

For Information

Legislative Council Panel on Development

**Actions against Illegal Occupation of Government Land and
the Latest Plan for Public Housing Development at
Wang Chau, Yuen Long**

Purpose

This paper informs Members of the Government's actions against illegal occupation of government land and the latest plan for public housing development at Wang Chau, Yuen Long.

Actions against Illegal Occupation of Government Land

2. As government land is widely distributed across the territory, it is not cost-effective to inspect every piece of government land from the resources deployment and effectiveness perspectives. The District Lands Offices and Squatter Control Unit of the Lands Department (LandsD) strategically target black spots that are often subject to complaints or occupation, and land that is prone to unlawful occupation. Proactive inspection will be conducted as appropriate and follow-up actions taken in view of public complaints and departmental referrals received.

3. In general, if unlawful occupation of government land is found, LandsD will post a notice on the government land concerned pursuant to the Land (Miscellaneous Provisions) Ordinance (Cap. 28) (the Ordinance). The occupier is required to cease occupation of the government land before the specified date, or LandsD will take further land control action, such as removal of structures and articles from the government land concerned and gathering evidence. If there is sufficient evidence, LandsD will consider prosecuting the occupier after seeking legal advice. To enhance the deterrent effect, the Government amended

the Ordinance in 2015 to increase the penalties for offences relating to unlawful occupation of government land.

4. Where the occupier who unlawfully occupies government land makes an application to LandsD for regularisation of his/her occupation by way of a Short Term Tenancy (STT), it may not necessarily be accepted. In general, an application must meet the established criteria (including the fact that separate alienation by public tender is not required for the government land concerned due to factors such as its topography, location and size failing to arouse market interest, that there is no other public purpose for the site in the short term, and that the application should comply with the requirements that may be imposed by relevant departments) in order for LandsD to consider granting an STT according to the market rental, which will be backdated to the date when the occupier started the occupation of the government land concerned. Once LandsD has initiated prosecution pursuant to the Ordinance, prosecution will not cease due to the fact that the occupier has made an STT application for the purpose of regularisation of the occupation.

5. LandsD has deployed its staff to conduct site inspection in respect of the suspected occupation of government land at Wang Chau, Yuen Long. The area involves private land with an area of about 10 hectares and government land with an area of about 8.5 hectares. Part of the government land concerned covers the area of a number of STTs, while the remaining government land is quite dispersed, partially being vehicle access roads leading to the adjacent private lots and partially being in between private land, where some unauthorised structures including hoarding were erected and containers were found at individual locations. The gross area of the government land unlawfully occupied is about 3.8 hectares, but since such land is scattered among private land, detailed professional surveys are required in order to identify the land boundary.

6. The District Lands Office, Yuen Long and Squatter Control Unit of LandsD took joint land control action on 1 March 2016. Notices have been progressively posted pursuant to the Ordinance on government land being occupied. The occupiers were required to cease occupation of

the government land before the specified date, or LandsD will take further land control action, including removal of structures and containers from the government land concerned. If there is sufficient evidence, LandsD will consider prosecuting the occupier after seeking legal advice.

7. Moreover, it is found that the fenced areas of some STTs have extended beyond their tenancy areas. LandsD has issued warning letters to the tenants concerned, requiring them to rectify the situation before the specified date. Otherwise, LandsD will consider cancellation of the STTs concerned.

Planning and Progress of the Public Housing Development at Wang Chau, Yuen Long

8. To support the sustainable development of Hong Kong, the Government has adopted a multi-pronged strategy and various short, medium and long-term measures to increase land supply. One of the measures is to identify potential housing sites for the housing land supply in the short to medium term through land use review. Wang Chau is one of the sites identified during the land use review. The site is located to the west of Long Ping Road and Fuk Hi Street in Yuen Long. The southern part, which mainly comprises deserted and formed “Green Belt” land, is adjacent to Long Ping Estate and the northern part, which is mostly zoned “Open Storage”, adjoins Yuen Long Industrial Estate (YLIE). There are fallow and active farmland, partially vegetated area, squatters and temporary structures within the site. In addition, various brownfield operations, including vehicle parking, car repairing workshop, logistics operation, recycling, etc., are found within the “Open Storage” zone and along Long Ping Road and Fuk Hi Street.

9. For the Wang Chau development, the Housing Department commissioned a consultancy study, the scope of which is at Annex, in collaboration with the Innovation and Technology Commission in 2012 on the feasibility of public housing development and YLIE extension at the site which covers about 33 hectares of land. The feasibility study has largely been completed. According to the study findings, development of

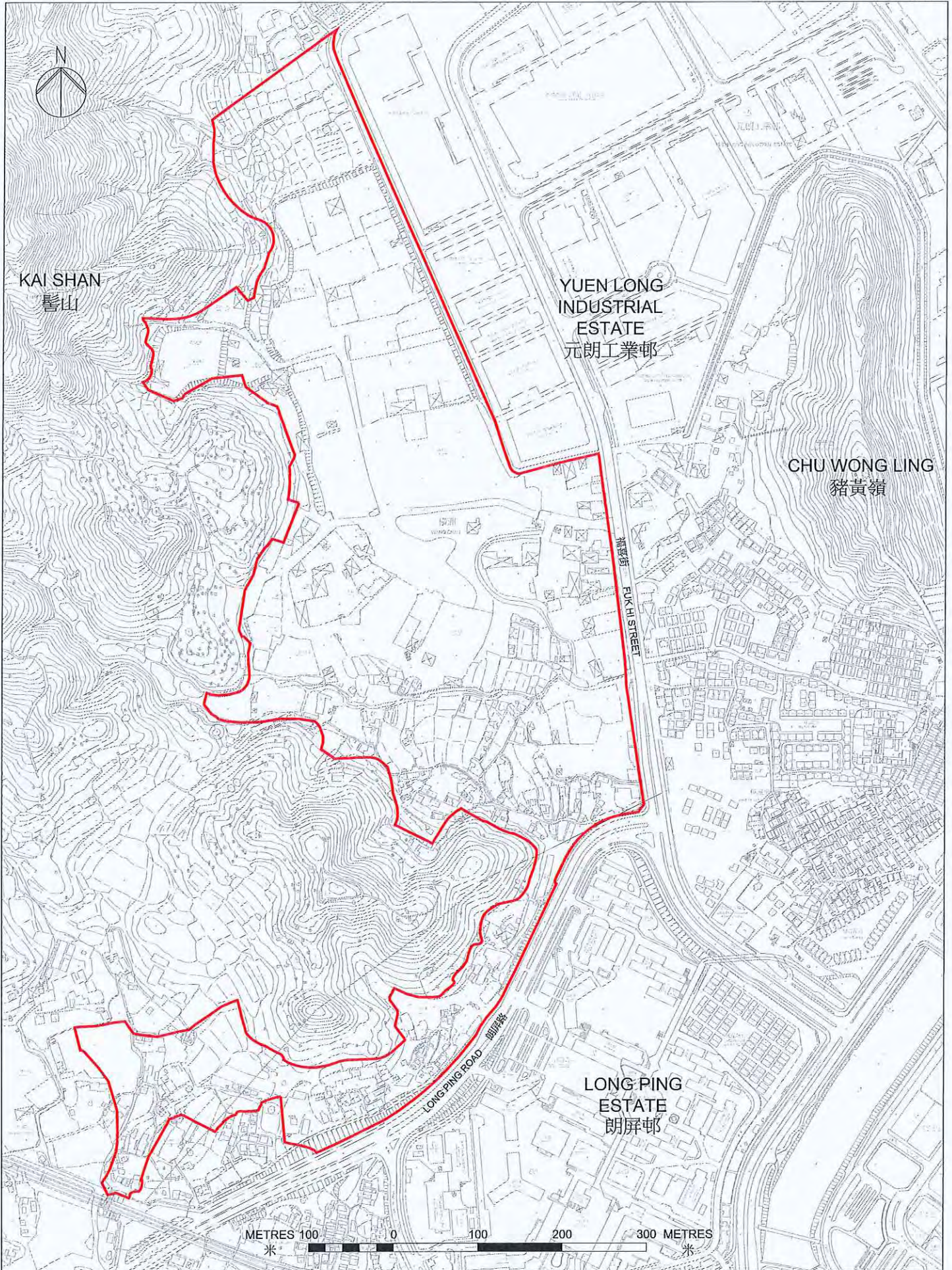
the site for public housing and YLIE extension is technically feasible and would not cause unacceptable adverse impacts on the area. It is estimated that the development could produce a total of 17 000 public housing units and 310 000m² gross floor area for industrial/commercial uses. Comprehensive development of the Wang Chau site would require many supporting infrastructures and measures, including improvement of the existing roads and proper arrangements for the existing squatters, temporary structures and brownfield operations at the site.

10. Having considered the overall development priority, with the time required for the clearance of the existing squatters, temporary structures, brownfield operations, etc. taken into account, the Housing Authority will first develop the southern portion of the site (i.e. the area where construction works would soon commence) for about 4 000 public housing units. This will help achieve the target of increasing the public housing supply in the short term. For the development of 4 000 public housing units at this stage, the Government already consulted the Yuen Long District Council (YLDC) in June 2014, briefing its members on the details of the development, including the extent of the development and the findings of the traffic impact assessment. YLDC members supported the proposal in principle but also provided comments on such issues as the number of units, population, and improvement of the associated traffic and community facilities. Details of the discussion can be found at the YLDC's website.

11. The southern portion of the Wang Chau site adjoining Long Ping Estate was rezoned from "Green Belt" to "Residential (Group A)4" on the statutory Outline Zoning Plan (OZP) in October 2014 for public housing development. The OZP was approved by the Chief Executive in Council in June 2015. The Government is now proceeding with the detailed design for site formation with a view to commencing the site formation and infrastructure works in 2018. The works would last for three years and be followed by construction works by the Housing Authority for completion in 2025. The Government will continue the communication with the YLDC and the locals to address their concerned issues.

12. The remaining of the Wang Chau site, including the “Open Storage” and “Green Belt” zones in the northern part, is planned for public housing development and YLIE extension according to the findings of the feasibility study. Subject to the progress of associated works/studies, including the formulation of policies and measures for clearing brownfield sites, the Government will take steps to implement the remaining development of the Wang Chau site according to priority. For the brownfield matters, the Government has established an inter-bureaux/departments task force on brownfield operations in 2014, exploring effective policies and practicable measures to handle brownfield operations, including study on means of more efficient land utilisation to accommodate brownfield operations that are still needed in Hong Kong. The Government will use Hung Shui Kiu New Development Area as a pilot case, including studying practicable measures to accommodate some brownfield operations in suitable multi-storey compounds.

Development Bureau
Transport and Housing Bureau
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STUDY AREA
工程研究範圍