

Panel on Planning, Lands & Works

List of outstanding items for discussion
(position as at 6 October 2003)

**Proposed timing
for discussion**

1. Land resumption and compensation arrangements arising from railway development projects

The subject was raised by Mr Albert CHAN at the Panel meeting on 8 January 2001. Mr CHAN proposed that a joint meeting with the Panel on Transport be held to discuss the issue.

To be confirmed

(Remark:

The Panel on Transport has set up the “Subcommittee on matters relating to railways” to follow up various issues relating to the planning and implementation of railway development projects, including “resumption of land under the Railways Ordinance (Cap. 519)”.)

2. 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.

**Proposed timing
for discussion**

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.

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.

The Administration briefed the Panel on the proposed Town Planning (Amendment) Bill which did not cover the issue of compensation at the meeting on 6 December 2002.

**Proposed timing
for discussion**

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 view on the Town Planning (Amendment) Bill 2003 was 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. As directed by the Chairman of the Panel, the Administration has been requested to brief the Panel on the progress of the subject in due course.

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(01).

3. 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.

To be confirmed

**Proposed timing
for discussion**

4. Member's Bill on conservation of trees

Hon CHOY So-yuk intends to present a Member's Bill on conservation of trees 《保護古老、特殊及大型樹木條例草案》.

To be confirmed

As the Environment, Transport and Works Bureau (ETWB) had advised that the Works Branch of ETWB would take over the overall greening policy for Hong Kong (including the issues raised in the proposed Bill) fully in January 2003, the Panel agreed on 8 November 2002 that it was the appropriate forum to discuss the Bill.

On 21 August 2003, Hon CHOY So-yuk provided a draft of the Bill and the relevant consultation paper which were circulated to all LegCo Members vide LC Paper No. CB(1)2382/02-03 on 28 August 2003.

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

On 19 February 2003, the Administration introduced the Foreshore, Sea-bed and Roads (Amendment) Bill 2003 into LegCo. The purpose of the Bill is to amend the Foreshore, Sea-bed and Roads (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.

To be confirmed

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

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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 response was circulated to members vide LC Paper No. CB(1) 2538/02-03 on 6 October 2003.

6. Proposed establishment of the Construction Industry Council

ETWB proposes to inform members on the proposal to establish a new statutory body, as recommended by the Construction Industry Review Committee, to pursue continuous quality improvements and spearhead industry reforms.

November 2003

The Administration plans to introduce the legislative proposal into LegCo in February 2004.

7. 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.