

Panel on Planning, Lands & Works

List of outstanding items for discussion
(position as at 14 May 2004)

**Proposed timing
for discussion**

1. Review on project implementation issues of the Harbour Area Treatment Scheme Stage 1

The Administration proposes to report the findings of a review on project implementation issues of the Harbour Area Treatment Scheme Stage 1 and the recommendations to improve project delivery of similar public works in future at the June 2004 meeting.

June 2004

2. 4112CD - Drainage improvement in Northern New Territories - Package A
4125CD - Drainage improvement from Tung Kok Wai to San Wai, Fanling

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. At the request of Panel members, the Administration undertakes to consult the Panel on these items in due course.

To be confirmed

In relation to 4112CD - Drainage improvement in Northern New Territories - Package A, Tai Po District Council (TPDC) members conveyed the concerns and objections of residents affected under the proposed works for Ma Wat River at their meeting with LegCo Members on 4 March 2004. Their concerns were subsequently referred to the Panel. The Administration was requested to provide information on the relevant rehousing and compensation policy and arrangements in the information paper to be submitted to the Panel for discussion of the project.

**Proposed timing
for discussion**

3. 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, HYK Councillors 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 HYK Councillors at the meetings with LegCo Members on 29 January 2002 and 10 June 2003 and was referred to the Panel for discussion.

The Administration has conducted a review of the existing nature conservation policy and issued a Consultation Paper "Review of Nature Conservation Policy" on 17 July 2003. At the EA Panel meeting on 22 July 2003, the Administration undertook to report the outcome of public consultation to the 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, HYK Councillors expressed concern on the impacts of the Town Planning Ordinance (TPO) (Cap. 131) and environmental policies on the interests of land owners. The views of the HYK Councillors 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, HYK Councillors 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.

**Proposed timing
for discussion**

CB(1)2519/02-03. HYK's views on the Town Planning (Amendment) Bill 2003 were referred to the Bills Committee for consideration.

Related issues were raised again at the meeting with LegCo Members on 2 March 2004. HYK Councillors considered that TPO should be amended to provide for compensation for diminution of development rights due to planning actions and the issue should be taken up at the next round of review of TPO. HYK's views and concerns have been conveyed to the Administration for response.

Issues relating to loss of land deeds

At the meetings with LegCo Members on 29 October 2002 and 10 June 2003, HYK Councillors expressed concern on the above subject. Information papers provided by the Administration were issued to Members vide LC Paper Nos. CB(1)998/02-03 and CB(1)2482/02-03(02) on 27 February 2003 and 22 September 2003 respectively. According to its latest reply (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.

Processing of small house applications and review on small house policy

At the meeting on 10 June 2003, the issue relating to the progress in processing small house applications was raised by HYK. The information papers provided by the Administration were circulated to members vide LC Paper Nos. CB(1)2482/02-03(01) and CB(1)853/03-04 on 22 September 2003 and 26 January 2004 respectively. As advised by the Administration, the review on small house policy would be completed within the current tenure of office of the Secretary for Housing, Planning and Lands i.e. by mid 2007.

At the meeting on 2 March 2003, the issue was brought up again. HYK Councillors also raised concern about how the construction of village expansion areas approved under the Village Expansion Area Scheme would be affected by the review on small house policy. HYK's views and concerns have been forwarded to the Administration for response.

**Proposed timing
for discussion**

Issues relating to the use of the Frontier Closed Area

At the meeting with LegCo Members on 2 March 2004, HYK Councillors raised concern about the present restrictions on the use of the Frontier Closed Area (FCA). They considered that the Administration should relax the various restrictions imposed on FCA to open up these areas for development. The issue was referred to the Panel on Security and this Panel for follow-up. HYK's views have been forwarded to the Administration for response.

4. 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.