

立法會
Legislative Council

LC Paper No. CB(1)598/19-20

(These minutes have been
seen by the Administration)

Ref : CB1/PL/DEV

Panel on Development

Minutes of meeting
held on Tuesday, 26 November 2019, at 2:30 pm
in Conference Room 1 of the Legislative Council Complex

Members present : Hon Tony TSE Wai-chuen, BBS (Chairman)
Hon LUK Chung-hung, JP (Deputy Chairman)
Hon Abraham SHEK Lai-him, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon Frankie YICK Chi-ming, SBS, JP
Hon CHAN Chi-chuen
Hon LEUNG Che-cheung, SBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon Junius HO Kwan-yiu, JP
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon Wilson OR Chong-shing, MH
Hon CHEUNG Kwok-kwan, JP
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, BBS, MH, JP

Hon Jeremy TAM Man-ho
Hon Vincent CHENG Wing-shun, MH, JP
Hon CHAN Hoi-yan

Member attending : Hon SHIU Ka-fai, JP

Members absent : Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon Michael TIEN Puk-sun, BBS, JP
Hon CHAN Han-pan, BBS, JP
Hon Tanya CHAN
Hon HUI Chi-fung
Dr Hon CHENG Chung-tai

Public officers attending : **Agenda item III**

Mr Michael WONG Wai-lun, JP
Secretary for Development

Ms Bernadette LINN Hon-ho, JP
Permanent Secretary (Planning and Lands)
Development Bureau

Ms Doris HO Pui-ling, JP
Deputy Secretary (Planning and Lands)¹
Development Bureau

Miss Cheryl CHOW Ho-kiu
Principal Assistant Secretary (Planning and Lands)²
Development Bureau

Agenda item IV

Mr Howard LEE Man-sing
Deputy Secretary for Financial Services and the Treasury
(Treasury)³

Ms Margaret HSIA Mai-chi
Principal Assistant Secretary for Financial Services and
the Treasury (Treasury) (Works)
Financial Services and the Treasury Bureau

Mr David LAM Chi-man
Principal Assistant Secretary (Planning & Lands)5
Development Bureau

Mr Frankie FUNG Yiu-man
Chief Assistant Secretary (Works)1
Development Bureau

Mr Albert CHEUNG Ka-lok
Assistant Director/Specialist 3
Lands Department

Mr LEUNG Kam-pui
Assistant Director (Property Services)
Architectural Services Department

Mr Alan SIN Kwok-leung
Chief Property Services Manager (3)
Architectural Services Department

Mr MAK Ka-wai, JP
Deputy Director
Drainage Services Department

Mr Ricky LAU Chun-kit, JP
Director of Civil Engineering and Development

Mr CHENG Tak-kuen
Assistant Director (Waste Infrastructure Planning)
Environmental Protection Department

Mr Tony CHEUNG Wai-hung
Principal Environmental Protection Officer (Waste
Management Policy)
Environmental Protection Department

Mr NG Wai-keung
Deputy Director of Highways

Mr Tony CHEUNG Ka-leung
Deputy Project Manager/Major Works (1)
Highways Department

Ms Eugenia CHUNG Nga-chi, JP
Assistant Director (2)
Home Affairs Department

Mr Paul AU Ying-kit
Chief Engineer (Works) (Acting)
Home Affairs Department

Mr Louis LEUNG Sze-ho
Deputy Secretary-General (1)
University Grants Committee Secretariat

Mr Chris FUNG Pan-chung
Principal Assistant Secretary for Food and Health
(Health)³

Mr LEE Sin-wah
Chief Maintenance Surveyor (School Premises
Maintenance)
Education Bureau

Mr Alex WONG Kwok-chun
Assistant Director (Subventions)
Social Welfare Department

Mr Andy LIU Hon-wah
Chief Executive Officer (Planning)¹
Social Welfare Department

Mr CHAU Sai-wai, JP
Deputy Director of Water Supplies

Mr Michael HONG Wing-kit
Chief Civil Engineer (Public Works Programme)
Transport and Housing Bureau

Agenda item V

Ms Bernadette LINN Hon-ho, JP
Permanent Secretary (Planning and Lands)
Development Bureau

Ms Doris HO Pui-ling, JP
Deputy Secretary (Planning and Lands)1
Development Bureau

Mr Jackie LIU Chun-kit
Principal Assistant Secretary (Planning & Lands)7
Development Bureau

Mr Ivan CHUNG Man-kit, JP
Deputy Director/Territorial
Planning Department

Ms Amy CHEUNG Yi-mei, JP
Assistant Director/Territorial
Planning Department

Clerk in attendance : Ms Doris LO
Chief Council Secretary (1)2

Staff in attendance : Ms Ada LAU
Senior Council Secretary (1)2

Mr Keith WONG
Council Secretary (1)2

Ms Christina SHIU
Legislative Assistant (1)2

Action

- I Information paper(s) issued since the last meeting**
(LC Paper No. CB(1)1268/18-19(01) — Referral memorandum on issues raised at the meeting between Legislative Council Members and Sai Kung District Council members on 24 May 2019 relating to the implementation of plans on cultural and recreational facilities already made for Tseung

LC	Paper	Nos. —	Kwan O and Sai Kung (Restricted to Members)
CB(1)1271/18-19(01) and (02)			Referral memoranda on issues raised at the meeting between Legislative Council Members and Southern District Council members on 14 May 2019 relating to the improvement works to the breakwaters at South Horizons Promenade and the waterfront of Lee Nam Road; and the policies concerning the development of ship repair industry in Hong Kong (Restricted to Members)
LC Paper No. CB(1)1295/18-19(01)		—	Referral memorandum on issues raised at the meeting between Legislative Council Members and Kwun Tong District Council members on 24 May 2019 relating to the work of Joint Offices for Investigation of Water Seepage Complaints (Restricted to Members)
LC Paper No. CB(1)1298/18-19(01)		—	Referral memorandum on issues raised at the meeting between Legislative Council Members and Kwai Tsing District Council members on 22 March 2019 relating to shortage of parking spaces (Restricted to Members)
LC Paper No. CB(1)1303/18-19(01)		—	Referral memorandum on issues raised at the meeting between

			Legislative Council Members and Wan Chai District Council members on 28 June 2019 relating to review of the regulatory regime for signboards and law enforcement actions against unauthorized signboards; land use planning for a site at Caroline Hill Road; and review of the consultation procedure and methods for planning applications (Restricted to Members)
LC Paper Nos. —	Paper		Referral memoranda on
CB(1)1323/18-19(01), (02) and (03)			issues raised at the meeting between Legislative Council Members and Tuen Mun District Council members on 4 June 2019 relating to re-planning San Hui old area; request for building a large car park in Tuen Mun Area 54; and proposal for replacing the 400kV high voltage pylons with power cable tunnels in the vicinity of Yuen Long Highway along Sun Fung Wai, Yick Yuen and Yuen Tau Shan (Restricted to Members))
LC Paper No. CB(1)1348/18-19(01) —			Referral memorandum on
			issues raised at the meeting between Legislative Council Members and Islands District Council members on 28 June 2019 relating to the assessment and management of hazardous

- LC Paper No. CB(1)1362/18-19(01) — trees in the Islands District (Restricted to Members)
- Referral memorandum on issues raised at the meeting between Legislative Council Members and North District Council members on 4 June 2019 relating to the introduction of legislative amendments to streamline the procedures for resuming private land for implementation of livelihood-related projects in the North District (Restricted to Members)
- LC Paper No. CB(1)38/19-20(01) — Administration's paper on initiatives of Development Bureau in the Chief Executive's 2019 Policy Address and Policy Address Supplement
- LC Paper No. CB(1)69/19-20(01) — Administration's paper on standards for glass windows of buildings)

Members noted that the above information papers had been issued since the meeting on 25 June 2019.

II Items for discussion at the next meeting

- (LC Paper No. CB(1)160/19-20(01) — List of outstanding items for discussion
- LC Paper No. CB(1)160/19-20(02) — List of follow-up actions)

2. Members agreed that the next regular meeting would be scheduled for Monday, 16 December 2019, from 9:00 am to 12:30 pm to discuss the following items proposed by the Administration:

- (a) Hung Shui Kiu/Ha Tsuen New Development Area — Works for First Phase Development, Detailed Design and Site Investigation for Second Phase Development;

- (b) Feasibility Study on Environmentally Friendly Transport Services in Hung Shui Kiu/Ha Tsuen New Development Area and adjacent areas — Stage 1 Public Consultation;
- (c) Water Supplies Department Headquarters with Hong Kong and Islands Regional Office and Correctional Services Department Headquarters Building in Chai Wan, and Drainage Services Department Office Building at Cheung Sha Wan Sewage Pumping Station; and
- (d) Proposed funding injection for enhancing three existing subsidy schemes relating to building repair and safety, namely "Operation Building Bright 2.0", "Lift Modernisation Subsidy Scheme", and "Building Maintenance Grant Scheme for Elderly Owners"; and launching of a new subsidy scheme, the "Water Safety Plan Subsidy Scheme".

(Post-meeting note: Members were informed vide LC Paper No. CB(1)250/19-20 issued on 12 December 2019 that, at the request of the Administration and with the concurrence of the Chairman, item (a) above was retitled as "Funding Applications for Hung Shui Kiu/Ha Tsuen New Development Area — (a) Works for First Phase Development; (b) Special Ex-gratia Cash Allowance for First Phase Development; (c) Detailed Design for Works for Second Phase Development and Related Studies".)

III Land Sharing Pilot Scheme

- (LC Paper No. CB(1)160/19-20(03) — Administration's paper on Land Sharing Pilot Scheme
- LC Paper No. CB(1)160/19-20(04) — Paper on the Land Sharing Pilot Scheme prepared by the Legislative Council Secretariat (Background brief))

3. At the invitation of the Chairman, Deputy Secretary (Planning and Lands)1, Development Bureau briefed the Panel on the key features and implementation arrangements of the Land Sharing Pilot Scheme ("LSPS") with the aid of a powerpoint presentation, and advised that

the Administration was hearing views from stakeholders and the public. The target was to launch LSPS for receiving applications in early 2020.

(Post-meeting note: A soft copy of the powerpoint presentation materials was circulated to members vide LC Paper No. CB(1)194/19-20(01) by email on 27 November 2019.)

4. Mr Kenneth LAU declared that he owned some land lots in the New Territories. Mr Abraham SHEK declared that he was the Member representing the Real Estate and Construction Functional Constituency.

Workflow, procedures and transparency

5. Mr LAU Kwok-fan said that the Democratic Alliance for the Betterment and Progress of Hong Kong ("DAB") supported LSPS as a measure to increase land supply. Noting that the Administration had proposed setting up a dedicated Panel of Advisors for LSPS, Mr LAU asked whether this Panel would be performing a similar role as the Town Planning Board ("TPB") in processing LSPS applications, and how the Chief Executive in Council ("CE-in-C") would deal with those applications that were not supported by the Panel of Advisors.

6. Secretary for Development ("SDEV") replied that the Panel of Advisors would play a different role from that of TPB, and could not replace TPB's statutory functions. The Panel of Advisors would consider LSPS applications and offer comments mainly from the perspective of safeguarding public interest. The Central Team, to be set up under the Development Bureau ("DEVB") for vetting LSPS applications in consultation with relevant bureaus/departments ("B/Ds"), would relay any substantive comments from the Panel of Advisors to the applicants for fine-tuning of the proposal as appropriate before submission to CE-in-C. Only if the Panel of Advisors was satisfied that the applications were worthy of support would the proposals be submitted to the CE-in-C for endorsement. The statutory planning procedures applicable to those applications supported by the Panel of Advisors and endorsed in principle by CE-in-C would continue to apply. TPB's approval for changing the land use and/or increasing development intensity of the subject lots would be sought under the established practice.

7. Mr CHU Hoi-dick queried why DAB was in support of LSPS while also openly expressed support for invoking the Lands Resumption Ordinance (Cap. 124) ("LRO") to resume land for housing development. With the concurrence of the Chairman, Mr LAU Kwok-fan clarified that

DAB had all along supported "walking on two legs" by pursuing either of the said two options as the case might warrant.

8. Mr Andrew WAN considered that the approach of "walking on two legs" by resuming land by the Government under LRO and implementing LSPS was self-contradictory. He opined that by introducing LSPS, the Government might relax its efforts on the resumption of land for housing development, while waiting for the private developers to decide whether to develop their land lots through LSPS during the three years' application period.

9. SDEV said that each land supply measure had its own merits and limitations, hence a multi-pronged approach to increasing land supply was adopted. The LSPS could help tap the market force in planning and construction, with a view to releasing as soon as possible development potential of private lots for increasing the supply of not only private but also public housing units. The public interest was manifested by the potential, larger flat yield and the efficiency in land development. Hence, LSPS was positioned as a land supply measure to complement the various government-led land supply initiatives, including resumption of private lots for public purposes and New Development Area ("NDA") projects. Compared to NDAs which would take at least over 10 years to provide land and housing, LSPS had the advantage of saving time on extensive land resumption. It was expected that formed land could be made available for housing development in about four to six years under LSPS the earliest.

10. Mr CHU Hoi-dick was concerned that TPB would be pressured into approving applications endorsed in principle by CE-in-C and become a mere figurehead under LSPS. Mr CHU suggested revising the proposed procedures to require the applicants to first secure the approval of TPB for their planning/rezoning applications, and at the later stage of land premium negotiation, the Government could impose a condition to require the applicants to hand over at least 70% of the increased gross floor area ("GFA") for public housing or Starter Homes ("SH").

11. SDEV did not agree that TPB's statutory role would be belittled in any way under LSPS, as discussions on lease modification and/or land exchange applications (including assessment of land premium) would commence only after TPB's approval in the statutory planning process. He remarked that TPB would continue to discharge its statutory duties professionally and independently, and would handle and scrutinize LSPS projects submitted before it in accordance with the established procedures and planning principles.

12. Dr Fernando CHEUNG agreed with the direction of increasing housing supply but expressed concern over the means to this end. Opining that the credibility of the Government was currently at all-time low, he doubted if the establishment of the Panel of Advisors could effectively instill public confidence in LSPS and allay public concern over favoritism towards large private developers that clearly had an edge over small landowners in meeting the thresholds of LSPS projects. Dr CHEUNG asked about the composition of the Panel of Advisors and how it could play a gate keeping role to safeguard public interest.

13. Mr Abraham SHEK took the view that the responsibility in selecting, planning and implementing development projects should rest with the Administration, and it was undesirable for the Administration to pass on this responsibility to either TPB or the Panel of Advisors, the members of which might not have relevant expertise and would likely support the Administration's decisions.

14. SDEV said that for transparency, the Administration would publish details of the applications upon receipt and opinions of the Panel of Advisors on individual cases after its deliberation. The existing public participation channels under various statutory procedures would also continue. As with the established practice, key details of the lease modification including land premium payable would be uploaded onto the website of the Lands Department ("LandsD"). In terms of public interest, no less than 70% of the increased GFA made possible by virtue of LSPS should be set aside for public housing or SH as intended by the Government. Besides, the developer-lot owner should pay at full market value the land premium for the portion of private housing and the ancillary commercial facilities. In other words, no land premium concessions would be given.

Compensation and rehousing arrangements for the affected clearerees

15. Mr LAU Kwok-fan was concerned that unlike Government land resumption and clearance exercises, affectees of LSPS projects might be offered monetary compensation only but not rehousing arrangements by the private developers, and the amount compensated might be inadequate for them to purchase a new flat. As such, Mr LAU urged the Administration to make arrangement for a rehousing option to these affected clearerees at the public housing estates developed under the relevant LSPS projects.

16. Permanent Secretary (Planning and Lands), DEVB ("PS(P&L")) said that the Government would not resume private land for private housing development under LSPS. It would be the responsibility of the developer-lot owners to consolidate ownership of the relevant lots if they intended to submit an application. For clearance of the private lots, whilst the LSPS applicants should liaise directly with the affected clearees with a view to reaching an agreeable terms of compensation, the Administration would require the LSPS applicants to duly compensate the affected occupants on the site, by making reference to Government's prevailing compensation and rehousing arrangements for those affected by Government's development clearance exercises. It was also worth noting that the acceptance of compensation would not affect the clearees' existing eligibility for allocation of public rental housing ("PRH"), if so established.

Provision of housing, infrastructure and community facilities

17. Mr Vincent CHENG supported the implementation of an open and fair mechanism under LSPS to tap on private land reserve with a view to increasing land and housing supply in the short- to medium-term. He enquired whether the applicants or the Government would make the decisions on the details of the LSPS projects, specifically the split of public/private housing to be provided and the distribution of infrastructure and Government, Institution or Community ("GIC") facilities. Mr CHENG also asked, in case there were issues regarding the consolidation of ownership of private lots under application, be they for public or private housing development, whether the Administration would get involved in resuming the land by invoking LRO.

18. SDEV advised that LSPS was aimed at tapping the market force in planning and construction so as to speed up short- to medium-term housing supply. While the applicants would be required to surrender part of the formed site to the Government capable of providing at least 70% of the increased GFA made possible by LSPS, the Government would decide on the use of that part of the lots for either public housing or SH development. In this regard, the Central Team would seek the views of relevant parties, such as the Hong Kong Housing Authority ("HKHA") or the Hong Kong Housing Society ("HKHS"), on the provision of public housing under the LSPS projects, where appropriate. With regard to the provision of infrastructure and supporting GIC facilities involving private land outside the lots under application, the Administration might invoke relevant legislation to resume private land according to the established practice for the specified public purposes. In doing so, the Administration would ensure that the amount of land so resumed should be proportional to the

scale of the development and justified for meeting the specified public purposes.

19. Mr Abraham SHEK opined that the design of LSPS had many defects, including that it was impractical to assume that the private developers would be able to consolidate the ownership necessary for the entire development without the need for Government involvement by invoking LRO. Mr SHEK also considered that the Administration should state clearly the rationale for setting the percentage of the increased GFA to be handed over to the Government under LSPS at 70%, as well as the proposed number and mix of PRH and subsidized sale flats ("SSFs") units under LSPS projects.

20. Referring to a successfully implemented land-sharing scheme in London that promulgated a 30:70 split of the increased GFA between the Government and the private developer concerned, Mr Kenneth LAU worried that the requirement of handing over 70% of the increased GFA to the Government under LSPS would make the scheme unattractive to private developers. Mr LAU asked whether the Administration would consider adjusting the percentage of land sharing between the Government and the LSPS applicant. He and Mr Jeremy TAM also asked for the Administration's guesstimate on the number of property developers who would be interested to join LSPS.

21. SDEV said that when proposing the 70:30 public/private housing split of the increased GFA under LSPS, the Administration had made reference to planning applications that were rejected by TPB in the past mainly due to the lack of infrastructure/community facilities. It was believed that with infrastructural upgrading under LSPS to generate more GFA for housing development, it would be financially viable for the developer-lot owners to take forward those projects even if applying the 70:30 sharing ratio. That said, the Administration would keep an open mind to suggestions on adjusting the public-private housing split. On the other hand, it would not be possible to delineate the number and mix of PRHs and SSFs to be provided by LSPS projects, as these would depend on the actual size, scale and constraints of the sites under application, etc. as well as other relevant considerations.

22. Ms Alice MAK enquired about the minimum land/housing yield to be derived under an LSPS application so as to be value-for-money. Ms MAK expressed concern about possible delays in the housing developments under LSPS due to protracted negotiations between the Government and the private developers over the land premium as for some

Comprehensive Development Area projects carried out also under a public-private-partnership mode, and she asked about the completion timeframe of the housing developments under LSPS.

23. Mr CHAN Chi-chuen was concerned that the LSPS applicants might speed up the development of private housing on the site, whilst slacking in the delivery of formed land for public housing, infrastructure and community facilities.

24. SDEV advised that each individual proposal under LSPS should be capable of delivering an increased GFA of no less than 50 000 square metres ("sq m") in total and at least 1 000 additional housing units (assuming an average flat size of 50 sq m). To expedite delivery of the approved LSPS projects, discussions on lease modification and/or land exchange applications (including assessment of land premium) would commence back-to-back after the statutory planning process, subject to a time limit of 18 months for executing the lease modification and/or land exchange based on agreed premium. The applicants would also be bound by the programme for carrying out various works in phases as set out in the agreement to be made with the Government. Upon the applicant's delivery of the formed land for public housing development under a LSPS project, either HKHA or HKHS would make every effort to expedite the construction process without delay.

Assessment of land premium

25. Mr Vincent CHENG enquired whether the Administration would consider introducing an arbitration mechanism to handle the situation where the LSPS applicants and the Administration could not reach an agreement on the amount of land premium payable.

26. SDEV advised that under the established mechanism for the determination of land premium of private development, LandsD would negotiate with the developer-lot owners on the land premium payable for the portion of private housing and the ancillary commercial facilities. The same arrangement would continue to apply for approved LSPS applications, subject to a more compressed time frame of 18 months. Private lot owners who disagreed with the premium offer might consider taking the case to arbitration.

Cap on total area to be approved

27. Mr Kenneth LAU and Mr Abraham SHEK asked about the reasons for setting a cap of 150 hectares ("ha") on the total areas of private land to be approved under all LSPS applications. Mr LAU asked whether the Administration had already identified some private lots suitable for taking forward under LSPS.

28. SDEV advised that the Administration proposed setting a three-year time limit for receiving applications under LSPS and 150-ha cap on the total area of private land to be approved, with a view to encouraging interested parties to submit their proposals as soon as possible so as to bring impact and realize early the potential housing yield from the approved projects.

Concerns over transfer of benefits to private developers

29. Ms Alice MAK was concerned that some private developers might possibly make use of LSPS to resolve land ownership issues that had hitherto been a hurdle for them to develop the agricultural land they held by counting on the Government to resume some adjoining land parcels presently owned by individual farmers for providing infrastructure and supporting GIC facilities. In that case, these individual farmers would be displaced indirectly due to the implementation of LSPS projects. Mr Andrew WAN shared Ms MAK's above concern, and added that some private developers might possibly also make use of LSPS to facilitate their private property developments nearby with the provision of the infrastructure and supporting GIC facilities by the Government under approved LSPS projects. This would give rise to public concerns over the transfer of benefits to the private developers.

30. SDEV stressed that the amount of private land to be resumed by the Government for the purpose of providing infrastructure and GIC facilities under LSPS would be commensurate with the scale of individual project, and that the land resumed were not intended for enlarging the private residential development. To address Ms MAK's and Mr WAN's concerns, the Administration undertook to provide written responses after the meeting.

(Post-meeting note: The Administration's supplementary information was circulated to members vide LC Paper No. CB(1)350/19-20(01) on 21 January 2020.)

Geographical limit

31. Mr CHU Hoi-dick pointed out that the list of "Areas subject to geographical limit" ("the no-go-area list") did not cover land lots being used as farmlands or fish ponds, and those within "Undetermined" zones. Mr CHU urged that some fish ponds and farmlands should be retained given their ecological values. He was also worried that the infrastructural development relating to LSPS projects would also increase the potential and hence likelihood of future development of these land lots. As such, Mr CHU urged the Administration to consider imposing restrictions on the land types, such as agricultural land and land occupied by fish ponds, to be included in the applications of LSPS, and to conduct on-site inspection in respect of LSPS applications and avoid approving such application merely based on their expected planning gain.

32. SDEV advised that the Central Team and the Panel of Advisors would consider each LSPS application on its own merits, including the ecological value and the development potential of the site involved. In other words, LSPS applications involving land lots outside the "no-go" area would not be approved as of right, but subject to technical assessments, vetting and scrutiny.

Effectiveness of the Land Sharing Pilot Scheme

33. Mr CHAN Chi-chuen enquired about the quantitative assessment by the Administration, if any, of the effectiveness of LSPS in increasing land and housing supply. In particular, Mr CHAN enquired whether a comparison could be provided at present/when available on the effectiveness of increasing land and housing supply through implementing LSPS and invoking LRO to resume private agricultural land, in terms of the land premium forgone/costs to be borne by the Administration and the lead time required for producing public housing units, etc.

(Post-meeting note: The Administration's supplementary information was circulated to members vide LC Paper No. CB(1)350/19-20(01) on 21 January 2020.)

34. SDEV replied that whilst both were being part of the multi-pronged land supply strategy, LSPS and statutory resumption of land under LRO were two totally different concepts. It might not be feasible to make comparison regarding the costs and lead time involved, etc. in these two initiatives. That said, he undertook to provide relevant information where

practicable. For example, the Administration had been pressing ahead with studies on the development of brownfield sites, and about 450 ha of brownfield sites had so far been identified as having some possible potential for public housing development based on desktop assessments. Of these brownfields, priority would be accorded to conducting technical studies for 160 ha of higher possible potential to ascertain the scope of public housing development and the infrastructure required. Upon establishing the public purpose for the land concerned, the Administration would invoke relevant legislation including LRO and resume those private lots required for development.

Other land supply options

35. Mr Kenneth LAU pointed out that country parks covered an expanse of about 44 300 ha, i.e. about half of the total area of Hong Kong, and some land parcels on the periphery of them were of low ecological value. He considered that developing part of the country parks could boost land supply by more than 150 ha, i.e. more than the cap on the total area of private land to be approved under LSPS. Mr LAU regretted that the current term Government had accepted the recommendations in the Report of the Task Force on Land Supply ("TFLS") and decided not to pursue the option of developing lands on the periphery of country parks, even though the last-term Government had invited HKHS to undertake ecological and technical studies on Tai Lam and Shui Chuen O on the periphery of Tai Lam and Ma On Shan Country Parks respectively.

36. Dr Fernando CHEUNG opined that the Administration should consider resuming idle agricultural land or brownfield sites by invoking LRO more actively. SDEV said that the Administration had been taking forward various NDA projects, including conducting a feasibility study on the New Territories North – San Tin/Lok Ma Chau Development Node. In taking forward these Government-led NDA development as well as public housing projects, the Administration had been, and would continue to resume, the land required by invoking LRO where necessary.

Proposal on receiving public views on the Land Sharing Pilot Scheme

37. Dr Fernando CHEUNG, Mr Abraham SHEK and Mr Jeremy TAM suggested holding a special meeting of the Panel to receive public views on LSPS. Mr TAM considered it more appropriate for the Administration to consult the public, including the property development sector, following the recent release of the full details of the scheme. Mr SHEK considered that conducting public consultation could help

dispel the conspiracy theories about LSPS. Expressing disappointment that the Administration could not address the questions raised by members to the point, Mr SHEK requested the Administration to provide further responses in writing. SDEV agreed to provide further responses to members' questions.

(Post-meeting note: The Administration's supplementary information was circulated to members vide LC Paper No. CB(1)350/19-20(01) on 21 January 2020.)

38. SDEV advised that TFLS had spent 18 months to take a macro and comprehensive review of the strategy and options to increase land supply, including a five-month public engagement exercise to solicit views from all sectors of society on the 18 land supply options identified by TFLS. After announcing the details of LSPS, the Administration had had exchanges with The Real Estate Developers Association of Hong Kong, which had indicated its support to the objectives of the scheme while some of its members had expressed reservations over the proposed 70:30 public/private housing split of the increased GFA between the Government and applicants. SDEV said that the Administration would implement LSPS in an orderly manner, and was confident that there would be market interest in the scheme.

39. The Chairman drew members' attention that under the statutory planning process that would be applicable to LSPS projects, there were already established procedures for members of the public to make representations and comments when the relevant draft plans of LSPS projects go through the statutory planning process. He would consider members' views on the suggestion of holding a public hearing on LSPS.

(Post-meeting notes: having considered members' views solicited through LC Paper No. CB(1)236/19-20 on 10 December 2019, the Chairman decided that a special meeting be held on Tuesday, 21 January 2020 from 2:30 pm to 6:30 pm to receive public views on the subject. Members were informed of the meeting arrangements vide LC Paper No. CB(1)274/19-20 issued on 18 December 2019.)

IV Capital Works Reserve Fund block allocations for 2020-2021 (LC Paper No. CB(1)160/19-20(05) — Administration's paper on Capital Works Reserve Fund block allocations for 2020-2021)

(Full list of items proposed to be funded by Capital Works Reserve Fund block allocations for 2020-2021 [[LC Paper No. CB\(1\)162/19-20\(01\)](#)] has been provided by the Administration on 20 November 2019.)

40. At the invitation of the Chairman, Deputy Secretary for Financial Services and the Treasury (Treasury)3, Financial Services and the Treasury Bureau ("DS(T)3, FSTB"), briefed members on the funding proposal to be submitted to the Public Works Subcommittee ("PWSC") and the Finance Committee ("FC") for the Capital Works Reserve Fund ("CWRF") block allocations for 2020-2021, comprising a total allocation of \$22,350.5 million.

41. The Chairman reminded members that in accordance with Rule 83A of the Rules of Procedure of the Legislative Council, they should disclose the nature of any direct or indirect pecuniary interests relating to the subjects under discussion at the meeting before they spoke on the subjects.

Head 701 Land Acquisition

Subhead 1100CA – Compensation and ex-gratia allowances in respect of projects in the Public Works Programme

42. Mr Jeremy TAM enquired about the details of the expenditure involved in respect of the item "Hong Kong section of Guangzhou-Shenzhen-Hong Kong Express Rail Link" ("HKS of XRL"), including the timing and amount of payments made in the previous years and expected to be made in the coming year(s), and requested the Administration to provide relevant supplementary information.

(*Post-meeting note:* The Administration's supplementary information was circulated to members vide [LC Paper No. CB\(1\)225/19-20\(01\)](#) on 4 December 2019.)

43. Assistant Director/Specialist 3, Lands Department ("AD/S3, LandsD") explained that the project estimate under the item "Hong Kong section of Guangzhou-Shenzhen-Hong Kong Express Rail Link" would be used for meeting the expenditure on compensation and ex-gratia allowances incurred in land acquisition to dovetail with the implementation of the main works of HKS of XRL. While pending an agreement with the landowners concerned on the amount of compensation payable, \$41.7 million was

earmarked under the CWRP block allocations for 2020-2021 for the relevant expenses.

Head 703 Buildings

Subhead 3004GX – Refurbishment of government buildings for items in Category D of the Public Works Programme

44. Mr Jeremy TAM enquired about the scopes of the refurbishment works of the report rooms in the police stations at Hung Hom, Sau Mau Ping and Chai Wan.

45. Assistant Director (Property Services), Architectural Services Department ("AD(PS)/ASD") said that the relevant items were part of the Government's initiative to upgrade report rooms in all police stations in phases since the past few years. The objective of the refurbishment works was to upgrade the facilities of the report rooms, including installation of semi-enclosed reporting booths, electronic queuing system and telephone system for instant translation services, etc.

Subhead 3101GX –Minor building works for items in Category D of the Public Works Programme

46. Mr CHAN Chi-chuen noted the significant increase in allocation for subhead 3101GX for 2020-2021. He asked how the estimate was made and whether such an increase was due to the need for carrying out repair works for government facilities damaged in public protests in recent months.

47. AD(PS)/ASD responded that most items under subhead 3101GX were fitting-out works carried out to meet the operational requirements of various bureaux/departments relocating to newly completed government buildings or moving to new private premises to achieve savings in rental expenditure, or those new offices set up for implementing new government initiatives. As for the repair works for government facilities damaged in public protests in recent months, AD(PS)/ASD said that the relevant cost would be met by Subhead 218 "operational expenses on maintenance of government buildings" under Head 25 "Architectural Services Department" of the General Revenue Account.

Head 706 Highways

Subhead 6100TX – Highway works, studies and investigations for items in Category D of the Public Works Programme

48. Mr Jeremy TAM asked whether any of the proposed new items relating to lampposts and road lights under subhead 6100TX would cover the installation of smart lampposts.

49. Deputy Director of Highways clarified that the main scope of the proposed new items relating to lampposts and road lights under subhead 6100TX was to replace the old road lights with new light-emitting diode lights. None of these items was related to the installation of smart lamppost.

Head 707 New Towns and Urban Area Development

Subhead 7100CX – New towns and urban area works, studies and investigations for items in Category D of the Public Works Programme

50. Dr Fernando CHEUNG asked whether any item under subhead 7100CX was related to the relocation of residential care homes for the elderly ("RCHEs") at Dills Corner Garden ("DCG"), which would be demolished in two phases under the development of Kwu Tung North ("KTN") new development area, meaning that around 170 elderly residents affected by the first phase clearance would have to be relocated to other RCHEs as a transitional arrangement before their relocation to a new multi-welfare services complex at KTN upon its completion. He commented that such arrangement was undesirable, and enquired about the progress of the said relocation arrangement.

51. Assistant Director (Subventions), Social Welfare Department responded that four of the existing 15 RCHEs at DCG would be demolished in the second quarter of 2020 and around 170 elderly residents would be affected. The Government would provide assistance in their relocation to the remaining 11 RCHEs at DCG in Kwu Tung or other RCHEs if the elderly residents so wished. It was expected that new multi-welfare services complex at KTN would be completed by 2023, providing a total of 1 750 places which could accommodate all the existing residents of RCHEs at DCG.

Head 709 Waterworks

Subhead 9100WX – Waterworks, studies and investigations for items in Category D of the Public Works Programme

52. Dr Helena WONG enquired about the implementation timetable of the items related to risk-based improvement of water mains under the subhead 9100WX.

53. Deputy Director of Water Supplies advised that the Water Supplies Department had from time to time conducted risk assessments on the government water mains so as to determine their priorities for rehabilitation and replacement. All the proposed items for risk-based improvement of water mains under subhead 9100WX would commence in the 2020-2021 financial year.

Other views

54. Mr Abraham SHEK declared that he was the representative of the functional constituency of real estate and construction in the Legislative Council ("LegCo"). He expressed support for the funding proposal.

55. Mr LAU Kwok-fan expressed support for the funding proposal. He said the Administration had set up the Project Strategy and Governance Office ("PSGO") to tighten up project cost management and control of public works projects submitted to LegCo for funding approval. Knowing that projects funded by CWRP block allocations were not under the purview of PSGO, Mr LAU suggested PSGO to scrutinize work items under CWRP randomly so as to better control the cost of projects.

56. Chief Assistant Secretary (Works)1, Development Bureau responded that PSGO currently would not scrutinize projects funded by CWRP block allocations as most of them were standardized works projects with relatively lower cost. Having said that, bureaux/departments could refer projects funded by CWRP block allocations under their purview to PSGO for better project cost management if deemed necessary.

57. Mr CHAN Chi-chuen pointed out that the sixth term of the District Council would start on 1 January 2020. As there were many new District Council members, he asked whether the Administration would consult the relevant District Councils afresh in respect of the works projects under CWRP block allocations for 2020-2021.

58. Assistant Director (2), Home Affairs Department responded that, regarding the local minor works projects under the District Minor Works programme included in CWRP block allocations for 2020-2021, the Government had obtained support from the respective District Councils before submitting to LegCo for funding approval. The Government would report the progress of the local minor works projects to the respective District Councils on a regular basis.

59. Dr Helena WONG was concerned that use of tear gas by the Police during public protests in recent months would generate dioxins, hence posing a threat to public health in the long term. Pointing out that the Environmental Protection Department ("EPD") had only two monitoring stations designated in measuring the concentration of dioxins in the air, she urged EPD to set up more dioxins monitoring stations to collect more data which would help evaluate the impacts of tear gas residue on human body and the environment.

60. Assistant Director (Waste Infrastructure Planning), Environmental Protection Department said new items included in CWRP block allocations for 2020-2021 under EPD's purview were mainly projects related to waste management, yard waste and food waste treatment facilities etc. He undertook to refer Dr WONG's views to the relevant division of EPD for following up as appropriate.

Concluding remarks

61. Mr Abraham SHEK, Mr LAU Kwok-fan and Dr Fernando CHEUNG said that they supported the submission of the funding proposal to PWSC. Mr Jeremy TAM and Dr Helena WONG said they had yet to decide whether to support the submission of the funding proposal to PWSC.

V Study on Existing Profile and Operations of Brownfield Sites in the New Territories

(LC Paper No. CB(1)160/19-20(06) — Administration's paper on Study on Existing Profile and Operations of Brownfield Sites in the New Territories

LC Paper No. CB(1)160/19-20(07) — Paper on developing brownfield sites as a land supply option prepared

by the Legislative
Council Secretariat
(Background brief))

62. At the invitation of the Chairman, Permanent Secretary (Planning and Lands), Development Bureau ("PS(P&L)/DEVB") introduced the Study on Existing Profile and Operations of Brownfield Sites in the New Territories ("the Study") and advised that the final report (with an executive summary) of which had been released and uploaded onto the website of the Planning Department ("PlanD"). With the aid of a powerpoint presentation, Assistant Director/Territorial, PlanD, briefed the Panel on the scope, methodology and findings of the Study, and the follow-up actions to be taken by the Government.

(Post-meeting note: A soft copy of the powerpoint presentation materials was circulated to members vide LC Paper No. CB(1)194/19-20(02) by email on 27 November 2019.)

Relocation of existing brownfield operations

Purpose-built multi-storey buildings

63. Mr Andrew WAN noted that according to the findings of the Study, general warehouse/storage, construction, logistics, vehicle repairing and related operations, and vehicle parking constituted the majority of the existing local brownfield operations, and he agreed that such operations played an important part in the Hong Kong economy. Given that the Administration had also been undertaking studies on accommodating brownfield operations in multi-storey buildings ("MSBs")("the MSB studies"), Mr WAN asked exactly how the MSB studies were expected to provide relocation solutions for various types of brownfield operations. He also asked whether the Administration would consider building an automobile maintenance complex to accommodate those vehicle repair workshops currently scattered in some old districts, in particular those involving unauthorized developments or drawing complaints from the local community.

64. Mr LAU Kwok-fan asked for the Administration's assessment on the percentage of brownfield operations that could be relocated to MSBs, and the measures for relocating those unsuitable for operating at MSBs.

65. Mr Kenneth LAU declared that he was the Indigenous Inhabitant Representative of Lung Kwu Tan and owned land in the New Territories

("NT"). Noting that 43% of respondents in the Study had expressed concern that it was not suitable for their brownfield operations to relocate to MSBs, Mr LAU enquired how the Administration would address such concern. Mr Holden CHOW worried that many jobs would be cut when various major brownfield operations were displaced to make way for development yet could not be relocated to MSBs, and he asked how the Administration could facilitate their relocation to MSBs/new open-air sites to continue operations seamlessly.

66. PS(P&L)/DEVB advised that Civil Engineering and Development Department ("CEDD") was currently commissioning consultants to take forward the MSB studies, and at the current stage the Administration would not rule out the possibilities of various relocation options, such as the provision of an automobile maintenance complex or a logistics hub. The MSB studies would cover two major aspects, i.e. architectural and technical feasibility, and operation mode of MSBs. She elaborated that the consultants had initially confirmed the architectural and technical feasibility of purpose-built industry-specific MSBs and had been looking into the relevant details, such as the special access, headroom and loading requirements, etc. Given the concerns of some brownfield operators over the relatively high rent cost at MSBs and the considerable capital investment required for relocating their existing operations there, the Administration would also examine possible operation modes of MSBs, including MSBs constructed and operated by the Government, or privately-run MSBs on sites disposed of through land sale potentially with such transitional arrangements as rent ceiling or subsidies as appropriate for eligible tenants. The Administration was making preparations to launch a market sounding exercise to ascertain the market interest towards developing and running MSBs for key brownfield businesses under different scenarios involving different contractual arrangements and tender conditions.

67. PS(P&L)/DEVB further advised that not all brownfield operations might want to move into or could be accommodated in MSBs. Eligible brownfield operators affected by clearances under the Government's development programmes might receive ex-gratia allowances, or make statutory claims for compensation under the Government's prevailing policy. The Administration might facilitate their relocation by land administration and planning measures, including assisting them in looking for private land to re-establish their operations and facilitate them to make planning applications; or allowing some operations to operate on certain vacant sites on government land under temporary short term tenancy, on

condition that the operations would comply with the specified land use and would not adversely impact on the environment. She stressed that given land scarcity, it was unrealistic to expect the Government to offer "one-on-one" reprovisioning for existing operations in the course of pursuing public housing or new town developments on brownfield sites.

Sufficiency of measures for reprovisioning brownfield operations

68. Mr Kenneth LAU doubted that given the extent of 773 hectares ("ha") of brownfield sites covered under New Development Areas ("NDAs")/Potential Development Areas ("PDAs") projects and other Government-led development projects, the reservation of a mere 72 ha of land in Hung Shui Kiu/Ha Tsuen ("HSK/HT") and Yuen Long South ("YLS") NDAs for accommodating some brownfield operations in MSBs/open-air setting was obviously inadequate. Mr LAU opined that the Administration might have underestimated the business demand for the affected brownfield operations and the impact of their displacement on the economy of Hong Kong, including job losses. He further enquired about the details of the proposed near-shore reclamation at Lung Kwu Tan to accommodate brownfield operations.

69. Ir Dr LO Wai-kyok stressed that brownfield operations had been supporting important economic activities in Hong Kong, and relayed the concerns of the construction industry and operators of machinery storage trades in Wang Chau on the inadequacies of the Administration's measures for relocating their operations. Ir Dr LO pointed out that about 367 ha of brownfield sites were currently used for the storage, repair and maintenance of heavy machinery for the construction industry, yet MSBs could hardly accommodate such storage need. Stressing that mere monetary compensation would not be adequate for sustaining such operations, Ir Dr LO strongly demanded the Administration to actively identify suitable land plots for relocating brownfield operations required to be operated in open-air sites and needed by the economy.

70. PS(P&L)/DEVB stated that one of the main directions of the Administration's land use planning involving brownfield sites in NT was to provide land or space to support sustainable development of industrial operations, including displaced brownfield operations still needed by the economy, with due regard to the benefits of cluster development, need for greater land efficiency and operational requirements for some industries to operate outdoor. In addition to reserving 72 ha of land for logistics, port back-up, storage and workshop uses in both MSBs and open-air setting in HSK/HT and YLS NDAs, the Administration would,

based on the estimated land requirements of relevant industries at a macro planning level, identify large land parcels with good accessibility and infrastructure in major development projects including NT North NDA, Lam Tei Quarry and near-shore reclamation at Lung Kwu Tan to provide concentrated, orderly and more land efficient accommodation for brownfield operations.

71. Mr Frankie YICK remained concerned that the land reserved by the Administration under the HSK/HT project for brownfield operations was grossly inadequate. He also relayed the concerns of brownfield operators over the multiple increases in rental and operating costs, as well as the physical constraints, such as headroom, if relocated into MSBs. As in the case of the revitalization of industrial buildings, the rent levels of old industrial buildings in urban areas such as Kwun Tong were driven up as a consequence, causing some operators to move their operations to farmland-turned-brownfield sites in NT. Mr YICK urged the Administration to make clear the details of the relocation arrangements, including the eligibility and priority, for respective brownfield operations, and step up communications with stakeholders, including consulting the trades on the findings of the MSB studies and the market sounding exercise on MSBs before reporting the same to the Legislative Council ("LegCo"). Mr YICK said that the brownfield trades generally supported the Government's development projects, on the premise that appropriate relocation measures should be put in place in order not to force many operators of local logistics industry out of their businesses.

72. PS(P&L)/DEVB advised that the Administration expected to initiate the market sounding exercise in 2020. Upon completion of the market sounding exercise within 2020, it would brief the Panel on the findings together with the outcome of the technical feasibility study commissioned by CEDD.

73. Mr Jeremy TAM opined that it had taken too long for the Administration to complete the relevant studies on brownfield sites, and urged the Administration to speed up the studies and implementation of appropriate relocation measures, with a view to unleashing the development potential of brownfield sites as soon as possible. He asked if the Administration had studied (including conducting site visits) overseas experience in accommodating brownfield operations in MSBs. PS(PL)/DEVB advised that there were similar operations in Singapore, the United Kingdom and the United States, and the Administration had made references to those overseas experiences in the Study.

Land use planning of brownfield sites

74. Mr Jeremy TAM enquired about the details of taking forward the follow-up actions on land use planning involving brownfield sites in NT listed in paragraph 13 of the Administration's paper (LC Paper No. CB(1)160/19-20(06)), in particular, the approach and supporting policy for developing the remaining 700-ha brownfield sites with no known development plan, and the time frame, priority and objectives for their development. Mr TAM further asked if the proposed phased assessment of the development potential of these remaining brownfield sites and the upcoming implementation of LSPS would have any impact on the effectiveness of each other. Mr TAM asked about the number of farmland owners who had indicated their intention to participate in LSPS so far, and expressed concern that some land owners of farmlands/brownfield sites might keep a wait-and-see attitude before determining whether to participate in LSPS while pending the Administration's assessment on the land they owned.

75. PS(P&L)/DEVB advised that out of the remaining 700-ha brownfield sites with no known development plan, the consultant commissioned by PlanD had classified 450 ha as having relatively higher possible potential for developing public housing. In the first phase, PlanD would start with the assessment of 160 ha of those sites that were closer to existing infrastructure and identify suitable sites therein by the end of the year. The remaining 290 ha would be covered in PlanD's next stage of review targeted for completion by end 2020. Deputy Director/Territorial, PlanD ("DD/T, PlanD") advised that in the assessment of the 160-ha brownfield sites classified as having higher possible development potential, PlanD would focus on their land use compatibility, the capacity of infrastructures and site constraints in determining their suitability for high density public housing development.

76. PS(P&L)/DEVB further advised that it was up to owners of private land plots to decide whether and when to submit applications under the forthcoming LSPS. Meanwhile, it was the Government's long-established policy that if the private land was covered by the Government's plans for public housing development or provision of infrastructure facilities, the Government would resume the private land concerned pursuant to the Lands Resumption Ordinance (Cap. 124).

77. Dr Helena WONG opined that it was incumbent upon the Administration to formulate a comprehensive strategy and supporting policy on developing brownfield sites for public housing developments,

with clear targets on the total area of land required to meet the public housing supply target and the proportion of which to be supplied by redeveloping brownfield sites, as well as the development timeframe.

78. PS(P&L)/DEVB responded that developing brownfield sites was one of the short-to-medium term (i.e. with potential to provide additional land in around 10 years' time) land supply options recommended by the Task Force on Land Supply. On this basis, the Administration considered that the lead time required for delivery of housing units by redeveloping brownfield sites would reasonably be shorter than that for NDA projects. To meet the acute shortage of housing supply in the short-to-medium term, the Administration intended not to set a cap on the area of brownfield sites to be developed as long as their potential for public housing developments was established. In classifying 450 ha of the remaining brownfield sites as having relatively higher possible potential for public housing, PlanD's consultant had adopted the methodology of taking straight-line distance measurement of the individual brownfield sites to the nearest existing highway, or measuring the distance from the edge of the brownfield sites to the boundaries of the existing new towns. As such initial classification was not aimed for examining the site merits or constraints such as the availability of vehicle access, the capacity of nearby highways and the landscape, etc., it was necessary for CEDD to conduct detailed technical studies on the shortlisted sites in the next stage. Taking into account the time required for PlanD's and CEDD's assessments and studies on these 450 ha of brownfield sites, the Administration expected the delivery of developable land for public housing in about six years.

79. Mr CHAN Chi-chuen considered that the Administration should adopt a "brown first, blue and green second" development strategy. With the findings of the Study available now, he urged the Administration to state clearly the development priority of the various options under its multi-pronged land supply strategy.

80. PS(P&L)/DEVB responded that the Administration had already accorded a high priority in using brownfield sites as an important source of land supply by including more than half of the total area of brownfield sites (excluding the brownfield sites within conservation-related zones) in NDAs/PDAs projects and other Government-led development projects. Under the multi-pronged supply strategy, the Administration would assess the development potential of the remaining 700-ha brownfield sites by phases for increasing land supply for public housing development in the short-to-medium term.

81. Mr Andrew WAN enquired whether the Administration was planning to convert the land use of all 653 ha of brownfield sites covered by NDAs/PDAs projects for public housing. PS(P&L)/DEVB advised that the future land use of existing brownfield sites within the boundary of NDA/PDA projects would depend on the planning details of respective projects, including land uses for public housing, public open space or other facilities. The Administration had been taking a pragmatic approach to reserve land for certain economic operations at appropriate locations in a land efficient manner and in compliance with the designated land use (such as warehousing) and the applicable town planning requirements. It had never been the Administration's intention to phase out all brownfield operations.

Proliferation of brownfield sites

82. Mr Andrew WAN pointed out that the total area of brownfield sites had doubled in the past of some 20 years and some farmlands were damaged and turned into brownfield sites. Mr CHAN Chi-chuen enquired whether the Administration agreed with the observation by some concerns groups that there had been gradual conversion of farmlands in South Lantau into brownfield sites. Mr CHAN and Mr WAN enquired about the actions taken by the Administration against the proliferation of brownfield sites, and Mr CHAN considered it necessary to review the relevant legislative regime.

83. PS(P&L)/DEVB advised that the Administration had been taking a two-pronged approach to prevent proliferation of brownfield sites by (a) strengthening enforcement actions by LandsD and PlanD in respect of brownfield sites involving non-compliances under the planning and land regimes, including giving priority to combating unauthorized developments near or at environmentally sensitive areas; and (b) working out solutions for facilitating relocation and continuation of brownfield operations at appropriate locations in a land efficient manner. Deputy Secretary for Development (Planning and Lands)¹ added that the Administration was concerned about the land filling situation in the coastal protection area at Tong Fuk in South Lantau. The Administration was currently exploring how to enhance the relevant ordinances, including the Town Planning Ordinance (Cap. 131) ("TPO"), to empower the Director of Planning to take enforcement actions against land filling in environmentally sensitive areas including South Lantau.

84. Mr CHAN Chi-chuen enquired whether the Study comprised a survey on the locations and size of brownfield sites hoarded by private

property developers. DD/T, PlanD advised that the Study had revealed that of the 1 414 ha of active brownfield sites, 83% were privately owned and the remaining 17% were owned by the Government. The Study did not cover the ownership details of the privately-owned brownfield sites.

85. Dr Fernando CHEUNG opined that the Administration should give priority to taking enforcement actions against brownfield operations occupying Government land illegally or involving unauthorized developments under TPO. He pointed out that in the Chief Executive's ("CE's") 2018 Policy Address ("PA"), the Administration pledged that it would review the legislation concerned and map out effective means to control development activities causing environmental damages to areas of high ecological values at Lantau, and indicated that it would consult the public in 2019-2020 on the legislative review. However, there was no update of the matter in CE's 2019 PA. Dr CHEUNG enquired about the reason for such omission and enquired about the timetable of review on TPO, which Dr CHEUNG considered to be closely related to the future development of brownfield sites and the prevention of their proliferation. He also suggested that in assessing the development potential of brownfield sites, the Administration should also take into account the non-compliance records of brownfield operations thereon.

86. PS(P&L)/DEVB stressed that the Administration had not overlooked the need to review and amend TPO and relevant ordinances. It would introduce the relevant legislative amendments to LegCo as soon as practicable subject to the priorities under the Government's legislative programme. As reflected in the list of outstanding items for discussion by the Panel, the Administration intended to brief the Panel in mid-2020 or later on the progress of review on how TPO might be amended to better control development activities causing environmental damage to areas of high ecological values at Lantau.

Job losses resulting from brownfield development

87. Noting that brownfield operations were providing about 52 000 full-time jobs at present, Mr LAU Kwok-fan enquired about the anticipated number of job losses upon displacement of these operations by the implementation of NDA/PDA projects. Mr Kenneth LAU took the view that as many as half of these jobs might be forgone, given that more than half of the total area of the brownfield sites under study had already been covered by NDAs/PDAs projects and other Government-led development projects. Mr Kenneth LAU considered the impact of job losses to be significant amid the current deteriorating economic situation, and enquired

about the Administration's follow-up actions in this regard. Mr CHAN Chi-chuen enquired whether retention/reprovision of the 52 000 employment opportunities would be a pre-requisite for developing the brownfield sites concerned.

88. PS(P&L)/DEVB remarked that the impact on existing operators and their employees was beyond the scope of the Study, but under the established procedures, a freezing survey would be conducted when land resumption was ordered, and the Administration could then assess the number of brownfield operators and employees affected. In the Study, some brownfield operators had indicated in the survey by the consultant that they would terminate their business while others would hope to find alternative sites to continue their operations.

VI Any other business

89. There being no other business, the meeting ended at 5:24 pm.

Council Business Division 1
Legislative Council Secretariat
7 May 2020