

Panel on Planning, Lands & Works

List of outstanding items for discussion
(position as at 19 February 2004)

**Proposed timing
for discussion**

1. Land Registration Ordinance - removal of stopped deeds

The legislative proposal on the removal of stopped deeds was discussed at Panel meetings held on 8 November 2002 and 6 December 2002. Members requested the Administration to expedite the introduction of the legislative proposal and revert to the Panel as soon as possible. The Administration proposes to update the Panel on the proposed legislative amendments at the meeting in March 2004.

23 March 2004

2. Loan proposal for Construction Workers Registration System

The Construction Workers Registration Bill for the implementation of a mandatory registration system for construction workers is being scrutinized by a Bills Committee. A government loan of \$23.4 million is proposed to meet the deficit from the formation of the Construction Workers Registration Authority and its operation for the first three years prior to the building up of the full effect of the levy for the proposed Registration.

April 2004

The Administration plans to introduce the financial proposal into LegCo in May 2004.

3. Drainage improvement projects

4110CD - Drainage improvement in Tsuen Wan, Kwai Chung and Tsing Yi

4112CD - Drainage improvement in Northern New Territories - Package A

4125CD - Drainage improvement from Tung Kok Wai to San Wai, Fanling

4126CD - Drainage improvement in East Kowloon

The above drainage improvement projects are included in the list of potential capital works items to be submitted to the Public Works Subcommittee (PWSC) in the 2003-04 legislative session. The Administration intends to submit the

April 2004

project proposals to PWSC at its meeting on 23 June 2004. At the request of Panel members, the Administration undertakes to consult the Panel on these four items at the regular meeting scheduled for 27 April 2004 before submission to PWSC.

4. The proposed in-situ reprovisioning of Sha Tin Water Treatment Works (STWTW)

The Administration proposes to brief members on the way forward of the proposed in-situ reprovisioning of STWTW. May/June 2004

5. Issues raised by Heung Yee Kuk (HYK) at meetings with LegCo Members and referred to the Panel for follow-up action

The following issues raised by HYK have been referred to the Panel - To be confirmed

Relationship between planning, environmental protection, conservation policies and safeguarding the right of private ownership of property

(a) At the meeting with LegCo Members on 13 February 2001, Councillors of HYK expressed concern on the above subject. The subject was referred to the Panel on Environmental Affairs (EA Panel) and this Panel for discussion. Relevant information on the issues raised by HYK and the Administration's response were circulated to members vide LC Paper No. CB(1)1107/00-01 on 27 April 2001. The subject was reiterated by Councillors of HYK at the meetings with LegCo Members on 29 January 2002 and 10 June 2003 and was referred to the Panel for discussion.

At a motion debate on "Conservation Policy" held at the Council meeting on 21 November 2001, the former Secretary for the Environment and Food (SEF) advised that the Administration was conducting a review of the existing nature conservation policy with a view to identifying areas for improvement. The issues covered by the review included the conservation of ecologically important habitats which were found on private land, landowners' rights and the existing land use planning system.

**Proposed timing
for discussion**

The review had been completed and a Consultation Paper "Review of Nature Conservation Policy" was issued on 17 July 2003. The EA Panel discussed the Consultation Paper on 22 July 2003 and all Members were invited to attend the meeting. The Administration was requested to report the outcome of public consultation to the EA Panel. Members may decide whether a joint meeting with this Panel should be held.

(b) At the meeting with LegCo Members on 29 October 2002, Councillors of HYK expressed concern on the impacts of the Town Planning Ordinance (Cap. 131) and environmental policies on the interests of land owners. They pointed out that the existing Town Planning Ordinance did not have any provisions dealing with compensation. They also queried the need and effectiveness of the numerous restrictions imposed on the use of agricultural land for the purpose of environmental protection and conservation. The views of the Councillors of HYK were circulated to members vide LC Paper No. CB(1)566/02-03 on 23 December 2002.

At the meeting with LegCo Members on 10 June 2003, Councillors of HYK raised the issue of compensation again and expressed various views on the Town Planning (Amendment) Bill 2003. The Administration's response to the issue of compensation was circulated to members on 29 September 2003 vide LC Paper No. CB(1)2519/02-03. HYK's views on the Town Planning (Amendment) Bill 2003 were referred to the Bills Committee for consideration.

Issues relating to loss of land deeds

At the meeting with LegCo Members on 29 October 2002, Councillors of HYK expressed concern on the above subject. Relevant information on the issues raised by HYK and the Administration's response were circulated to members vide LC Paper No. CB(1)447/02-03 on 17 December 2002.

At the request of members of the Panel on Housing at the briefing by the Secretary for Housing, Planning and Lands on the Chief Executive's 2003 Policy Address on 14 January 2003, the Housing, Planning and Lands Bureau (HPLB) has provided an information paper on the latest position about the legislative proposal on the missing and illegible Government leases. The paper was issued to Members vide LC Paper No.

CB(1)998/02-03 on 27 February 2003.

At the meeting on 10 June 2003, the issue was brought up again. The issue was forwarded to the Administration for an update. The update provided by the Administration was circulated to members on 22 September 2003 vide LC Paper No. CB(1)2482/02-03(02).

On the instruction of the Panel Chairman, the Secretariat has written to the Administration on 2 January 2004 for information on the progress of the work on the proposed legislation. According to the Administration's reply circulated to members vide LC Paper No. CB(1)853/03-04 on 26 January 2004, the Administration plans to introduce the proposed legislation in the 2004/05 legislation session.

6. Decking of Kai Tak Nullah

The subject has been referred to the Panel and the EA Panel by Duty Roster Members for follow-up at a joint meeting of the two Panels. Relevant information has been circulated to members vide LC Paper No. CB(1) 661/01-02 dated 21 December 2001. The issue was forwarded to the Administration on 16 January 2004 for provision of progress report by 6 February 2004. According to the Administration's response circulated to members vide LC Paper No. CB(1)954/03-04 on 9 February 2004, the Administration has no plan to initiate the decking proposal at this stage after careful consideration of all the factors, including the impact of decking the nullah on its flood protection capacity. The Administration advises that concerned departments will continue to take vigorous enforcement actions on the pollution prevention front.

Suggest to be deleted

No members have indicated that the issue should be scheduled for discussion at a meeting of the Panel since the circulation of LC Paper No. CB(1)954/03-04 on 9 February 2004. The subject will be deleted from the list of outstanding items for discussion unless members consider otherwise at the Panel meeting on 24 February 2004.

**Proposed timing
for discussion**

7. Foreshore, Sea-bed and Roads (Amendment) Bill 2003

The purpose of the Bill, introduced on 19 February 2003, is to amend the Foreshore and Sea-bed (Reclamations) Ordinance (Cap.127) and the Road (Works, Use and Compensation) Ordinance (Cap.370) in order to shorten the period for the lodging of objections, the objection resolution period, and the extension period for resolving objections as may be granted by the Chief Executive.

The Administration would unlikely resume the work on the Bill in the current LegCo term

On 2 May 2003, the Bills Committee on Foreshore, Sea-bed and Roads (Amendment) Bill 2003 reported to the House Committee that it had accepted the Administration's proposal to hold in abeyance the consideration of the Bill so as to enable the Administration to fully assess the effectiveness of the administrative measures in expediting the delivery of public works projects and to reconsider its legislative proposals. At the request of the Bills Committee, the Administration had agreed, among other things, to report to the PLW Panel in due course on the progress and outcome of its assessment on the effectiveness of the administrative measures and the timetable for reverting back to the Bills Committee, and to consult the PLW Panel on any proposed changes to the content of the Bill (LC Paper No. CB(1)1546/02-03).

The Administration advised on 2 October 2003 that it would unlikely resume the work on the Bill in the current LegCo term. The Administration's letter was circulated to members vide LC Paper No. CB(1) 2538/02-03 on 6 October 2003.