

NOTE FOR PUBLIC WORKS SUBCOMMITTEE OF FINANCE COMMITTEE

Capital Works Reserve Fund Head 701 Subhead 1004CA Compensation for surrenders and resumptions: miscellaneous

INTRODUCTION

In considering PWSC(2003-04)54 on the proposed allocation for 2004-05 for the various block allocations under the Capital Works Reserve Fund, the Administration undertook to provide additional information on –

- (a) the updated position of the application by Wong Wai Tsak Tong to the Lands Tribunal for determination of compensation pursuant to section 10(2) of the Block Crown Lease (Cheung Chau) Ordinance (Chapter 488); and
- (b) the scope of land resumption, with information on the titles of lands, and the town plan zoning of resumed land at –
 - (i) Tung Chung Area 30 for public housing development, Lantau; and
 - (ii) Phase 2B of the Tung Chung New Town Development Area 31, Lantau,

relating to **Head 701 Subhead 1004CA** (Compensation for surrenders and resumptions: miscellaneous).

/THE

THE ADMINISTRATION'S RESPONSE

Block Crown Lease (Cheung Chau) Ordinance

2. The Block Crown Lease (Cheung Chau) Ordinance (“the Ordinance”), which terminated the lease to the Wong Wai Tsak Tong (“the Tong”), came into operation on 8 September 1995.

3. On 3 September 1996, the Tong lodged a notice of application to the Lands Tribunal pursuant to section 10(2) of the Ordinance for determination of compensation to be paid to the Tong. From September 1996 to March 2002, the Tong issued amended notices of applications several times. The Lands Tribunal heard the preliminary issues, mainly items of claims, of the application in the Part I trial and delivered its rulings on these issues on 28 June 2002.

4. The Tong lodged an appeal against the Lands Tribunal's rulings to the Court of Appeal on 18 July 2002. The Court of Appeal dismissed the appeal on 2 April 2003 and ordered on 27 May 2003 that the Lands Tribunal should reopen the Part II trial on the amount of compensation. The tentative hearing has been scheduled for 3 to 22 May 2004.

Tung Chung Area 30

5. In 1995, Government resumed 544 private agricultural lots (involving 129 ownerships) in Tung Chung Area 30 with a total area of about 124 000 square metres for public housing and Home Ownership Scheme (HOS) development.

6. The land use of Area 30 was not covered by any Outline Zoning Plan (OZP), but controlled under a Layout Plan (LP). The land use as stipulated in the LP is “Special Residential/HOS” and the Area is now used for public rental housing purpose.

Phase 2B of the Tung Chung New Town Development Area 31

7. In 1995, Government resumed 363 private agricultural lots (involving 124 ownerships) with a total area of about 75 000 square metres and one private building lot (involving one ownership) with an area of 161.8 square metres in Tung Chung Area 31 for site formation and infrastructural works.

8. Similarly, the land use of Tung Chung Area 31 was not covered by any OZP, but controlled under a LP with the stipulated use of “Special Residential/HOS”. The infrastructural works were to pave way for the subsequent developments in Tung Chung and the formed sites are intended for use as public rental housing.

Housing, Planning and Lands Bureau
Financial Services and the Treasury Bureau
January 2004