

**For discussion
on 27 November 2018**

Legislative Council Panel on Development

**Strengthening the staffing of the
Civil Engineering and Development Department (CEDD),
Lands Department (LandsD) and Planning Department (PlanD)
to enhance land supply**

PURPOSE

This paper seeks Members' support to the following staffing proposals, to take effect from 1 April 2019 or upon approval of the Finance Committee (FC), whichever is the later –

- (a) under Head 33 – CEDD** (staffing proposal at **Annex I**)
 - (i) conversion of two supernumerary Chief Engineer (CE) (D1) posts to permanent posts (\$144,100 - \$157,700) to enhance directorate staffing support to the North Development Office for the implementation of Kwu Tung North (KTN) and Fanling North (FLN) New Development Areas (NDAs) projects, as well as other major projects in the New Territories North region;
 - (ii) conversion of one supernumerary CE (D1) post to permanent post (\$144,100 - \$157,700) to enhance directorate staffing support to the West Development Office for the implementation of Hung Shui Kiu (HSK) NDA project;

- (b) under Head 91 – LandsD** (staffing proposal at **Annex I**)
 - creation of one supernumerary Chief Estate Surveyor (CES) (D1) post (\$144,100 - \$157,700) for ten years up to 31 March 2029 to enhance directorate staffing support in handling land administration matters relating to the KTN/FLN and HSK NDA projects; and

(c) **under Head 118 – PlanD** (staffing proposal at **Annex II**)

conversion of one supernumerary Chief Town Planner (CTP) (D1) post to permanent post (\$144,100 - \$157,700) to enhance directorate staffing support to the Town Planning Board (TPB) in handling statutory planning matters under the Town Planning Ordinance (TPO) (Cap.131) and other related matters.

FINANCIAL IMPLICATIONS

2. The creation of the proposed permanent and supernumerary posts will involve an additional notional annual salary cost at mid-point of \$9,183,000. The additional full annual average staff cost, including salaries and staff on-cost, is about \$13,190,000. A breakdown is shown below –

Department	Directorate Post	No.	Notional annual salary cost at mid-point (\$)	Full annual average staff cost (\$)
CEDD	CE (D1)	3	5,509,800	7,783,000
LandsD	CES (D1)	1	1,836,600	2,800,000
PlanD	CTP (D1)	1	1,836,600	2,607,000
Total:		5	9,183,000	13,190,000

ADVICE SOUGHT

3. Members are invited to consider the staffing proposals. Subject to Members’ comments, we plan to consult the Establishment Subcommittee and seek the approval of the FC in the first quarter of 2019.

**Development Bureau
November 2018**

**Strengthening the staffing of the
Civil Engineering and Development Department and Lands Department
to enhance land supply**

PROPOSAL

We propose to:

- (a) convert three supernumerary Chief Engineer (CE) (D1) posts to permanent posts in the Civil Engineering and Development Department (CEDD) with effect from 1 April 2019; and
- (b) create one supernumerary Chief Estate Surveyor (CES) (D1) post in the Lands Department (LandsD) up to 31 March 2029

to oversee the implementation of land supply and development projects.

JUSTIFICATIONS

2. To meet the community demand for land for housing and other needs, the Government has adopted a multi-pronged strategy to increase land supply in the short, medium and long term. As a core part of this strategy particularly to enhance land supply in the medium to long term, we are pressing ahead with the implementation of the Kwu Tung North (KTN) and Fanling North (FLN) New Development Areas (NDAs) as an extension to the Fanling/Sheung Shui New Town and the Hung Shui Kiu (HSK) NDA as a regional hub in the North West New Territories (NWNT).

3. CEDD and LandsD have been assuming key roles in these NDA projects: CEDD in respect of forming and readying land fit for development through planning, coordinating, phasing and implementing site formation and supporting infrastructure projects: LandsD in respect of resuming and clearing land, and the subsequent land allocation and disposal. Given the scale and complexity of the NDA projects, it is operationally essential to equip the two departments with adequate

directorate staffing resources to lead respective project teams, co-ordinate across departments and work with stakeholders outside the Government in order to ensure timely delivery of the NDA projects.

Need for Two Permanent CE (D1) Posts in the North Development Office (NDO) of CEDD

4. The KTN and FLN NDAs will provide about 72 000 new housing units, comprising 48 400 units (i.e. 68 %) for public housing and 23 300 units (i.e. 32 %) for private housing, and accommodate more than 188 000 new population upon full development. The first population intake is scheduled for 2023. The two NDAs will also make available land for economic and industrial uses as well as community facilities which altogether will generate about 40 100 job opportunities.

5. The two NDAs with a total development area of 320 hectares (ha) will be implemented in two phases: the Advance and First Stage Works (collectively called the First Phase) as well as the Remaining Phase. The detailed design of the First Phase works is near completion. To meet the target of completing the NDA development in 2031 and expedite land delivery to meet the acute land shortage problem, we need to bring forward the implementation of the Remaining Phase and take forward the two development phases concurrently. To this end, we are planning to seek funding approval from the Legislative Council (LegCo) for both the construction of the First Phase works and detailed design of the Remaining Phase works in the first half of 2019. Apart from accelerating the land production for housing and other developments, advancing the Remaining Phase development can also meet the strong demand of the residents affected by clearance in the Remaining Phase that timely arrangement should be made for them to be rehoused and/or compensated early. The North District Council (NDC) put forth similar request in June 2018 when we briefed them on the unified and enhanced ex-gratia compensation and rehousing package for government development clearance projects that would be applicable to the KTN and FLN NDAs project¹.

¹ At the NDC meeting in June 2018, NDC also gave support to the Government to seek funding approval from the LegCo for the construction works and the associated land resumption for the First Phase, the detailed design of the Remaining Phase, and the construction of the Shek Wu Hui Effluent Polishing Project.

6. Within the NDO of CEDD, there is currently a project team led by a permanent CE (D1) post (designated as CE/North 3) responsible for overseeing the design and construction of the First Phase works, in addition to handling matters relating to public works of the Tai Po District. The volume and complexity of the tasks involved requires the full-time attention of CE/North 3 and his team. To provide strategic inputs and cope with the additional workload arising from the concurrent implementation of the Remaining Phase development, there is a need to strengthen CEDD's manpower at the directorate level. Specifically, we propose converting two supernumerary D1 posts which are due to expire in April 2019 into permanent posts to oversee the design and construction of the Remaining Phase, in addition to their non-NDA duties. More detailed justifications are given in the following paragraphs.

7. Currently, CE/North 3 and his team are overseeing the design and construction matters of the First Phase works, in addition to handling matters relating to public works of the Tai Po District. Throughout the design process of the First Phase works, we have encountered issues which are more complicated, controversial and resource-demanding than those of other civil engineering projects, e.g. vast development areas involved, exceptionally large number of objections against the proposed road and sewerage schemes, complex project interface and sequencing issues, need for coordinated provision of various developments/facilities to best meet community needs, etc. The volume and complexity of the workload will continue to grow when the First Phase works enter the construction stage, involving a total of seven construction contracts. CE/North 3 and his team will have to devote dedicated and full-time efforts to oversee the preparation of tenders, supervision and management of construction programmes and contractors, resolution of site issues and disputes, etc. Compared with the First Phase development, the Remaining Phase of KTN and FLN NDAs project is of a much larger scale (involving more than 2.5 times of housing units) but under a similar delivery timeframe of about 12 years from detailed design to full completion. Having considered the scope, complexity and sensitive nature of the project and its rather compressed delivery programme to meet the imminent need for housing land, we need two dedicated CEs to lead the project teams to take forward the implementation of the Remaining Phase.

8. A supernumerary CE post (designated as CE/North 1) was created since 13 February 2009 to oversee mainly the administration, planning and implementation of the Liantang/Heung Yuen Wai Boundary Control Point (BCP) project. This supernumerary post will lapse on 1 April 2019. We propose to turn this

CE post into a permanent post from 1 April 2019 onwards so that the CE can lead his team to handle the anticipated new workload arising from the implementation of the Remaining Phase including but not limited to, seeking LegCo's funding approval for detailed design, procuring and managing the design and construction consultancy, finalising the scope of works and associated resumption limits in consultation with stakeholders, arranging gazettal of works and resolving objections, seeking LegCo's funding approval for construction following authorisation of works, overseeing the construction progress, etc. In addition, CE/North 1 will continue to oversee the construction supervision of the remaining works of BCP project and start-up of the Building Management Committee of the new BCP, as well as to handle matters relating to public works of the North District.

9. Another supernumerary CE post (designated as CE/North 2) was created since 11 July 2014 for major projects in the New Territories North (NTN) region. This post will lapse on 1 April 2019. At present, CE/North 2 is responsible for the overall administration, planning, design and construction supervision of the development of Agricultural Park in Kwu Tung South, the co-location of police facilities in Kong Nga Po, the widening of Tai Po Road (Sha Tin Section) and the provision of Trunk Road T4 in Sha Tin, as well as other infrastructure and land development projects in the Sha Tin District. We propose to turn this supernumerary post into a permanent post to continue handling the above tasks, oversee the study about developing the brownfield sites in NTN that will be advanced as announced in the 2018 Policy Address, and also at a later stage to share out the increased workload for the Remaining Phase nearer the time of commencement of construction works.

10. After the completion of the First Phase and Remaining Phase developments anticipated in 2026 and 2031 respectively, the CEs concerned will still be required to monitor closely the post-implementation phase of the NDA developments to ensure their smooth commissioning, at least in the initial years afterwards. In the longer term, as increasing land supply and delivering public works to serve the community needs are an on-going commitment and require sustained efforts within the Government including CEDD, CE/North 1 and CE/North 2 will be re-deployed to oversee new land production initiatives or public works projects and hence their professional support and input will be required on a permanent basis.

Encl. 1 11. The proposed job descriptions of the two CE posts (i.e. CE/North 1 and
Encl. 2 CE/North 2) to be made permanent are at **Enclosures 1 and 2** respectively.

Need for One Permanent CE (D1) Post in the West Development Office (WDO) of CEDD

12. The HSK NDA will be the next generation new town and form a major new town development cluster in the western part of the territory, together with the existing Tin Shui Wai, Yuen Long and Tuen Mun New Towns, and the Yuen Long South Development under planning. The HSK NDA, with a total development area of about 441 ha, would be developed in stages. We target to have the first population intake in 2024 and full development by 2037-38. Upon full development, the HSK NDA will provide about 61,000 new housing units for about 176 000 new population. It is also positioned as a “Regional Economic and Civic Hub” for the NWNT to create space of about 6.4 million square metres gross floor area offering about 150 000 job opportunities.

13. Due to the mega-scale and complexity of the NDA project and the need for orderly clearance, the implementation of HSK NDA project would be divided into five stages. We are actively considering a fast-track implementation programme which requires concurrent delivery of various essential engineering infrastructure works and prompt resolution of interfacing issues.

14. Currently, there are two teams within the WDO handling the tasks relating to HSK NDA, being led by a permanent CE (D1) post and a supernumerary CE (D1) post to expire on 1 April 2019 respectively. For the reasons set out below, it is necessary to convert the latter into a permanent post to continue providing professional support required for the delivery of HSK NDA project.

15. The supernumerary CE post (designated as CE/West 4) was created on 11 July 2014 for taking forward the Advance Works of HSK NDA as well as some other projects/studies in New Territories West. This post will lapse on 1 April 2019. Following the reshuffling of duties among CEs in WDO in light of the additional projects / studies taken up by WDO since July 2014, CE/West 4 is now responsible for the implementation of HSK NDA and brownfield matters, including the overall administration, planning, design and construction supervision of the Advance Works and Stage 1 Works of HSK NDA, supervision of the feasibility studies for the multi-storey buildings (MSBs) for accommodating brownfield operations in HSK NDA and Yuen Long area, and supervision of other land development and infrastructure projects/studies in New Territories West.

16. In order to meet the key milestones of first population intake in 2024 and full development by 2037-38 for HSK NDA, we need to expedite the delivery of the Advance Works and Stage 1 Works of the NDA for developing the rehousing estate and the MSBs. To this end, we are finalising the detailed design of Advance Works (Phases 1 and 2) and Stage 1 Works with a view to seeking LegCo's funding approval for construction in the second half of 2019 tentatively. We will also include in the same application the funding requirement for the detailed design of Advance Works (Phase 3) and Stage 2 Works. As the NDA project involves multiple yet inter-linked procedures including finalisation of detailed design, statutory authorisation of works and land resumption limits, LegCo's funding approval, as well as land resumption and clearance operations before construction works can actually commence on site, we need the dedicated project management efforts of CE/West 4 beyond March 2019 to maintain an oversight and provide steer for the NDA implementation. In addition, we propose to assign CE/West 4 to take up the works-related district administration matters of HSK NDA in anticipation of the increasing workload and geographic relevance in this aspect.

17. The other team also involved in HSK NDA project is led by CE/West 3, which is an existing permanent post. The team is currently tasked with overseeing various follow-up feasibility studies for HSK NDA, including those on environmentally-friendly transport services in HSK NDA and adjacent areas, fostering a pedestrian and bicycle-friendly environment in HSK NDA and Yuen Long South Development, river revitalisation and flood attenuation facilities for HSK NDA, and urban and green design study for the future town centre and the district commercial node in HSK NDA. In addition, CE/West 3 is responsible for overseeing the preliminary land use study for Lam Tei Quarry and the adjoining areas and handling the works-related district administration matters of the Tuen Mun District. Following the gradual completion of the above studies in the next 3 years, CE/West 3 will be re-assigned to share out the work of HSK NDA project including the detailed design of Stage 2 Works scheduled for commencement in early 2020.

18. After the completion of HSK NDA project by 2037-38, CE/West 3 and CE/West 4 are still required for monitoring the need for improvements to the infrastructure works and supporting facilities to complement the long-term development of HSK NDA. The on-going support of the two CEs will also be needed to follow through other land creation initiatives in the NWNT to ensure sustained land supply in the longer term, in addition to overseeing

Encl. 3 geographical-based infrastructure projects. We therefore consider it necessary to maintain the CE/West 4 post on a permanent basis to lead the team to handle the aforesaid complicated and long-term tasks. The job description of the permanent CE (D1) post (designated as CE/West 4) is at **Enclosure 3**.

Encl. 4 19. The organisation chart of CEDD after conversion of the three supernumerary CE (D1) posts into permanent posts as detailed in the paragraphs above is at **Enclosure 4**.

20. In addition to the above directorate staffing proposals in CEDD, a total number of 29 non-directorate time-limited posts have been scheduled for extension / conversion to permanent posts from 2019-20 onwards to continue the support for NDO and WDO with the planning and implementation work for major development and infrastructure projects by CEDD. Moreover, 23 non-directorate posts will be created in 2019-20 to strengthen the support to these two offices.

Need for One Supernumerary CES (D1) Post in LandsD

21. In order to expedite the KTN/FLN and HSK NDA development to increase land supply, it is essential to take forward the land development process through a tightly integrated and well-coordinated programme including land resumption, clearance, site formation, infrastructure provision, as well as allocation and disposal of land for various development including infrastructural and community facilities, public housing development and private developments.

22. To this end, there is a need for LandsD as the land administration agency to set up a dedicated team to coordinate with CEDD and other departments on the development programme of the NDAs, including timing and sequencing of various land administration work. This would ensure that all land administration work in connection with NDA development would be carried out on a one-stop basis and tying in with the site formation and infrastructure works thereby avoiding duplication and enhancing efficiency. The team would also provide a single contact point for clearances affected by the NDA development and would be responsible for administering the ex-gratia compensation and rehousing packages applicable to all the affected occupiers.

23. Developing the KTN/FLN NDAs involves clearance of about 230 ha of government land for site formation and infrastructure works, as well as resumption

and clearance of about 180 ha involving about 2 370 private lots. About 1 500 households and 440 business undertakings involving some 4 100 structures are required to be cleared. As for HSK NDA intended to be implemented under a fast-track programme, it will involve clearance of about 160 ha of government land as well as resumption and clearance of about 320 ha involving around 4 900 private lots. About 1 600 households and 670 business undertakings involving over 10 000 structures are required to be cleared. The government land and resumed lots so cleared will then be allocated for various uses including public housing, private housing and other developments, road and infrastructure, and various community and infrastructure facilities. As part of the development of the NDAs, the Government would also facilitate rehabilitation of the affected farmers under the Special Agricultural Land Rehabilitation Scheme², and make available the government land identified in the New Territories to be offered to affected farmers.

24. Considerable input will be required of LandsD in making the land available for NDA developments having regard to the mega-scale and complexity of the land resumption/clearance involving domestic/non-domestic occupation, business undertakings, farmland, etc. on private and government land. The smooth and timely implementation of NDA developments also depends critically upon the speedy processing of land administration matters including permanent and temporary land disposal of all kinds. There is a need for the dedicated team in LandsD mentioned in paragraph 22 above to be led by a directorate officer to oversee the land resumption/clearance and allocation exercises, including exercising flexibility in the execution of the newly introduced unified and enhanced ex-gratia compensation and rehousing package, and dealing with any unforeseen issues in the course of implementation.

25. Given the complexity, mega-scale and significance on land supply of the NDA projects and that the associated land administration inputs would be most needed in the coming ten years, it is essential to create a new dedicated CES (D1) post till 31 March 2029 in LandsD to lead the team to oversee all the land administration matters including coordinating all permanent and temporary land disposal, land resumption, clearance and statutory and ex-gratia compensation, and the associated voluntary registration tasks arising from the NDAs projects. In

² The Special Agricultural Land Rehabilitation Scheme aims to help identify private farm land and make available suitable government land to assist the eligible farmers affected by the NDAs for re-farming.

addition to providing leadership and exercising professional judgement to address various difficulties and conflicts that are bound to arise during the land resumption/clearance process, the dedicated CES would also assist in policy formulation and communication with the stakeholders, particularly the LegCo, District Council and Rural Committee members given that resumption and clearance has become more sensitive in recent years.

Encl. 5 26. The proposed job description of the supernumerary CES (D1) post is at
Encl. 6 **Enclosure 5**. The proposed and existing organisation chart of LandsD is at
Enclosure 6.

27. To provide the necessary support to the proposed CES post, 19 new non-directorate posts will be created in 2019-20.

ALTERNATIVES CONSIDERED

Encl. 7 28. We have critically examined the possible redeployment of other existing directorate officers within CEDD to take on the work of the proposed posts. As the other incumbents are already fully engaged in their respective work schedules for a large number of on-going and new development projects, including the West Kowloon Cultural District Government Infrastructure Project; Wan Chai Development II and the associated works for Central-Wan Chai Bypass; Tseung Kwan O – Lam Tin Tunnel; Cross Bay Link in Tseung Kwan O; Trunk Road T2; Development at Anderson Road Quarry; new development areas at Kam Tin South and Yuen Long South; development of Lok Ma Chau Loop; Tung Chung New Town Extension; topside development at the Hong Kong boundary crossing facilities island of the Hong Kong-Zhuhai-Macao Bridge; reclamations outside Victoria Harbour; and Lantau development and conservation, etc., it is operationally not possible for them to take up the tasks without adversely affecting the discharge of their current duties. **Enclosure 7** shows the schedule of responsibility of all existing CE posts in CEDD. In order to expedite land and housing supply, there is a genuine and pressing need to make permanent the three supernumerary CE posts in CEDD to handle the increasing workload.

29. As for the LandsD, as incumbents of other CES posts are already fully engaged by their daily responsibilities at present, it is impossible operationally for them to take up the tasks without adversely affecting the discharge of their current

Encl. 8 duties. **Enclosure 8** shows the schedule of responsibilities of the existing CESs in LandsD. As the NDA projects are critical to the supply of land for housing and other developments, the creation of the CES post in 2019-20 is essential when works on all the NDA projects start to be in full steam. Otherwise, it would have an adverse effect on service delivery by LandsD leading to slippage of site handover for project construction and hence delay in population intake.

FINANCIAL IMPLICATIONS

30. The proposed conversion of the three CE posts to permanent posts and creation of a supernumerary CES post will give rise to additional staff cost in terms of notional annual mid-point salary (NAMS) cost and full annual average staff cost (including salaries and staff on-cost), as summarized below –

Directorate Posts	Number of Posts	NAMS (\$)	Full Annual Average Staff Cost (\$)
CE (D1)	3	5,509,800	7,783,000
CES (D1)	1	1,765,200	2,800,284
	4	7,275,000	10,583,284

31. For CEDD, the 52 non-directorate posts will be created/extended/converted to permanent posts from 2019-20. The additional notional annual salary cost at mid-point for these non-directorate posts in CEDD to be created in 2019-20 is \$42,433,590 and the full annual average staff cost, including salaries and staff on-cost, is about \$66,926,000. For LandsD, the 19 non-directorate posts to be created in 2019-20 will involve additional notional annual salary cost at mid-point of \$8,133,180 and full annual average staff cost, including salaries and staff on-cost, of \$10,741,000.

32. We will include the necessary provision in the 2019-20 draft Estimates to meet the cost of the proposal and reflect the resources required in the Estimates of subsequent years.

Development Bureau

Civil Engineering and Development Department

Lands Department

November 2018

**Proposed Job Description
Chief Engineer / North 1**

Rank : Chief Engineer (D1)

Responsible to : Deputy Project Manager (North)

Major Duties and Responsibilities –

Chief Engineer / North 1 heads a Division in the North Development Office and is responsible for the overall administration, planning, design and construction supervision of works packages serving the Remaining Phase of the Kwu Tung North (KTN) and Fanling North (FLN) New Development Areas (NDAs). He/She is also responsible for the overall construction supervision of the remaining infrastructure works for the Liantang/Heung Yuen Wai Boundary Control Point (BCP) as well as overseeing the start-up of the Building Management Committee of the new BCP. He/She also oversees the works-related district administration matters for the North District. The major duties are –

1. to oversee the construction supervision of the remaining works for 5019GB “Liantang/Heung Yuen Wai Boundary Control Point and associated works – site formation and infrastructure works” as well as the start-up of the Building Management Committee of the new BCP;
2. to oversee the administration, planning, design and construction supervision of works packages serving the Remaining Phase of the KTN and FLN NDAs;
3. to undertake budgetary control of projects;
4. to drive for timely achievement of milestone targets, co-ordinate and oversee timely resolution of interfacing matters with other projects and developments;
5. to plan and conduct public engagement/consultation with a view to soliciting public support to project implementation, including District Councils, rural committees, etc;
6. to supervise and ensure that projects are implemented to the quality requirements and within budget;

7. to select and manage consultants and contractors;
8. to oversee works-related district administration matters for the North District and attend the North District Council meetings; and
9. to oversee the work of Senior Engineers under his/her purview.

**Proposed Job Description
Chief Engineer / North 2**

Rank : Chief Engineer (D1)

Responsible to : Deputy Project Manager (North)

Major Duties and Responsibilities –

Chief Engineer / North 2 heads a Division in the North Development Office and is responsible for the overall administration, feasibility and engineering studies, planning, design and construction supervision of the land and housing related projects in New Territories North (NTN) and Sha Tin Districts, including a study covering development of brownfield sites in NTN, the Agricultural Park (Agri-Park) in Kwu Tung South, the Kong Nga Po development, the widening of Tai Po Road (Sha Tin Section) and the provision of Trunk Road T4 in Sha Tin as well as the works packages serving the Remaining Phase of the Kwu Tung North (KLN) and Fanling North (FLN) New Development Areas (NDAs). He/She also oversees the works-related district administration matters for the Sha Tin District. The major duties are –

1. to oversee the administration, planning, design, construction supervision of the establishment of an Agri-Park in Kwu Tung South and the site formation and infrastructure works for police facilities in Kong Nga Po;
2. to oversee the administration, planning, design and construction supervision of the infrastructure projects such as widening of Tai Po Road (Sha Tin Section) and provision of Trunk Road T4; as well as local junction improvement works in Sha Tin;
3. to oversee the administration of the study covering development of brownfield sites in NTN;
4. to oversee the administration and construction supervision of works packages serving the Remaining Phase of the KTN and FLN NDAs;
5. to undertake budgetary control of projects;
6. to drive for timely achievement of milestone targets, co-ordinate and oversee timely resolution of interfacing matters with other projects and developments;

7. to plan and conduct public engagement/consultation with a view to soliciting public support to project implementation, including District Councils, rural committees, etc;
8. to supervise and ensure that projects are implemented to the quality requirements and within budget;
9. to select and manage consultants and contractors;
10. to oversee works-related district administration matters for the Sha Tin District and attend the Sha Tin District Council meetings; and
11. to oversee the work of Senior Engineers under his/her purview.

**Proposed Job Description
Chief Engineer / West 4**

Rank : Chief Engineer (D1)

Responsible to : Deputy Project Manager (West)

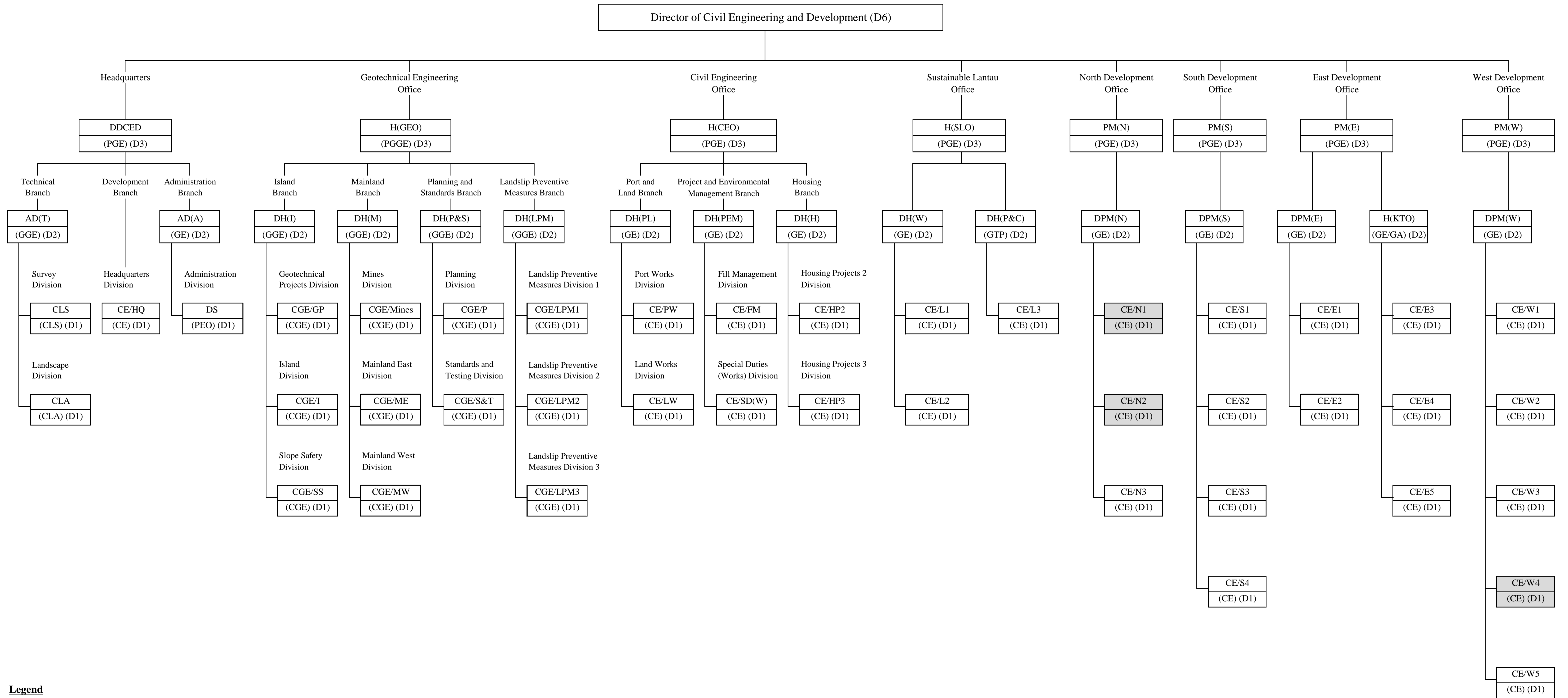
Major Duties and Responsibilities –

Chief Engineer / West 4 heads a Division in the West Development Office and is responsible for maintaining an oversight and providing steer for the implementation of Hung Shui Kiu (HSK) New Development Area (NDA). In addition, he/she will be responsible for the overall administration, planning, design and construction supervision of the Advance Works and Stage 1 Works of HSK NDA and the site formation and infrastructure projects for the industrial sites in Tuen Mun, Hung Shui Kiu and Yuen Long areas, and the handling of works-related district administration matters in association with the development of HSK NDA. The major duties are –

1. to maintain an oversight and provide steer for the implementation of HSK NDA;
2. to oversee the administration, planning, design and construction supervision of projects under his/her purview;
3. to undertake budgetary control of projects;
4. to drive for timely achievement of milestone targets, co-ordinate and oversee timely resolution of interfacing matters with other projects and developments;
5. to oversee works-related district administration matters of HSK NDA;
6. to plan and conduct public engagement/consultation with a view to soliciting public support to project implementation, including District Councils, rural committees, etc;
7. to supervise and ensure that projects are implemented to the quality requirements and within budget;
8. to select and manage consultants and contractors; and

9. to oversee the work of Senior Engineers under his/her purview.

Proposed Organisation Chart of Civil Engineering and Development Department



Legend

- | | | | |
|-------|--|------|--|
| AD | Assistant Director | GA | Government Architect |
| CE | Chief Engineer | GE | Government Engineer |
| CGE | Chief Geotechnical Engineer | GGE | Government Geotechnical Engineer |
| CLS | Chief Land Surveyor | GTP | Government Town Planner |
| CLA | Chief Landscape Architect | H | Head of Office |
| DDCED | Deputy Director of Civil Engineering and Development | PEO | Principal Executive Officer |
| DH | Deputy Head of Office | PGE | Principal Government Engineer |
| DPM | Deputy Project Manager | PGGE | Principal Government Geotechnical Engineer |
| DS | Departmental Secretary | PM | Project Manager |

: Supernumerary CE (D1) posts proposed to be converted to permanent posts

**Proposed Job Description of
Chief Estate Surveyor/New Development Areas**

Rank : Chief Estate Surveyor (D1)

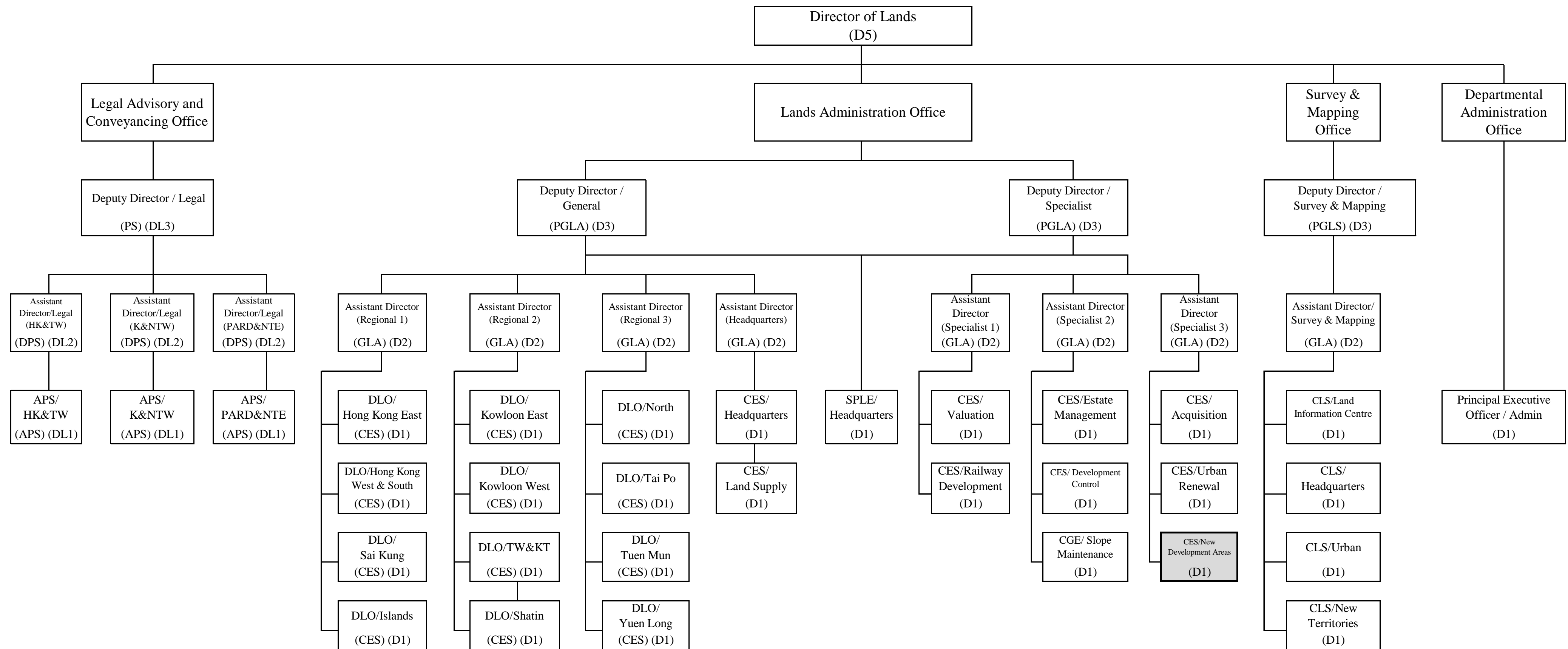
Responsible to : Assistant Director/Specialist 3

Main Duties and Responsibilities –

1. To oversee and monitor all land administration matters including co-ordinating and handling all permanent and temporary land disposal related to the housing, commercial, government, institution, community and other land supply (including over 200 land sale sites and 40 plus possible in-situ land exchanges) in the three New Development Areas (NDAs), namely the Kwu Tung North NDA, Fanling North NDA and the Hung Shui Kiu NDA;
2. To oversee and co-ordinate work related to land disposal, land exchanges, premium assessment, land resumption, compensation estimate, site clearance, statutory and ex-gratia compensation payment, rehousing under the newly introduced Compensation and Rehousing packages and associated voluntary tasks in the NDAs with other bureaux, departments and different offices/sections within LandsD;
3. To formulate, supervise and oversee the land disposal, land resumption and clearance strategies to ensure timely implementation of the NDA projects;
4. To oversee and monitor the implementation of land disposal, land resumption, site clearance and site reversion to ensure timely delivery of sites for the NDAs;
5. To provide inputs in policy formulation and communication with the stakeholders in relation to land disposal, land resumption, site clearance, rehousing and compensation for the NDAs and to formulate related guidelines and implementation mechanism;

6. To be responsible for settlement of all claims arising from resumption and handling Lands Tribunal cases arising therefrom;
7. To attend Executive Council/Legislative Council/District Council meetings, government committee and steering groups meetings and carry out consultation with stakeholders/rural committee/local residents;
8. To lead, supervise and manage the team of professionals and supporting staff;
and
9. To carry out any other related duties as assigned by Assistant Director/Special 3.

Existing and Proposed Organisation Chart of Lands Department



Legends :

- | | |
|------------|---|
| Admin | Administration |
| APS | Assistant Principal Solicitor |
| CES | Chief Estate Surveyor |
| CGE | Chief Geotechnical Engineer |
| CLS | Chief Land Surveyor |
| DLO | District Lands Officer |
| HK&TW | Hong Kong & Tsuen Wan |
| K & NTW | Kowloon & New Territories West |
| PARD & NTE | Port, Airport, Railway Development & New Territories East |
| TW&KT | Tsuen Wan & Kwai Tsing |

- | | |
|---|-----------------------------|
| | Existing posts |
| | Post proposed to be created |

**Key portfolios of the other existing Chief Engineer posts in the
Civil Engineering and Development Department**

All the other existing Chief Engineer posts in Civil Engineering and Development Department (CEDD) are fully engaged in their respective duties. It is operationally not possible for them to take up the additional tasks without adversely affecting the discharge of their current duties.

Civil Engineering Office

2. **Chief Engineer/Special Duties (Works)** is responsible for the planning, design and construction of the Anderson Road Development, decontamination works for a site at Kennedy Town, and site formation and infrastructure works for housing sites at Pik Wan Road, Shek Pai Street, Hiu Ming Street, Yan Wing Street, Lin Cheung Road, Fung Tak Road, near Cheung Shan Estate and Tsing Yi Road West; and provision of technical support to Steering Committee on Implementation of Hong Kong Disneyland and Ocean Park Redevelopment Committee on further expansion of the theme parks; and co-ordination of maintenance issues in Penny's Bay Development Area.

3. **Chief Engineer/Port Works** is responsible for implementing the near-shore reclamations at Lung Kwu Tan and Ma Liu Shui, and replanning of Tuen Mun West; planning and engineering studies for the near-shore reclamations at the seafront of Sai Kung Sewage Treatment Works; technical studies for climate change; development of a bathing beach at Lung Mei; feasibility study on Cheung Chau Ferry Pier improvement; maintenance of public marine facilities including piers, ferry terminals, seawalls, breakwaters, typhoon shelters and fairways; implementation of smart pier initiatives and eco-shoreline project; and providing advisory services for marine works.

4. **Chief Engineer/Land Works** is responsible for the planning, design and construction of the site formation and infrastructure works for public housing developments in Tuen Mun Area 54; the site formation for development of the columbarium and crematorium facilities in Sandy Ridge; site formation for development of columbarium in Siu Ho Wan and Yuen Long;

road improvement works for development of columbarium in Wo Hop Shek; construction of a subway to support columbarium development in Shek Mun; the footbridge widening and bus layby extension in the vicinity of MTR Fanling Station; and the New Territories (NT) Greening Master Plans covering nine NT Districts and the Islands District. He/She also oversees the administration and management of CEDD Landscape Term Contract.

5. **Chief Engineer/Fill Management** is responsible for the strategic planning and management of construction and demolition materials, marine disposal for contaminated and uncontaminated sediments; design and operation of public fill reception facilities including two barging points and two fill banks, mud pits for contaminated sediments and construction waste sorting facilities; and liaison with the Mainland authorities for the cross-boundary disposal of inert construction and demolition materials and dredged sediments. He/She is also responsible for the overall management of the Dredging Works at Kwai Tsing Container Basin and its Approaching Channel; issuance of Sand Removal Permits and related issues, and providing secretarial support to the Public Fill Committee and Marine Fill Committee.

6. **Chief Engineer/Housing Projects 2** is responsible for conducting and implementing a number of studies, site formation and infrastructure projects under tight programme to support housing developments at Hong Po Road, San Hing Road, Tin Wah Road, Long Bin, Tan Kwai Tsuen South Fresh Water Service Reservoir, Wang Chau Phase 1, Tuen Mun Central, near Chai Wan Swimming Pool and Mui Wo. He/She is also responsible for leading his/her team to consult Rural Committees, District Councils and local organisations/ committees so as to foster close communications with stakeholders and ensure timely delivery of relevant infrastructure projects.

7. **Chief Engineer/Housing Projects 3** is responsible for conducting and implementing a number of studies, site formation and infrastructure projects to support public housing developments at Pok Fu Lam South, Wang Chau Remaining Phases at Yuen Long, Kowloon East, Pak Tin Extension and Chak On Road South at Sham Shui Po, Choi Shun Street at Sheung Shui, Cheung Man Road at Chai Wan and Ching Hong Road North at Tsing Yi. He/She is also responsible for leading his/her team to consult District Councils, Rural Committees and local organisations/committees so as to foster close communications with stakeholders and ensure timely delivery of the relevant

site formation and infrastructure projects.

North Development Office

8. **Chief Engineer/North 3** is responsible for the overall administration, feasibility and engineering studies, planning, design and construction supervision of works packages serving the First Phase of Kwu Tung North and Fanling North New Development Areas, as well as the development projects in Tai Po District. He/She is also responsible for the works-related district administration matters of the Tai Po District.

East Development Office

9. **Chief Engineer/East 1** is responsible for the overall administration, planning, design and construction supervision of works packages, with major focus on the infrastructure works for the Sai Kung area and Tseung Kwan O (TKO) New Town, including the TKO-Lam Tin Tunnel, Cross Bay Link and infrastructure works for TKO Stage 1 Landfill Site. He/She is also responsible for the works-related district administration matters of the Sai Kung District.

10. **Chief Engineer/East 2** is responsible for the overall administration, planning, design and construction supervision of works packages, with major focus on the development of the Anderson Road Quarry site, the development of TKO Area 137 and Sai Kung Town improvement works. He/She is also responsible for the works-related district administration matters of the Kwun Tong District.

11. **Chief Engineer/East 3** is responsible for the overall administration, design and construction supervision of works packages in Kai Tak Development (KTD) with major focus on the infrastructure at former north and south apron including Trunk Road T2 and Cha Kwo Ling Tunnel, and the reconstruction and upgrading of Kai Tak Nullah. He/She is also responsible for the works-related district administration matters of the Wong Tai Sin District.

12. **Chief Engineer/East 4** is responsible for the overall administration, planning, design and construction supervision of works packages in KTD with major focus on the infrastructure at former north apron,

cycle track network in KTD and study of Environmentally Friendly Linkage System, in addition to co-ordination of interfaces with Shatin-to-Central Link. He/She is also responsible for the works-related district administration matters of the Kowloon City District and public relations matters related to KTD.

13. **Chief Engineer/East 5** is responsible for the overall administration, planning, design and construction supervision of works packages in KTD with major focus on the infrastructure at ex-runway, application of public creatives and urban design controls, further improvement works on water quality in addition to co-ordination of major interfacing projects, government buildings and open space in KTD.

South Development Office

14. **Chief Engineer/South 1** is responsible for the overall administration, planning, design and construction supervision of works packages in Kowloon, with major focus on the infrastructure and site formation works for ex-Cha Kwo Ling Kaolin Mine Site development, pedestrian linkage projects for Kwun Tong Town Centre redevelopment, and three footbridges at Sham Mong Road. He/She is also responsible for the works-related district administration matters of the Sham Shui Po District.

15. **Chief Engineer/South 2** is responsible for the overall administration, planning and implementation of works packages in west Kowloon, with major focus on design and construction of integrated basement and government infrastructure works for the West Kowloon Cultural District, in addition to co-ordination of major interfacing projects. He/She is also responsible for the works-related district administration matters of the Yau Tsim Mong District.

16. **Chief Engineer/South 3** is responsible for the overall administration, planning, design and construction supervision of works packages on Hong Kong Island, with major focus on the Central Reclamation Phase III, Wan Chai Development Phase II (WDII) Contract C3, construction of additional floors at Central Piers Nos. 4, 5 and 6, reassembly of Queen's Pier, housing sites at Braemar Hill, boardwalk under the Island Eastern Corridor. He/She is also responsible for the works-related district administration matters of the Central & Western and Eastern Districts.

17. **Chief Engineer/South 4** is responsible for the overall administration, planning, design and construction supervision of works packages on Hong Kong Island, with major focus on WDII Contracts C1, C2 and C4 and the site formation at Ka Wai Man Road Phase 2. He/She is also responsible for overseeing interfacing issues among WDII, Central-Wan Chai Bypass and the Shatin to Central Link and the works-related district administration matters of the Wan Chai and Southern Districts.

West Development Office

18. **Chief Engineer/West 1** is responsible for the overall administration, planning and supervision of the planning and engineering study for the housing sites at Yuen Long South, the feasibility study for the traffic improvement scheme for Kam Sheung Road and the preliminary technical review on potential sites in Yuen Long Areas 13 and 14 for housing development, as well as the overall administration, planning, design and construction supervision of the site formation and infrastructure projects for Yuen Long South and Kam Tin South Developments. He/She is also responsible for the works-related district administration matters of the Yuen Long District (excluding the San Tin/Lok Ma Chau areas).

19. **Chief Engineer/West 2** is responsible for the overall administration, planning and supervision of the technical study for the potential sites for relocation of wholesale markets and for other industrial uses in North West Tsing Yi, as well as the overall administration, planning, design and construction supervision of the New Territories Cycle Track Network projects. He/She is also responsible for the works-related district administration matters of the Tsuen Wan and Kwai Tsing Districts.

20. **Chief Engineer/West 3** is responsible for the overall administration, planning and supervision of the feasibility studies for the environmentally-friendly transport services in Hung Shui Kiu (HSK) New Development Area (NDA) and adjacent areas, fostering a pedestrian and bicycle-friendly environment in HSK NDA and Yuen Long South Development, the study for river revitalisation and flood attenuation facilities for HSK NDA, the urban and green design study for the future town centre and the district commercial node in HSK NDA, as well as the preliminary land use

study for Lam Tei Quarry and the adjoining areas. He/She is also responsible for the works-related district administration matters of the Tuen Mun District.

21. **Chief Engineer/West 5** is responsible for the overall administration, planning, design and construction supervision of the infrastructure and associated works under the Lok Ma Chau Loop development project. He/She is also responsible for the works-related district administration matters of the San Tin/Lok Ma Chau areas.

Sustainable Lantau Office

22. **Chief Engineer/Lantau 1** is mainly responsible for carrying out studies, implementing the reclamation, site formation and infrastructure works for Tung Chung New Town Extension and Ma Wan Chung improvement works.

23. **Chief Engineer/Lantau 2** is mainly responsible for implementing the East Lantau Metropolis, Sunny Bay reclamation, Siu Ho Wan reclamation and adjoining improvement works at Tai O, infrastructure works for public housing development at Tung Chung Area 54, and the Topside Development at Hong Kong Boundary Crossing Facilities Island of Hong Kong-Zhuhai-Macao Bridge.

24. **Chief Engineer/Lantau 3** is responsible for formulation and taking forward conservation initiatives, implementing the proposals as identified under the study on recreation and tourism development strategy, short-term local improvement works and quick-win projects, the mountain bike trail networks in south Lantau and improvement works in Mui Wo, overseeing strategic traffic and transport infrastructure development for sustainable development of Lantau, and providing the technical services and secretariat support to Lantau Development Advisory Committee and its subcommittees, and all public engagement events and activities.

CEDD Headquarters

25. **Chief Engineer/Headquarters** is responsible for the overall administration and management of the Development Branch, comprising the Planning Unit and Town Planning Unit. He/She oversees the Department's

commitment to land formation, land supply and road development; assists in formulating departmental strategies and co-ordinating inputs over planning related issues; oversees the Department's project delivery and expenditure under the Public Works Programme and Capital Works Reserve Fund (CWRF); and vets applications for funding under CWRF Block Votes, undertaking of projects, employment of consultants, entrustment of works and increase in consultancy fees.

**Schedule of Responsibilities of
the Existing Chief Estate Surveyors (CES) Posts
in the Lands Department**

District Lands Officer (DLO) in Urban

There are 12 District Lands Offices in LandsD with four in urban area, namely DLO/Hong Kong East, DLO/Hong Kong West and South, DLO/Kowloon East and DLO/Kowloon West, each headed by a District Lands Officer pitched at CES rank. They are responsible for overseeing the processing of disposal of land (both temporary and permanent), applications for lease modification, land exchanges and other types of land transactions within their jurisdictions. They are required to monitor the processing of development submissions under lease and the compliance of development performance for issuance of Certificate of Compliance. Steering and monitoring the land control actions over government land and lease enforcement programme are also the main duties of each DLO. In addition to handling land management and administration matters which have occupied substantial portion of time, DLOs are also involved in handling enquiries, complaints and general administration matters of the office and attending meetings/conferences (Legislative Council, District Council and/or other organisations).

DLO in the New Territories

2. The New Territories are divided into eight districts, namely Tsuen Wan and Kwai Tsing (TW&KT), Shatin (ST), Tai Po (TP), Sai Kung (SK), Tuen Mun (TM), Yuen Long (YL), North (N) and Island (Is). Each headed by one DLO at CES rank. Apart from the land administration and management duties which are similar to the duties discharged by the four DLOs in urban areas, the DLOs in the New Territories also approves the small house applications, both new cases and rebuilding, in accordance with the small house policy; and supervise the acquisition and clearance projects and authorise the payment of statutory compensation and ex-gratia allowances.

Chief Estate Surveyor/Headquarters (CES/HQ)

3. CES/HQ heads the Headquarters Section and assist Assistant Director/Headquarters in supervising and monitoring the land administration and management work, including renewal of private recreational leases, disposal of patrol filling station leases, the tendering of short term tenancies, handling the private and subsidised housing land leases, co-ordinating the use of vacant school premises, co-ordinating and updating the lists of public facilities within private developments. CES/HQ is also responsible for providing input to new policy initiatives in relation to land disposal policies and procedures.

Chief Estate Surveyor/Urban Renewal (CES/UR)

4. CES/UR heads the Urban Renewal Section and is responsible for monitoring and overseeing the resumption and clearance for the redevelopment projects delivered by the Urban Renewal Authority in accordance with the Urban Renewal Authority Ordinance and Lands Resumption Ordinance, and the processing of the subsequent land grants for the development. The officer is also responsible to approve the assessment and approval for payment of statutory compensation and ex-gratia allowances, oversee the submissions to the Lands Tribunal for compensation assessments.

Chief Estate Surveyor/Railway Development (CES/RD)

5. CES/RD heads the Railway Development Section and is responsible for handling the land acquisition and clearance, compensation claims, property development, land management associated with the development of railway projects. CES/RD oversees the progress of compensation claims for completed and on-going railways projects, such as West Rail Spur Line, South Island Line (Extension), Kwun Tong Line Extension and Shatin to Central Link. In addition, CES/RD handles the grant of sites for property development and liaises with different stakeholders for the integration and interfacing of the rail and topside developments of the West Kowloon Terminus site of the Express Rail Link. CES/RD is also required to monitor the land acquisitions for the new railway projects.

Chief Estate Surveyor/Estate Management (CES/EM)

6. CES/EM heads the Estate Management Section which consists of Property Management Unit, Government Rent and Premium Unit, Slope Systematic Identification of Maintenance Responsibility of Slopes in the Territory (SIMAR) Team and Squatter Control Unit. CES/EM is responsible for overseeing and monitoring the performance of teams under his/her purview. The officer also reviews, recommends and formulates policy and guidelines on matters related to estate management, short term tenancy, government land allocation, and lease extension.

Chief Estate Surveyor/Valuation (CES/Val)

7. CES/Val heads the Valuation Section, which formulates and reviews the valuation practice and guidelines, and co-ordinates the submissions to the Valuation Committee and Valuation Conference. CES/Val reviews the valuation submissions prepared for the land exchange, lease modifications and other land transactions. The officers also approves the revenue estimates and premium assessment in respect of removal of restriction for re-sell of subsidised housing, such as Hong Kong Housing Society Sandwich Housing and cooperative building society units.

Chief Estate Surveyor/Acquisition (CES/Acq)

8. CES/Acq heads the Acquisition Section, which monitors the programme of land acquisition and clearance for all projects in the territory, co-ordinates the submissions to the Chief Executive in Council, the funding application to the Legislative Council, as well as the review and implementation of the various compensation and rehousing policy including the updating the rates of different ex-gratia allowances. The officer also supervises the land acquisition and clearances of all public projects in the four urban DLOs and Yuen Long DLO, involving the assessment and approval for payment of statutory and ex-gratia compensation, clearance and rehousing of the affected occupiers.

Chief Estate Surveyor/Development Control (CES/DC)

9. CES/DC heads the Development Control Section which is specialised in handling building plans and revitalisation of and lease enforcement at industrial buildings. CES/DC is assisting in the policy formulation to align the practice with other departments so as to streamline the workflow on building plans approval in order to expedite the land supply. The officer also undertakes the land administrative work for processing applications under the re-activated revitalization measures for industrial buildings and monitors the progress on taking enforcement actions against non-conforming uses in the industrial buildings.

Chief Estate Surveyor/Land Supply (CES/LS)

10. CES/LS heads the Land Supply Section, which coordinates the Land Sale Programme territory wide and handles large scale lease modification cases, including the topside development at Siu Ho Wan Depot. Apart from providing advice on town planning matters, CES/LS would also need to be personally involved in resolving with various stakeholders complex land issues in those high profile complex land transaction cases.

**Strengthening Directorate Staffing in Planning Department
to Enhance Support to the Town Planning Board**

PROPOSAL

We propose to convert one supernumerary Chief Town Planner (CTP) (D1) post to a permanent post with effect from 1 April 2019 to meet the Planning Department (PlanD)'s on-going need for stronger directorate support in assisting the Town Planning Board (TPB) in handling statutory planning matters under the Town Planning Ordinance (the Ordinance) (Cap.131) and other related matters.

JUSTIFICATIONS

Intensified Efforts to Increase Land Supply

2. To increase housing and other land supply in the short, medium and long term, the Government has been pressing ahead with various land creation initiatives under a multi-pronged approach. As many of these initiatives or individual development proposals necessitate amendments to the Outline Zoning Plans (OZPs) or applications for planning permission, TPB's workload has increased considerably in tandem with the implementation of these measures. In July 2016, following approval of the Finance Committee of the Legislative Council (LegCo), PlanD created a supernumerary CTP (D1) post (designated as CTP/TPB3) to strengthen directorate staffing support for the Board Division in PlanD serving as the Secretariat to the TPB. As the supernumerary post will lapse on 1 April 2019, we have recently reviewed TPB's workload and consider that there is an operational need to retain the post on a permanent basis. Our considerations are set out in ensuing paragraphs.

Increasing Workload on Statutory Planning Matters

3. The Board Division in PlanD provides secretariat and technical support to the TPB and its two Planning Committees (PCs) in handling statutory planning matters which involve a wide spectrum of work including, among others, preparation of new statutory plans and amendments to statutory plans, processing and consideration of representations and comments in respect of statutory plans and planning applications, and drafting relevant submissions to the Executive Council (ExCo) for the reference-back of approved plans and approval of draft statutory plans. The Board Division also handles town planning appeals, judicial review (JR) cases and their follow-up work, as well as matters related to the Ordinance and TPB's procedures and practices.

4. In the past two years, the workload of the Board Division remains heavy. In 2017, the Board Division handled a total of 100 ExCo submissions and publications/notifications in respect of OZPs¹, and some 18 700 representations, comments and further representations under the Ordinance. In the same year, 1 100 planning applications/reviews/appeals² and about 70 applications for amendment of plan³ were received and processed. In addition, the Board Division arranged a total of 86 sessions of TPB and PC meetings⁴ and handled about 1 220 TPB/PC papers during the same period. In the first half of 2018, the Board Division handled 27 ExCo submissions and publications/notifications in respect of OZPs, about 30 150 representations/comments/further representations, about 590 planning applications for permission/reviews/appeals and 34 applications for amendment of plan. We expect that the workload for Board Division would continue in similar magnitude in the second half of 2018.

5. While in quantitative terms the figures reflect the Board Division's heavy workload, the above also suggest the growing complexity of the plan-making process, as evident from the large number of public submissions received in many cases which have in turn further increased the Board Division's workload. Looking ahead, the manpower resources of the Board Division will continue to be under strain with Government's intensified efforts to increase land supply. For example, apart from pressing ahead with rezoning the remainder of the some 210 sites with housing potential⁵ and considering planning applications for increase in development density, the TPB will also need to deal with the OZP amendments arising from major development proposals such as the Yuen Long South Development. New initiatives such as the reactivation of the revitalisation scheme for industrial buildings and the "single site, multiple use" for joint user government complex may lead to more OZP amendments or planning applications to be considered by TPB. It is operationally essential for the Board Division to be equipped with adequate directorate officers who can lead non-directorate colleagues to support TPB in completing the plan-making process and consideration of planning applications within the statutory time limit. This is not only in fulfilment of our obligations under the Ordinance; as town planning procedures constitute the more upstream work of the land development process, their timely completion can enable early start of subsequent stages such as design and construction, thereby expediting land production.

¹ ExCo submissions were made under section 8 of the Ordinance for plan approval and section 12 of the Ordinance for reference back of a plan. A publication or notification in respect of a plan refers to the procedure for plan exhibition or making plan amendment available for public inspection under sections 5, 7, 6C, 9 and 12 of the Ordinance.

² Planning applications/reviews/appeals include those applications for planning permission made under section 16; TPB's review of PC's decisions on section 16 application under section 17; and appeal of TPB's decisions on section 17 review under section 17B of the Ordinance.

³ "Applications for amendment of plan" refer to applications for amendments to statutory plans under section 12A of the Ordinance.

⁴ Including 40 sessions of TPB meeting and 46 sessions of PC meeting.

⁵ As at end-October 2018, rezoning has been completed for 119 sites and under progress for 27 sites. Rezoning work for about 70 sites has not yet started.

Legal Challenge against TPB's Decisions

6. Like any authorities exercising public functions, the decisions of TPB are subject to legal challenge by means of JRs. To assist TPB in handling the JR cases is one of the core duties of the Board Division. Since 2011, a total of 55 JRs have been brought about by various parties against TPB's decisions. Up to September 2018, 12 JR cases are still on-going at various stages of legal proceedings⁶. JRs could be a long-drawn process, with some cases lasting for as many as five to six years. Handling these cases are very resource-demanding both in the run-up to, and during the course of, court hearings. The complexity involved in these cases also calls for the oversight of an officer with sufficient experience and seasoned expertise. Against this backdrop, the CTP/TPB3 has been tasked since July 2016 to deal with the JR cases.

7. In the pre-hearing preparation, CTP/TPB3 leads his team in providing inputs and liaising with Department of Justice (DoJ) and appointed counsel in preparing affirmations for TPB, and formulating responses to JR applicants' affirmations/legal submissions and attending court hearings. CTP/TPB3 also needs to represent TPB in attending court hearings personally, monitoring the progress of hearings, maintaining close communications with government lawyers and outside counsel, supervising the preparations of supplementary responses, etc. As TPB's decisions will continue to be subject to the risk of JR, there is an operational need for dedicated directorate attention to oversee the preparation and conduct of JR hearings on an on-going basis.

8. JR-related work extends beyond the conclusion of hearings as relevant court decisions often carry implications on OZPs or planning practices. In the post-hearing stage, CTP/TPB3 is required to consider whether and, if so, what changes should be made to the relevant OZPs or other areas to comply with court rulings. In the year 2017 and 2018, CTP/TPB3 was involved in the follow-up work of Court's judgments in respect of Causeway Bay, Wan Chai, Mong Kok, Ngau Tau Kok and Kowloon Bay, Kwai Chung, Hoi Ha, Pak Lap and So Lo Pun OZPs⁷.

Regular Review of TPB's Procedures and Practices

9. In some JR cases, the courts have suggested amongst other things areas for improvement in TPB's procedures and practices. CTP/TPB3 is responsible for initiating and leading the procedural review, formulating specific improvement measures in consultation with colleagues of PlanD and other departments, and seeing through the implementation of agreed changes. These

⁶ Of these 12 ongoing JR cases, one is currently heard by the Court of Appeal, while the rest are being dealt with by the Court of First Instance.

⁷ The Court's judgments on Hysan Development Co. Ltd and others v. TPB (FACV No. 21 & 22/2015), the Real Estate Developers Association of Hong Kong v. TPB (HCAL 58/2011), Tung Chun Company Limited v. TPB (HCAL288/2018) and Chan Ka Lam v. TPB (HCAL 28/2015).

include, for example, assisting TPB in formulating arrangements for the reconsideration of relevant representations and comments to ensure procedural propriety; and reviewing the information required and approach adopted to satisfy the Court's judgment in respect of TPB's duty to inquire⁸.

10. As a pre-emptive measure, CTP/TPB3 would also keep under review TPB's procedures and practices to enable TPB to discharge its statutory functions in a more effective and efficient manner while upholding openness, propriety and reasonableness. CTP/TPB3 is also responsible for reviewing TPB's guidelines and other official documents to bringing them in line with new policy proposals.

Streamlining Development Controls

11. The Development Bureau (DEVB) has set up a Steering Group to explore ways to streamline the process of development approval for departments under its purview including PlanD. CTP/TPB3 has been tasked to coordinate PlanD's inputs to the Steering Group and handle the follow-up actions, including the review of submission requirements of representations and comments, planning application forms and practice notes.

12. Following consultation with industry stakeholders, the Steering Group endorsed in September 2018 the first batch of proposals on how to rationalise the approval of building height, greening coverage and landscape requirements. CTP/TPB3 has been working with his counterparts in the Buildings Department and Lands Department to issue Joint Practice Notes to promulgate the aligned practices and requirements of the three departments to provide better guidance for the industry. CTP/TPB3 would also lead his team to review whether corresponding amendments to relevant TPB Guidelines, Guidance Notes, practice notes, application forms, Master Schedule of Notes and Definitions of Terms for statutory plans are required.

13. The streamlining exercise is an on-going effort. The Steering Group will continue to identify room for improvement and formulate the next batches of proposals. CTP/TPB3 is required to provide continuous support to the deliberations of the Steering Group, its consultation with industry stakeholders, and finalisation of improvement measures.

Reviewing the Ordinance to Enhance Control on Unauthorised Developments in Certain Rural Areas

14. CTP/TPB3 has been taking up a coordinating role for matters related to the planning legislative framework. Upon enactment of the Private Columbaria Ordinance, CTP/TPB3 has been liaising with concerned bureau/department on matters related to the implementation of that Ordinance. As stated in the 2018 Policy Address, the Government will review the legislation concerned and map out

⁸ Chan Ka Lam v. TPB (HCAL 28/2015)

more effective means to control landfilling, dumping of wastes and associated development activities causing environmental damage to areas of high ecological values at Lantau, with a view to enhancing protection of the natural beauty of these areas. On planning side, to strengthen the regulatory regime against unauthorised developments (UDs) in certain rural areas, especially environmentally sensitive areas such as South Lantau, the Board Division is set to conduct a review of relevant provisions of the Ordinance. To this end, CTP/TPB3 will be tasked with the legislative exercise to provide dedicated effort at directorate level in steering the review, formulating the legislative proposal, undertaking consultation with stakeholders and liaising with the relevant bureaux and departments.

Need for a Permanent CTP Post

15. As explained in the above paragraphs, CTP/TPB3 has been undertaking a number of key tasks with long-term operational demand and sustained workload in future. These include handling JR cases, following through changes to relevant OZPs or other areas for compliance with court rulings, bringing TPB's guidelines and other official documents in line with new policy proposals, as well as advising on matters related to the planning legislative framework. In this regard, JR cases and the related follow-up work have formed a substantial part of the day-to-day duties of the Board Division, and new JR cases continue to emerge from time to time. New demands such as streamlining development controls and strengthening legislative controls on UD in certain rural areas also keep coming up that requires the oversight, coordination and support of a directorate officer. To keep in pace with the changing socio-economic conditions and rising public aspirations, such tasks will be on-going, if not increase in volume, upon the lapse of the supernumerary CTP post on 1 April 2019.

16. There are currently two permanent CTP posts in the Board Division (designated as CTP/TPB1 and CTP/TPB2), each leading a team to handle town planning matters on a geographical basis. The two CTPs and their teams are fully engaged in dealing with TPB's core business in terms of providing secretariat services to TPB/PCs including attending TPB/PC meetings and supervising the preparation of minutes; vetting submissions to TPB/PCs; providing planning advice to and monitoring the operation of the statutory planning system; preparing submissions to ExCo in relation to reference back of approved plans for amendment and approval of draft statutory plans. It is practically impossible for them to absorb the tasks undertaken by CTP/TPB3 without adversely affecting the quality and timeliness of support rendered to TPB/PCs

17. In view of the heavy workload and complexity of the tasks currently and to be undertaken by CTP/TPB3, it would be crucial, from the perspective of ensuring efficacy and effectiveness of the work of the TPB Secretariat, to create a permanent CTP post after the lapse of the existing supernumerary post to maintain the dedicated staffing support at directorate level to the TPB Secretariat in handling JRs and the follow-up work of JR cases, as well as making continuous efforts to enhance and update the statutory planning system, e.g. the review of TPB

Encl. 1

guidelines and other administrative procedures, the streamlining of the development control process and the review of the regulatory regime against UDs. The proposed job description of the proposed permanent CTP/TPB3 post is at **Enclosure 1**. The creation of the permanent CTP post would not entail redistribution of work between the two existing CTPs.

Non-directorate Support to the Proposed CTP Post

Encl. 2

18. The proposed permanent CTP/TPB3 post, if approved, will continue to be underpinned by its existing team which comprises seven non-directorate posts with the creation of one new Personal Secretary post with effect from 2019-20. The existing and proposed organisation chart of PlanD is at **Enclosure 2**.

ALTERNATIVES CONSIDERED

Encl. 3

19. The existing 16 CTPs and 1 Chief Engineer in PlanD (details of their work schedules at **Enclosure 3**) are already fully committed to their existing work schedules, rendering it operationally impossible for them to effectively take up the whole or part of CTP/TPB3's duties and responsibilities through internal redeployment.

FINANCIAL IMPLICATIONS

20. The proposed permanent CTP post will bring about an additional notional annual salary cost at mid-point of \$1,836,600. The additional full annual average staff cost, including salaries and staff on-cost, is \$2,607,400.

21. The notional annual salary cost at mid-point for one additional non-directorate post mentioned in paragraph 18 above is \$274,380 and the full annual average staff cost, including salaries and staff on-cost, is \$502,400. We will include sufficient provision in the draft Estimates of 2019-20 and subsequent years to meet the cost of this proposal.

**Development Bureau
Planning Department
November 2018**

**Proposed Job Description
Chief Town Planner/Town Planning Board 3**

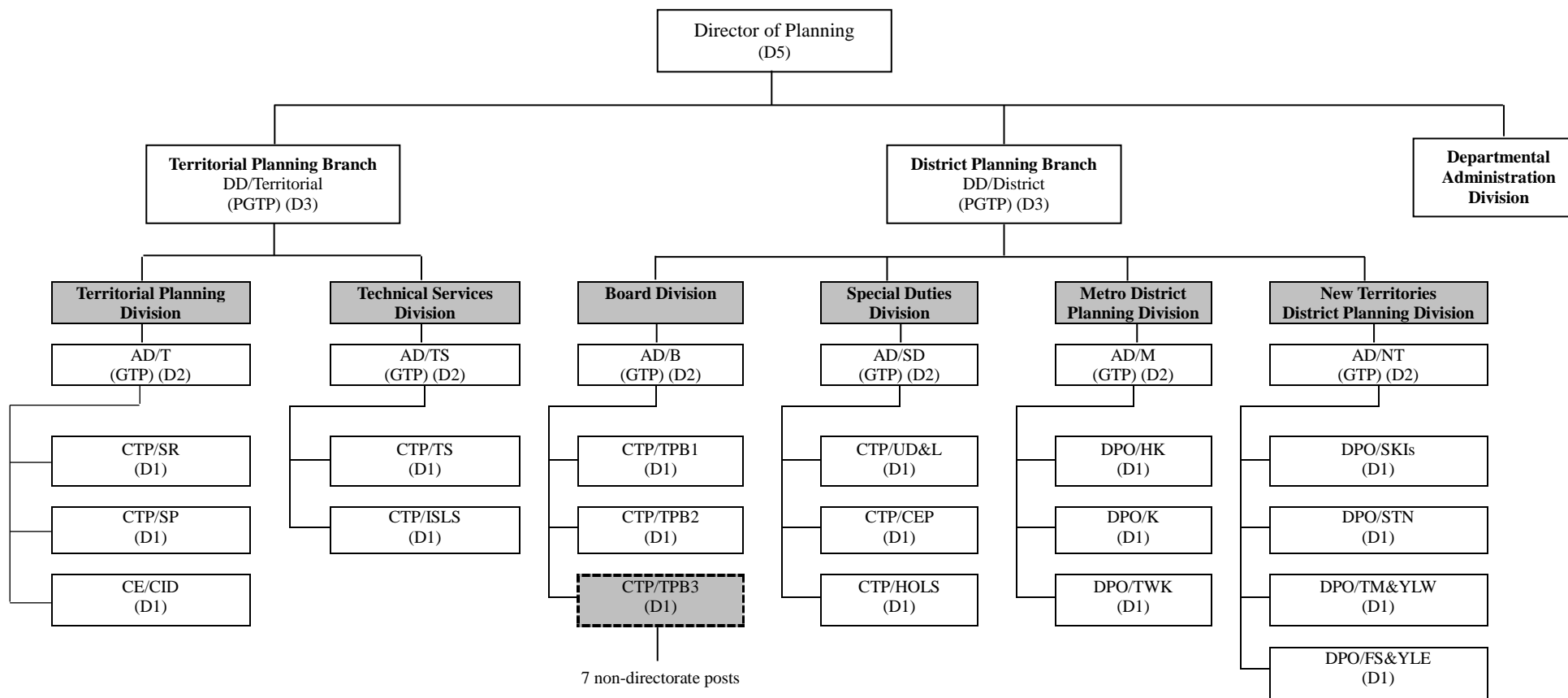
Rank : Chief Town Planner (D1)

Responsible to : Assistant Director/Board

Main Duties and Responsibilities –

1. To represent the Town Planning Board (TPB) on matters relating to judicial reviews (JRs) and other court cases, oversee the litigation and liaison work related to JR cases, and supervise the timely preparation of responses and input to legal submissions and other documents.
2. To oversee the follow-up work arising from court rulings in respect of the JR cases.
3. To keep TPB's guidelines and other administrative notes under review to bring them in line with new policy proposals.
4. To assist the Steering Group on Streamlining Development Control to take forward proposals for streamlining the development control process.
5. To conduct a review of relevant provisions of the Town Planning Ordinance with a view to strengthening the regulatory regime against unauthorised developments in certain rural areas, especially for environmentally sensitive areas such as South Lantau.
6. To carry out any other duties as assigned by Assistant Director/Board.

Existing and Proposed Organisation Chart of Planning Department



Legend:

- AD - Assistant Director of Planning
- B - Board
- CE - Chief Engineer
- CEP - Central Enforcement & Prosecution
- CID - Cross-Boundary Infrastructure & Development
- CTP - Chief Town Planner
- DD - Deputy Director of Planning
- DPO - District Planning Officer
- FS&YLE - Fanling, Sheung Shui & Yuen Long East
- GTP - Government Town Planner
- HK - Hong Kong

- HOLS - Housing and Office Land Supply
- ISLS - Information Systems & Land Supply
- K - Kowloon
- M - Metro
- NT - New Territories
- PGTP - Principal Government Town Planner
- SD - Special Duties
- SKIs - Sai Kung & Islands
- SP - Strategic Planning
- SR - Studies & Research
- STN - Sha Tin, Tai Po & North

- T - Territorial
- TM&YLW - Tuen Mun & Yuen Long West
- TPB - Town Planning Board
- TS - Technical Services
- TWK - Tsuen Wan & West Kowloon
- UD&L - Urban Design & Landscape

Supernumerary CTP post proposed to be converted to permanent post

**Major Duties of the Existing Chief Town Planner (CTP) Posts
in the Planning Department**

Board Division

The **two existing CTPs/Town Planning Board (TPB) (i.e. CTP/TPB1 and CTP/TPB2)** are fully engaged in co-ordinating and vetting submissions to the TPB, Planning Committees (PCs) and providing secretariat services to TPB/PCs. The two CTPs do not have spare capacity to take up the additional workload arising from the large number of judicial review (JR) cases and the follow-up work required including the review on the procedures and practices of TPB. Each CTP is leading a professional team in the Board Division set up on a geographical basis and their main duties include –

- (a) preparing submissions to the Executive Council in relation to approval of draft plans and reference back of approved plans for amendment in accordance with the provisions of the Town Planning Ordinance (the Ordinance);
- (b) co-ordinating and vetting submissions to TPB/PCs and providing secretariat services to TPB/PCs including overseeing logistic arrangements; supervising the preparation of agenda and minutes, publication of statutory plans, release of information/decisions to the media/public; taking follow-up actions required by TPB/PCs; and monitoring the submission of new/amendment plans and representations/comments/ further representations to TPB for consideration;
- (c) monitoring the operation of the statutory planning system to ensure consistency in practice and liaising with the Department of Justice on legal matters related to the operation of the system; and providing advice on statutory planning matters to the various District Planning Offices; and
- (d) overseeing the handling of town planning appeal cases.

Special Duties Division

2. The Special Duties Division tenders support to special planning tasks, urban design and landscape matters, and conducts work on enforcement and prosecution against unauthorised developments in the rural New Territories. We have critically examined the existing workload of the three CTPs in the division as outlined below and considered that they cannot be redeployed to take on the responsibilities of CTP/TPB3 –

- (a) **CTP/Urban Design and Landscape** is responsible for overseeing the urban design and landscape inputs on submissions under the Ordinance and Environmental Impact Assessment Ordinance (Cap. 499), other urban design, visual impact and landscape matters arising from planning and development proposals, studies, housing sites and amendments to statutory plans; and providing in-house support on air ventilation assessment matters. She also oversees topical urban design studies and the overall management of term consultancies on air ventilation assessment.
- (b) **CTP/Central Enforcement and Prosecution** is responsible for overseeing the investigation, enforcement and prosecution of unauthorised development cases under the Ordinance; formulating district enforcement strategies and guidelines; supervising the enforcement and reinstatement action against unauthorised developments and handling a large amount of complaints and enquiries on enforcement matters.
- (c) **CTP/Housing and Office Land Supply** is responsible for overseeing the co-ordination of planning work related to housing, commercial and industrial land supply; the formulation of rezoning programme for new development sites and the availability of necessary technical assessments for rezoning exercise; the carrying out of regular land use reviews to identify suitable sites for development purpose, reservation/de-reservation of Government, Institution or Community sites to ensure their optimal use and to undertake relevant planning studies and assessments if required.

District Planning Officers (DPOs) in the Metro District Planning Division and New Territories District Planning Division

3. The **seven DPOs** (pitched at CTP rank) under the two divisions oversee matters concerning forward planning, design and layouts, development control, land use reviews, planning studies and implementation of developments in their respective districts; the preparation and processing for approval of departmental plans and Planning Briefs for public housing and private sector comprehensive development/redevelopment projects; the preparation, updating and amendment of statutory plans; the reviews of statutory plans to incorporate development restrictions or other requirements; the provision of planning inputs and advice in respect of urban renewal projects and other developments as well as planning appeals and JRs; the management of district planning consultancy studies; and the preparation of papers and reports on representations/comments/further representations to statutory plans, planning applications, etc. In discharging these duties, DPOs perform a pivotal role to ensure quality and efficiency, and take an active part in the meetings of the TPB, District Councils and other ad hoc meetings.

They are already fully occupied with a wide spectrum of work which is subject to statutory time limits.

Territorial Planning Division

4. The Territorial Planning Division undertakes territorial and strategic planning including conducting thematic planning studies of territorial and cross-boundary significance. Moreover, a lot of manpower resources have been devoted to the undertaking of tasks relating to the ongoing review of the territorial development strategy, viz. Hong Kong 2030+. Hence, the two existing CTPs and one Chief Engineer (CE) cannot be redeployed to take up the duties of CTP/TPB3. The major areas of responsibilities of the three officers are set out below –

- (a) **CTP/Studies and Research** is responsible for overseeing the undertaking of in-house and consultancy topical/thematic studies including the study on existing profile and operations of brownfield sites in the New Territories; urban design study for Wan Chai North and North Point harbourfront areas; and the pilot study on underground space development in selected strategic urban areas. He will also be in charge of managing the proposed study about developing brownfield sites in New Territories North. In the course of these studies, the officer would be involved in extensive community engagement programmes. The officer also provides support to the work of the Harbourfront Commission; science park/industrial estate development near Liantang/Heung Yuen Wai Boundary Control Point; and the formulation of the policy framework to tackle brownfield sites; as well as providing planning advice on various studies and reviews conducted by other departments.
- (b) **CTP/Strategic Planning** is responsible for overseeing the conduct of Hong Kong 2030+ and the related consultancy services including the Strategic Environmental Assessment and the Sustainability Assessment. The comprehensive 6-month public engagement involving over 200 activities and events was concluded in end-April 2017. Public views are being analysed and the updated territorial development strategy will be finalised having regard to the public views and technical assessments. It is envisaged that Hong Kong 2030+ will be completed in 2019, and will be followed by a series of actions to take forward the individual proposals. The officer is also responsible for following up on the regional planning for Pearl River Delta (PRD) and infrastructures in the areas adjoining the boundary, and providing planning advice to the Mainland side in the planning of co-operation zones within the free trade zones of Guangdong. The officer also takes charge of the preparation and dissemination of the Territorial Population and Employment Data Matrix, the interface

between the territorial strategic plan and the Lantau Development, as well as the provision of planning advice to a number of strategic initiatives of the Government such as the Climate Change Action Plan 2030+ and the Biodiversity Strategy and Action Plan.

- (c) **CE/Cross-Boundary Infrastructure and Development** is responsible for overseeing the conduct of transport research and studies relating to developments and infrastructures in the Mainland (in particular areas adjoining the boundary, the PRD Region and the Pan-PRD Region) such as the Cross-boundary Travel Survey, providing professional and technical support for Hong Kong/Mainland/Macao liaison meetings on transport development and infrastructure projects, as well as organising discussions to promote regional co-operation and exchange of contemporary planning practices. With the dynamic changes in factors affecting the planning and development of Hong Kong, Macao and the Mainland, there is an increasing and continuous need for researches with a cross-boundary dimension. Besides, the officer oversees planning studies related to major infrastructure development for Hong Kong, such as the study on the Yuen Long South development.

Technical Services Division

5. The Technical Services Division is responsible for providing professional/technical administration services, dissemination of planning information, co-ordination of grade management and training matters, promotion of community relations, formulation and revision of planning standards and guidelines, formulation of departmental information technology (IT) strategy, and assessment and forecast of territorial land supply. As the two CTPs are fully engaged in the following tasks, they have no spare capacity to take up additional responsibilities –

- (a) **CTP/Technical Services** is responsible for overseeing the preparation and updating of the planning manual, practice notes, technical circulars and technical matters relating to consultancies; implementation of training activities and co-ordination of grade management issues; release of planning information; managing the Planning Enquiry Counters and the Mobile Exhibition Centre; handling of public enquiries, complaints and referral cases of the Ombudsman and the Privacy Commissioner for Personal Data, etc.; implementation of outreach programme and publicity activities; formulation of departmental community relations programmes; and management of the City Gallery. The officer undertakes the formulation and revision of the Hong Kong Planning Standards and Guidelines. He also provides planning input to studies on cavern development and underground space development in the urban areas of Hong Kong.

- (b) **CTP/Information Systems and Land Supply** is responsible for preparation of Departmental IT Plan; overseeing the undertaking of consultancy on information technology including the Development of a Common Spatial Data Infrastructure – Built Environment Application Platform – Feasibility Study; implementation of IT projects; preparation of funding bids and tender documents for IT projects; maintenance and enhancement of the existing Computer-Aided-Design, remote sensing, digital photogrammetry, satellite positioning, Geographical Information Systems (GIS), and office automation systems; conducting researches on customising remote sensing, GIS, multimedia and 3D simulation technologies for land-use planning and presentation of planning studies; and updating of the Land Supply Database and application of IT in land supply related exercises. Some major IT projects include 3D Planning and Design System, Electronic Planning Application Submission System, Revamp of Core Planning Data Hub, Site Tracking Information System, Geoinfo OneStop 2, Statutory Planning Portal 2, Public Participation GIS for e-Engagement, Planning Enforcement and Prosecution System, Planning Submissions Workflow and Monitoring System and HK-Macao-Guangdong Information Database System, Unmanned Aerial Systems (UAS), Mobile Computing and Site Information System and Aerial Photograph Information System. The CTP is heavily involved in supervising multi-disciplinary IT experts and planning professionals in these IT projects to ensure that the planning objectives could be met in an integrated manner.
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