

立法會
Legislative Council

LC Paper No. CB(1)1669/10-11
(These minutes have been seen by
the Administration)

Ref : CB1/PL/DEV/1

Panel on Development

Minutes of meeting
held on Tuesday, 25 January 2011, at 2:30 pm
in Conference Room A of the Legislative Council Building

- Members present** : Prof Hon Patrick LAU Sau-shing, SBS, JP (Chairman)
Hon LAU Wong-fat, GBM, GBS, JP (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon CHAN Kam-lam, SBS, JP
Hon WONG Yung-kan, SBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon LEE Wing-tat
Hon CHEUNG Hok-ming, GBS, JP
Hon KAM Nai-wai, MH
Hon Cyd HO Sau-lan
Hon Starry LEE Wai-king, JP
Dr Hon Priscilla LEUNG Mei-fun
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-yea, GBS, JP
Hon Paul TSE Wai-chun
Hon Alan LEONG Kah-kit, SC
Hon Tanya CHAN
Hon Albert CHAN Wai-yip
- Members absent** : Hon James TO Kun-sun
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Kwok-hing, MH

Public officers attending : Agenda item IV

Mrs Carrie LAM CHENG Yuet-ngor, GBS, JP
Secretary for Development

Ms Judy CHUNG Sui-kei
Principal Assistant Secretary for Development
(Planning and Lands) 1

Mr Stephen LAM Sui-lung, GBS, JP
Secretary for Constitutional and Mainland Affairs

Mrs Elina CHAN NG Ting-ting
Principal Assistant Secretary for
Constitutional and Mainland Affairs (1)

Agenda item V

Mr Enoch LAM Tin-sing, JP
Deputy Secretary for Development (Works) 2

Mr KAM Chak-wing
Deputy Head of Civil Engineering Office (Port and Land)
Civil Engineering and Development Department

Mr Joseph YUNG Cho-leung
Chief Engineer/Land Works
Civil Engineering and Development Department

Mr CHEUNG Kun-sing
Assistant Director (Project) 1 (Acting)
Housing Department

Mr Edwin CHAN Wing-kin
District Lands Officer
(District Lands Office, Tuen Mun)
Lands Department

Agenda item VI

Mr Thomas CHOW Tat-ming, JP
Permanent Secretary for Development
(Planning and Lands)

Mr Raymond LEE Kai-wing
Principal Assistant Secretary for Development
(Planning and Lands) 5

Mr Raymond WONG Wai-man
Assistant Director of Planning/Territorial

Mr LIU Chun-san
Chief Engineer/Project 2
(New Territories North and West)
Civil Engineering and Development Department

Clerk in attendance : Mr Stephen LAM
Chief Council Secretary (1)4

Staff in attendance : Ms Sharon CHUNG
Senior Council Secretary (1)5

Ms Christina SHIU
Legislative Assistant (1)7

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- I Confirmation of minutes**
(LC Paper No. CB(1)1053/10-11 -- Minutes of meeting on
23 November 2010)

The minutes of the meeting held on 23 November 2010 were confirmed.

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II Information papers issued since the last meeting

- (LC Papers No. CB(1)915/10-11(01) and (02) -- Letter dated 11 November 2010 from the Housing and Building Management Committee of the Yau Tsim Mong District Council regarding unauthorised conversion of industrial buildings and the Administration's response
- LC Paper No. CB(1)1000/10-11(01) -- Administration's response to the referral from the Complaints Division regarding compensation for adverse effect on Fung Shui caused by public construction works (LC Paper No. CB(1)815/10-11(01))
- LC Paper No. CB(1)1076/10-11(01) -- Administration's paper on the funding proposal for "Proposed creation of one Chief Town Planner post for District Urban Renewal Forums to be established under the new Urban Renewal Strategy"
- LC Paper No. CB(1)1085/10-11(01) -- Administration's paper on design and management guidelines for public open space in private developments)

2. Members noted that the above information papers had been issued since the meeting on 16 December 2010.

3. Regarding the Administration's paper on design and management guidelines for public open space in private developments (LC Paper No. CB(1)1085/10-11(01)), Miss Tanya CHAN suggested that the Administration should discuss it with the Panel on Development (the

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Panel) at a future meeting. The Chairman would discuss Miss CHAN's request with the Administration.

III Items for discussion at the next meeting

(LC Paper No. CB(1)1100/10-11(01) -- List of outstanding items for discussion

LC Paper No. CB(1)1100/10-11(02) -- List of follow-up actions

LC Paper No. CB(1)897/10-11(01) -- Letter dated 20 December 2010 from Hon James TO Kun-sun and Hon LEE Wing-tat on planning and development of the former Marine Police Headquarters at Tsim Sha Tsui

LC Paper No. CB(1)1103/10-11(01) -- Administration's response to the letter dated 20 December 2010 from Hon James TO Kun-sun and Hon LEE Wing-tat on the planning and development of the former Marine Police Headquarters at Tsim Sha Tsui (LC Paper No. CB(1)897/10-11(01))

LC Paper No. CB(1)916/10-11(01) -- Letter dated 17 December 2010 from Dr Hon Priscilla LEUNG Mei-fun on the planning of North West Kowloon Reclamation Site 6)

4. With reference to the letter from Mr James TO and Mr LEE Wing-tat on the planning and development of the former Marine Police Headquarters at Tsim Sha Tsui (LC Paper No. CB(1)897/10-11(01), the Chairman advised that a site visit was being arranged. Miss Tanya CHAN requested that arrangements should be made for members to visit a tunnel inside a jewellery shop on the site. In a document published some years ago, it was stated that a section of the tunnel, of 50 to 100 metres in length, should be made open to the public.

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(Post-meeting note: The site visit to the former Marine Police Headquarters was conducted on 24 February 2011.)

5. Drawing reference to her letter about the planning of North West Kowloon Reclamation Site 6 (Site 6) (LC Paper No. CB(1)916/10-11(01) dated 17 December 2010 to the Chairman, Dr Priscilla LEUNG expressed dissatisfaction about the short time allocated to the discussion on the subject at the joint meeting of the Panels on Housing and Development on 10 December 2010. Two of the key issues under the subject were to achieve a better planning for the location of the new West Kowloon Law Courts Building and reduce the wall effect that might be caused by the construction of tall buildings at Site 6. She requested that a public hearing on the subject be held in March and the concerned Policy Secretaries should attend the hearing. The Chairman said that he would discuss the request with the Administration.

6. Mr KAM Nai-wai referred to two letters to the Chairman from himself and Mr LEE Wing-tat respectively tabled at the meeting and proposed that --

- (a) in the light of the case of Wing Shun Building in Sheung Wan and that the number of old buildings to be redeveloped would increase following the coming into effect of the Land (Compulsory Sale for Redevelopment) (Specification of Lower Percentage) Notice (Cap. 545 sub. leg. A) on 1 April 2010 (which lowered the compulsory sale application threshold to 80 percent for three classes of lots), the Administration should discuss with the Panel how to avoid the blockage of windows legally constructed at existing buildings by new buildings; and
- (b) the Administration should discuss with the Panel the balance between development of land and conservation of sites with ecological values such as Nam Sang Wai and Tai Long Sai Wan.

7. The Chairman said that he would raise the issue at (a) above with the Administration and would discuss with the Chairman of the Panel on Environmental Affairs the arrangement of a joint Panels meeting on the issue at (b) above. In the meantime, he would ask the Administration to provide written response on both issues.

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(Post-meeting notes: The letters from Mr KAM Nai-wai on blocking of windows and from Mr LEE Wing-tat on Nam Sang Wai and related matters were circulated vide LC Paper No. CB(1)1171/10-11(02) and LC Paper No. CB(1)1171/10-11(01) respectively. The Administration's response to the letters from Mr KAM Nai-wai and Mr LEE Wing-tat was circulated vide LC Papers No. CB(1)1352/10-11(01) on 21 February 2011 and CB(1)1376/10-11(01) on 22 February 2011 respectively.)

8. Mr Alan LEONG proposed that the Administration should brief the Panel on its way forward and action timeline for the redevelopment of the West Wing of the Central Government Offices, following the close of the public consultation on the subject at the end of 2010. He also suggested that the Panel should follow up on the issues concerning development of land in the New Territories raised by members of Heung Yee Kuk at a meeting with Members of the Legislative Council about a week before.

9. Ms Cyd HO requested that the Administration should brief the Panel on the functions, operation and resources of the mediation scheme for parties involved in compulsory sale applications under the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) so that the Panel could discuss the scheme and the public could have a better understanding about it. She also suggested that a special meeting be held for this item and other ones just raised by members.

10. The Chairman said that he would discuss with the Administration on how to follow up the above items raised by members.

11. Members agreed that the following items would be discussed at the regular meeting scheduled for 22 February 2011 --

(a) Development of Greening Master Plans for the New Territories;
and

(b) An update on the construction manpower in Hong Kong.

IV Policy and matters relating to private treaty grants

(LC Paper No. CB(1)1100/10-11(03) -- Administration's paper on
Policy and matters relating
to private treaty grants

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LC Paper No. FS09/10-11

-- Fact sheet on "A summary of local press reports on policy and matters relating to private treaty grants from 24 November 2010 to 18 January 2011" prepared by the Research Division of the Legislative Council Secretariat)

12. With regard to the policy for granting Government sites by way of private treaty, the Secretary for Development (SDEV) said that there was an oral question about the subject at the Legislative Council (LegCo) meeting on 19 January 2011 and she did not have much to add to her replies at the Council meeting. The Central and Western District Council (C&WDC) had also deliberated the subject. Quoting the Chairman of C&WDC, she said that the grant of additional land on Borrett Road to the Ministry of Foreign Affairs (MFA) announced in November 2010 was rational, reasonable and lawful. Under the mutual understanding that the Panel did not discuss individual cases, the Administration's paper focused on the policy for granting Government sites by way of private treaty. However, as some members expressed concern about the case of the granting of the site on Borrett Road to MFA, the paper also provided relevant information.

Policy for allocating land to the Ministry of Foreign Affairs and other consulates

13. Mrs Regina IP said that she found it strange to hear SDEV reply at the Council meeting that the Administration had no policy for allocating land to MFA and other consulates in Hong Kong. As far as she was aware, it was in fact normal for a government to have such a policy. She queried how some sites on the Peak had become the residences of consuls-general if there was no such policy. The Chairman asked under what circumstances and conditions these sites had been allocated to consulates and whether they had been granted by way of private treaty.

14. SDEV said that there was indeed a policy on direct land grants and that policy allowed for individual cases to be considered by the Executive Council (ExCo) on a case-by-case basis. She did not have ready information on the cases concerning consulates in Hong Kong but would try to check against the relevant records to provide information to members

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on the above questions. In the case of land grant (in the form of an extension lot) to MFA, this was covered by the existing policy for making private treaty grants or direct land grants for specified use in justified circumstances. The Administration's information paper on this subject set out the circumstances and considerations for making such grants. All direct land grants were subject to policy scrutiny, had to be justified in the public interest and as meeting Hong Kong's economic, social or community needs, and to be approved by ExCo or by delegated authority in accordance with approved criteria set by ExCo, on a case-by-case basis. She cited the granting of land for providing a student hostel of a tertiary education institution as an example of a grant that could be made by delegated authority, i.e. exercised by the Lands Department, in accordance with existing policy and criteria set by ExCo.

15. Ms Cyd HO opined that while it was acceptable for the Administration to grant land to governmental organisations for use as offices or staff quarters, the policy and procedure should be transparent. For the Hong Kong Special Administrative Region Government (HKSARG), its funding proposals on public works projects had to be approved by the Public Works Subcommittee (PWSC) and the Finance Committee (FC). In this approval process, the use of the land concerned and other relevant information were made public. As other departments or offices of the Central People's Government (CPG), such as the Hong Kong and Macao Affairs Office of the State Council, might request granting of land for official use in the future, she suggested that the Administration should consider formulating a transparent procedure for making private treaty grants so that the public could be adequately informed. She requested that the Administration should provide information about the procedure on the Mainland for CPG to acquire land for official use in the provinces and cities.

16. In elaborating on the policy for making private treaty grants, SDEV explained that there were basically two types of applications for such grants. The first type was applications for specified uses belonging to a particular category (e.g. university student hostels) which met existing approval criteria set by ExCo, and were supported by the relevant policy bureau. The approval for these applications would be granted by delegated authority. The second type was individual cases. ExCo would consider them on a case-by-case basis with regard to whether they were in the public interest, in compliance with approved policies, meeting Hong Kong's economic, social and community needs. ExCo would consider such applications with policy support given by the relevant policy bureaux, for

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example, the granting of the Government site on Borrett Road to MFA had the support of the Constitutional and Mainland Affairs Bureau.

17. The Secretary for Constitutional and Mainland Affairs (SCMA) advised that since the establishment of the Hong Kong Special Administrative Region (HKSAR), only three CPG offices, namely MFA, the Hong Kong Garrison of the Chinese People's Liberation Army and the Liaison Office of CPG in HKSAR had set up offices in Hong Kong. Under the principles of "one country, two systems" and high degree of autonomy for HKSAR, as stipulated in the Basic Law, HKSARG was responsible for performing most of the government functions for HKSAR. In Hong Kong, CPG only performed limited government functions, which were specified in the Basic Law. It had been strict in allowing the Mainland authorities to set up offices in Hong Kong. He did not agree that there was a lack of transparency in the work of the Administration, as it was accountable to LegCo and needed to seek the approval of LegCo on a wide range of matters. As regards the procedure for CPG to request allocation of land in provinces and cities, he understood that CPG would liaise with relevant municipal governments on such matters. If he had more relevant information in future, he would provide it to the Panel.

Openness and transparency of the private treaty grant mechanism

18. Mr Alan LEONG considered that owing to HKSARG's lack of legitimacy, its exercise of discretionary power had been subject to challenge. He urged for a more open and transparent mechanism for making private treaty grants. Among other information, the criteria for granting approval and the factors for determining the amount of the nominal premium should be made public.

19. SDEV replied that the nominal premium was a flat rate unrelated to the size of a site. Currently, the nominal premium, if applicable, for all sites, which could be as large as a university campus, granted by way of private treaty, was \$1,000. The most important factor to be considered in making a private treaty grant was that the use of the concerned site should comply with approved policies and supported by the relevant bureau. To further elaborate on the considerations to be taken by ExCo would be an intervention of its discretionary power. She hoped Mr LEONG could appreciate that LegCo and ExCo had their respective roles to play.

20. SCMA said that although HKSARG was not yet returned by universal suffrage, its work had been highly transparent. The

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Administration explained its policy and work to LegCo and the media regularly.

Granting of additional land on Borrett Road to the Ministry of Foreign Affairs

21. On the granting of a Government site on Borrett Road to MFA as an extension lot to the Office of the Commissioner of MFA in Hong Kong (OCMFA) to meet OCMFA's needs for additional land, SCMA said that the case was justified on the ground of public interest. Since the establishment of the HKSAR, OCMFA had been assisting the Administration in the conduct of HKSAR's external affairs. With OCMFA's assistance, HKSAR had joined 190 international organizations where participation was not limited to states, such as the World Trade Organisation and the Asia-Pacific Economic Cooperation, and 20 international organisations where participation was limited to states, and HKSAR participated as part of the China delegation. The granting of land by way of private treaty had been made not only to organisations under CPG, but also to the British Consulate-General before 1997, and to the Asia Society, an American institution, after 1997, for it to hold open activities beneficial to the public. The site granted to Asia Society was the former site of Explosives Magazine.

22. Mr CHAN Kam-lam considered the granting of land to organisations under CPG for specified uses reasonable and in line with normal practice. He was very dissatisfied with Mr Alan LEONG's remarks that HKSARG was lacking in legitimacy.

23. Miss Tanya CHAN enquired how the granting of the site on Borrett Road, being an extension lot, to MFA was related to the original land lease, whether the extension could be granted repeatedly, and whether any person could request a direct land grant based on circumstances that he/she considered justified. Noting that the extension lot granted to MFA fell within a "Government, Institution or Community" (GIC) zone on the Mid-levels West Outline Zoning Plan (OZP), she asked why the use of the OCMFA of the lot was considered "Government use". Miss CHAN was also concerned about whether there was any remaining land within the GIC zone that would be granted in future and the materials to be excavated from the slope would be re-used. Since OCMFA would stage its outreach activities and educational programmes at the extension lot, she enquired about the assessment of concerned departments on the impact of such

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activities on the traffic on Borrett Road and whether the pavement would be widened.

24. SDEV explained that an extension lot referred to a lot of which the terms and conditions, including the lease term, of the land grant broadly followed those for the parent lot. In the case of the extension lot for MFA on Borrett Road, the lease would expire in 2047. If the land grant was not an extension but a new one, the expiry date would have been 50 years from the date of grant. To allocate additional land in the form of an extension lot was not uncommon in land administration. For the site granted to MFA, it was about 2 100 square metres, restricted to a plot ratio not greater than two and a building height not exceeding 130 mPD, which was well below the maximum building height allowed under the Mid-levels West OZP. It would be difficult to forecast whether another extension would be made in the future. But the site was surrounded by a green belt, development at which would be a sensitive planning issue.

25. SDEV further explained that, according to the definition of terms adopted by the Town Planning Board (TPB), "Government use" meant the use directly in connection with or in support of Government administration. OCMFA was a governmental office established by CPG in Hong Kong responsible for the foreign affairs relating to HKSAR. The work of OCMFA directly supported the operation of HKSARG. The use of the extension lot to be made by OCMFA was therefore regarded as "Government use". There was some remaining land in the GIC zone not granted to MFA. However, it was distributed on a slope and there was a staircase for public use within the area. It was unlikely that this part would be further granted to MFA.

26. As for the excavated materials from the slope, SDEV advised that they would be re-used as far as possible or stored in the fill bank, in the same way as how those from public works projects were treated. The Administration would regulate this project under the Buildings Ordinance (Cap. 123) no different from all the other new building works in Hong Kong.

27. Principal Assistant Secretary for Development (Planning and Lands)¹ advised that according to the preliminary assessment of the Transport Department, given the development scale of the project, it should not give rise to any significant traffic concern. There was no plan for the time being to widen the pavement along the site.

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Prior public consultation on the works project on the site

28. Mr KAM Nai-wai said that the public did not know the work of OCMFA well and found the granting of the site on Borrett Road to MFA unexpected. He held the view that the offices of CPG in Hong Kong should abide by local rules to consult the public on the works projects that they intended to commence.

29. SDEV clarified that in accordance with the established practice, for private treaty grants approved by ExCo on a case-by-case basis, there was no requirement for prior public consultation. Only when the use of a site might deviate from that approved under an OZP would public consultation and approval by the TPB be required under section 12A or 16 of the Town Planning Ordinance (Cap. 131). As regards the footbridge across the MacDonnell Road, it was categorised as a minor works project under the Roads (Works, Use and Compensation) Ordinance (Cap. 370) so public consultation was not required. The OCMFA's application for the grant of an extension lot on Borrett Road complied with relevant rules. The development restrictions under the Mid-levels West OZP, which were promulgated after due consultation process, would apply to the site. While ExCo decisions or individual land grants were normally not published, the Administration in this case had taken the initiative to issue a press release after ExCo had given the approval. On the request of C&WDC, the Administration had also attended its meeting to brief members on the land grant. In preparing the land grant document, the Administration would consult relevant departments on the terms and conditions, other than those basic terms approved by ExCo, to be set out.

30. SCMA said while the general public might not be fully familiar with the work of OCMFA, they would appreciate the prompt assistance offered by OCMFA to Hong Kong people who had been involved in the serious traffic accidents in Egypt a few years before and in the hostage crisis in the Philippines in 2010. The successful organisation of the Beijing 2008 Olympic Equestrian Events in Hong Kong was also an example of the concerted efforts of OCMFA and HKSARG.

31. Mr IP Kwok-him said he believed that the offices in CPG in Hong Kong had good knowledge about local laws and rules, and had strictly complied with them. C&WDC, of which he was a member, supported the grant of the extension lot at Borrett Road to MFA. He enquired about the number of cases of private treaty grants approved in the past five years, including those approved by ExCo on a case-by-case basis and those

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granted by delegated authority, and information about the locations, uses and areas, etc.

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32. SDEV said that there had only been a handful of such cases approved by ExCo on a case-by-case basis. As for the grants made by delegated authority exercised in accordance with the approval criteria set by ExCo, they included sites granted to public utility companies. The Administration would provide the information requested after the meeting. She assured members that the uses of the land so granted were subject to the restrictions set by TPB.

33. Referring to SCMA's remarks about the granting of the former site of Explosives Magazine to the Asia Society a few years ago, Mr KAM Nai-wai asked why there had been a public consultation on the use of the site and the revitalisation of the Central Police Station Compound, but no consultation had been conducted for the grant of the site on Borrett Road to MFA.

34. SDEV reiterated that the granting of the extension lot to MFA strictly complied with rules. In accordance with the established practice, for private treaty grants approved by ExCo on a case-by-case basis, there was no requirement for prior public consultation. The concerned departments would conduct public consultation during the site development process if so required. For the cases of both the Asia Society and the Central Police Station Compound, there had been no consultation on the land grant or tenancy, which were ExCo's decisions. Public views had however been sought on the implementation of these two heritage conservation projects.

V PWP Item No. 7681CL -- Formation, roads and drains in Area 54, Tuen Mun -- phase 2

(LC Paper No. CB(1)1100/10-11(04) -- Administration's paper on 681CL -- Formation, roads and drains in Area 54, Tuen Mun -- phase 2

LC Paper No. CB(1)1131/10-11(01) -- Submission from the Owners' Corporations of Phases 3 and 4 of Siu Hong Court, Tuen Mun)

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35. Deputy Secretary for Development (Works) 2 (DS(DEV)(Works)2) said that the Administration proposed to upgrade part of PWP Item 681CL (Formation, roads and drains in Area 54, Tuen Mun -- phase 2) (the project) to Category A at an estimated cost of \$325.2 million. The project aimed to develop a site (Site 2) of about 4.2 hectares at Area 54 in Tuen Mun to provide about 5 000 public rental housing (PRH) units in 2016 to meet housing needs. Infrastructural works were scheduled for completion in April 2015. Subject to the Panel's support, the Administration would submit the proposal to PWSC in February.

36. With the aid of a powerpoint presentation, Deputy Head of Civil Engineering Office (Port and Land) /Civil Engineering and Development Department briefed members on the details of the works project.

(Post-meeting note: The powerpoint presentation was circulated to members by email vide LC Paper No. CB(1)1171/10-11(04).)

37. Noting that the project aimed to carry out infrastructural works for a PRH development, the Chairman declared that he was a member of the Hong Kong Housing Authority.

38. Mr LEE Wing-tat said there were ongoing disputes between the Administration and residents of Tsz Tin Village, who were affected by land resumption for the project. The delay in the Administration's processing of compensation arrangements had caused financial loss to the residents. At Siu Hong Court, residents had raised objection to the proposed construction of a footbridge connecting Siu Hong Court and Tsz Tin Road, and the design of proposed pedestrian access from Site 2 to the West Rail and Light Rail stations at Siu Hong Court. They had recently lodged a complaint with LegCo and a site visit by LegCo Members had only been conducted on 14 January 2011. As a number of disputes were not yet resolved, he did not consider it appropriate for the Administration to submit the funding proposal at this time. He objected to the funding proposal on behalf of Members belonging to the Democratic Party.

(Post-meeting note: A letter from 屯門第54區(紫田村)收地問題關注組 tabled at the meeting was circulated to members by email vide LC Paper No. CB(1)1171/10-11(03).)

39. DS(DEV)(Works)2 said that there were regular reviews of compensation rates for land resumption in April and October each year. The land resumption for the project followed normal procedures as well as

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the prescribed timetable. The progress of land resumption was not related to changes in compensation rate. The proposed pedestrian access from Site 2 to Siu Hong Court would enable the residents at the future PRH development to reach the railway stations at Siu Hong Court in eight minutes. To avoid overloading the footways within Siu Hong Court with pedestrian traffic, some residents suggested that a pedestrian lift be provided alongside the staircase connecting Siu Hong Road to the Siu Hong West Rail Station, and that a new south-bound pedestrian footpath be constructed for residents at Site 2. These two proposals were being considered by the Highways Department and the Housing Department respectively. The Administration was maintaining dialogue with the affected residents. As regards the timing for submitting the funding proposal, the Administration considered that site formation and associated infrastructural works should start as soon as possible because there was pressing need for providing public housing. Acceptable arrangements for the pedestrian route could be sorted out while the infrastructural works were in progress.

40. Assistant Director (Project) 1 (Acting)/Housing Department said that during the site visit on 14 January, some LegCo Members obtained first-hand information about the proposed pedestrian route connecting Site 2 via Tsing Lun Road to the railway stations at Siu Hong Court. The route would be a convenient and safe passage for residents of the PRH development at Site 2 in future because it would provide quick and barrier-free access to the railway stations as well as the bus stops / terminus on Tsing Lun Road and Siu Hong Road respectively.

41. Ir Dr Raymond HO stressed that the Administration should closely monitor and review the progress of PRH projects and supply of PRH units to ensure that the waiting time for eligible applicants would not exceed three years. A PRH development involved a wide range of ancillary facilities, including schools, roads, drainage, etc. To make the most efficient use of resources, it was important for the timing of the construction of these facilities to be well coordinated. The Administration should address the concerns of local residents affected by works projects and work out solutions as soon as possible, so as not to delay the commencement of the construction of ancillary facilities. Compensation to affected persons should be reasonable and individual cases should be dealt with on compassionate grounds. He held the view that the project at Area 54, Tuen Mun should proceed without delay. He said that Members belonging to the Professionals Forum supported the funding proposal.

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42. In view of the frequent complaints from residents in the neighbourhood of Site 2 about the arrangements related to the project, Mr CHEUNG Hok-ming asked whether the proposed works items listed under Paragraph 3 of the Administration's paper met the needs of affected residents. He suggested that the Administration should form a working group to discuss with local residents' organisations, with the assistance of the Tuen Mun District Council, to deliberate the issues that might arise during the construction stage.

43. DS(DEV)(Works)2 replied that the major concerns of affected local residents included the compensation for land resumption at Tsz Tin Village and the design of the pedestrian route connecting the PRH development at Site 2 to the railway stations at Siu Hong Court. About 70% of concerned residents had accepted the Administration's offer of compensation, while the others would reconsider the offer. The Lands Department would continue to handle the resumption of land at Tsz Tin Village. Rulings on compensation could be sought from the Lands Tribunal. On the pedestrian route, the Highways Department and the Housing Department were considering residents' proposals.

44. Deputy Head of Civil Engineering Office (Port and Land) /Civil Engineering and Development Department added that a working group had been formed with local concerned residents and District Councillors to monitor the works for the development at Site 2 and ancillary facilities. The working group had held eleven meetings. Its work would continue during the construction stage of the project.

45. Mr IP Kwok-him expressed concern about the unsettled disputes over the compensation for land resumption for this project. He hoped that the Administration could work out a better compensation package for affected residents. He considered it undesirable for these disputes to delay the supply of more PRH units. Noting that Ching Chung Koon, a popular destination for visitors, was near Site 2, he enquired whether the construction works would affect visitors' access to and activities at Ching Chung Koon.

46. DS(DEV)(Works)2 advised that the activities at Ching Chung Koon had been taken into account in a series of assessment, including environmental impact assessment, conducted for the project. The Administration would follow up on Mr IP's concern.

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(*Post-meeting note:* The Administration's follow-up reply was circulated to members on 8 February 2011 vide LC Paper No. CB(1)1239/10-11(01).)

47. The Panel supported the upgrading of the project to Grade A. The Chairman noted the Democratic Party's objection and members' concerns about the project. He would report members' views to PWSC when it considered the relevant funding proposal.

VI PWP Item No. 7733CL -- Review studies on Hung Shui Kiu New Development Area -- consultants' fees and site investigation

(LC Paper No. CB(1)1100/10-11(05) -- Administration's paper on PWP Item No. 733CL -- Review studies on Hung Shui Kiu new development area: consultants' fees and site investigation

LC Paper No. CB(1)1131/10-11(02) -- Submission from The Conservancy Association)

48. Permanent Secretary for Development (Planning and Lands) (PS(P&L)) briefed members on the background of PWP Item No. 733CL -- Review studies on Hung Shui Kiu (HSK) new development area: consultants' fees and site investigation. He said that the development of new development areas (NDAs) was one of the ten major infrastructure projects announced in the 2007-08 Policy Address. It aimed to meet the long-term development needs of Hong Kong, including provision of land for housing to accommodate population growth. Against this background, the planning of the North East New Territories (NENT) NDAs had commenced in June 2008 after having obtained FC's funding approval for the undertaking of the NENT NDAs Planning and Engineering Study. Two stages of public engagement exercise for the NENT NDAs had been undertaken. The Administration was analysing the views collected and preparing for the Stage 3 public engagement exercise.

49. PS(P&L) further advised that the Administration sought the Panel's support for a planning and engineering study (the Study) for the proposed HSK NDA. The key issues of the Study included the strategic role of the project, the provision of a quality living environment, a low carbon eco-city,

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job opportunities, efficient and environmental-friendly transport link, a review of port back-up and open storage uses, and implementation strategies. The Administration planned to commence the Study in August 2011 for completion in August 2014. A three-stage public engagement exercise would be undertaken as an integral part of the Study. Stage 1 of the exercise started in 2010. At Stage 2, which is scheduled for 2012, the Preliminary Outline Development Plan would be displayed for collecting public comments. Stage 3 of the exercise would take place in mid-2013. At this stage, the Recommended Outline Development Plan (RODP) would be shown and the Administration would brief the public on the rationale and how public views had been incorporated into the RODP. The feedback obtained at Stage 3 would facilitate the finalisation of the Recommended Layout Plans and proposals for the HSK NDA. He invited members to comment on the key issues to be covered by the Study and the approach to the public engagement exercise. Subject to the Panel's endorsement, the Administration would seek the support of PWSC in February and approval of FC in May for the funding for the Study.

50. Mr CHEUNG Hok-ming opined that whereas a Study might find a works project technically feasible, the project might encounter practical difficulties that were non-technical in nature during the implementation stage. In view of the fact that the development site of HSK NDA covered 25 existing villages, of which six were not indigenous villages, and the disputes between the Administration and residents of Choi Yuen Village and Tsz Tin Village over compensation for land resumption, Mr CHEUNG was concerned about the difficulties in carrying out land resumption. He asked if the Administration would conduct an assessment on reaction to land resumption action.

51. The Chairman pointed out that the issues related to land resumption should not be overlooked during land planning and development. The proposed Study should cover a more comprehensive scope, and not only on land planning and engineering aspects.

52. PS(P&L) advised that Small House applications within the village zones in the prevailing Outline Zoning Plans and committed infrastructure projects would not be affected by the Study. The Study would carefully examine the social and economic implications of any land resumption or clearance exercise arising from the development of the NDA. The Administration would draw reference to recent incidents related to land resumption and strived to better handle similar situations. It would not under-estimate the challenges in the implementation of the project. The

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Study had yet to be started and was scheduled for completion in 2014, with site works scheduled to commence in 2019. The extent of land acquisition required for the implementation of HSK NDA had yet to be studied. Nevertheless, the Administration attached great importance to better managing the issues that might arise from the resumption and clearance of land. A three-stage public engagement exercise had been planned, with Stage 1 already started and the Tuen Mun Rural Committee consulted, to gauge public views on the development proposals for HSK NDA.

53. Mrs Regina IP said that while she understood that public engagement aimed to ensure the smooth implementation of works projects, a three-stage public engagement exercise might impede the progress of the HSK NDA project. The Chairman enquired why it would take three years to complete the Study and to commence site works in 2019.

54. PS(P&L) explained that the proposed Study covered a wide range of issues, including site investigation and environmental impact assessment, which required detailed technical studies. Three stages of public engagement exercise would be undertaken during the 30-month time span of the Study and each stage had its own distinctive purpose. Stage 1 aimed to engage the public on discussion of their aspirations for the proposed HSK NDA. At Stage 2, the Preliminary Outline Development Plan would be presented for public comments. The timetable for the Study was tight but the Administration would strive to expedite the process as far as possible, without compromising the quality of the Study and the thoroughness of the public engagement exercise.

55. Chief Engineer/Project 2 (New Territories North and West)/Civil Engineering and Development Department added that as implementation of the HSK NDA project had to proceed step by step in accordance with practical and statutory requirements, which included studies, seeking funding approvals, detailed designs of individual works project, publications of notices and plans in the Gazette, consultations, handling of various aspirations of stakeholders, land resumption and clearance, etc., the work schedule was tight.

56. The Panel supported the upgrading of the Study to Category A. The Chairman said he would report members' concerns to PWSC when it considered the relevant funding proposal.

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VII Any other business

The need for continuation of work of the Subcommittee on Building Safety and Related Issues

(LC Paper No. CB(1)1100/10-11(06) -- Paper on continuation of work of the Subcommittee on Building Safety and Related Issues prepared by the Legislative Council Secretariat)

57. The Chairman sought the views of the Panel on the need for continuation of work of the Subcommittee on Building Safety and Related Issues (the Subcommittee). The Panel supported that the work of the Subcommittee be continued up to the end of the 2010-2011 legislative session. The Chairman said that a paper would be provided for the House Committee (HC) meeting on 25 February 2011 seeking HC's support for continuation of work of the Subcommittee.

58. There being no other business, the meeting ended at 4:21 pm.

Council Business Division 1
Legislative Council Secretariat
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