and 5 December 2008 (as amended or corrected by Government Notice published on 30 April 2009 and 8 May 2009 and modified by Government Notice published on 30 October 2009 and 6 November 2009) under the Railways Ordinance (Cap. 519). The project was authorized on 20 October 2009 and the authorization was gazetted on 30 October 2009 and 6 November 2009.

The project involves resumption of private land of about 238 787 square metres (m²) (reverted to the Government on 29 April 2010 and 26 May 2010 respectively), resumption of underground stratum of 430 private lots (reverted to the Government on dates ranging from 26 May 2010 to 2 March 2012 under a number of Government Notices), creation of rights of temporary occupation within about 79 820 m² of private land (created on dates ranging from 29 April 2010 to 5 June 2010 under a number of Government Notices), and clearance of about 14 hectares of government land.

In accordance with the above Ordinance, if the Government has resumed private land/underground stratum of private lots or created rights on private land, the Government should pay appropriate compensation to the parties who are entitled to compensation payment under the above Ordinance. Once an agreement is reached on the compensation payment, the Government should release compensation (with interest payment where applicable) to the aforesaid parties as soon as possible. As at 31 January 2015, claimants of about 88% of the land compensation cases have reached agreement with the Government on compensation payment for which about \$1,324 million were paid. The remaining 12% of the cases are being processed.

Subhead : 1100CA – Compensation and ex-gratia allowances in respect of projects in the Public Works Programme

Controlling Officer : Director of Lands

Project description	Project Estimate \$'000	Estimate 2015-16 \$'000
Liantang/Heung Yuen Wai Boundary Control Point and associated works (site formation and civil works)	1,455,000	70,450

(i.e. Item 3 of Part I in Annex 1B of PWSC(2014-15)52)

Project details:

Details of the project were gazetted on 12 November 2010 and 19 November 2010 (as amended by Government Notice published on 9 September 2011 and 16 September 2011) under the Roads (Works, Use and Compensation) Ordinance (Cap. 370). The project was authorized on 27 March 2012 and the authorization was gazetted on 27 April 2012 and 4 May 2012.

The project (including Liantang/Heung Yuen Wai Boundary Control Point and associated works (connecting road)) involves resumption of private land of about 417 681 square metres (m²) (reverted to the Government on 22 September 2012), creation of easement and other permanent rights within about 39 890 m² of private land (created on 22 September 2012), and clearance of about 513 500 m² of government land.

In accordance with the above Ordinance, if the Government has resumed private land or created easement or other rights on private land, the Government should pay appropriate compensation to the parties who are entitled to compensation payment under the above Ordinance. Once an agreement is reached on the compensation payment, the Government should release compensation (with interest payment where applicable) to the aforesaid parties as soon as possible. As at 31 January 2015, claimants of about 68% of the land compensation cases have reached agreement with the Government on compensation payment for which about \$1,139 million were paid. The remaining 32% of the cases are being processed.

Subhead : 1100CA – Compensation and ex-gratia allowances in respect of projects in the Public Works Programme

Controlling Officer : Director of Lands

Project description	Project Estimate \$'000	Estimate 2015-16 \$'000
Hong Kong-Zhuhai-Macao Bridge Hong Kong Link Road	93,160	50,732

(i.e. Item 9 of Part I in Annex 1B of PWSC(2014-15)52)

Project details:

Details of the project were gazetted on 7 August 2009 on 14 August 2009 under the Roads (Works, Use and Compensation) Ordinance (Cap. 370). The project was authorized on 18 October 2011 and the authorization was gazetted on 21 October 2011 and 28 October 2011.

The project involves resumption of private land of about 11 707 square metres (m²) (reverted to the Government on 27 July 2012), creation of easements and other permanent rights within about 80 622 m² of private land (created on 27 July 2012), creation of rights of temporary occupation within about 147 315 m² of private land (created on 27 July 2012), and clearance of about 47 741 m² of government land. It also involves closure of some roads.

In accordance with the above Ordinance, if the Government has resumed private land, created easement/other rights on private land or closed roads, the Government should pay appropriate compensation to the parties who are entitled to compensation payment under the above Ordinance. Once an agreement is reached on the compensation payment, the Government should release compensation (with interest payment where applicable) to the aforesaid parties as soon as possible. As at 31 January 2015, two compensation claims involved in the projects are being processed.