

Panel on Development

List of outstanding items for discussion
(Position as at 25 January 2021)

**Proposed timing
for discussion/
Remarks**

(Please also refer to items of Public Works Programme on pages 18 to 21)

- 1. Proposed creation of a non-civil service ("NCS") position equivalent to directorate rank in the Development Bureau ("DEVB") to coordinate and implement the measures under the "Invigorating Island South" initiative**

The Administration will brief members on the proposal of creating an NCS position equivalent to Directorate Pay Point 2 in DEVB (Planning and Lands Branch) to head an inter-disciplinary team to coordinate and implement the measures under the "Invigorating Island South" initiative.

23 February 2021

The submission of the relevant funding proposal to the Establishment Subcommittee ("ESC") and the Finance Committee ("FC") is tentatively scheduled for March and April 2021 respectively.

- 2. Progress of work by the Sustainable Lantau Office ("SLO"), and staffing proposals of SLO, Planning Department ("PlanD") and Railway Development Office ("RDO") of Highways Department for taking forward and implementation of development and conservation projects related to Lantau**

The Administration will brief members on:

23 February 2021

- (a) the work progress of SLO; and
- (b) (i) the proposal to retain four supernumerary posts (one Principal Government

**Proposed timing
for discussion/
Remarks**

Engineer, one Government Town Planner, and two Chief Engineers ("CEs")) and create two supernumerary posts (one CE and one Chief Town Planner ("CTP")) in SLO for taking forward and implementation of development and conservation projects related to Lantau;

- (ii) the proposal to create a supernumerary post (one CTP) in PlanD for providing high-level steer to various strategic planning tasks for the sustainable development of Lantau; and
- (iii) the proposal to create a supernumerary CE post in RDO to provide technical support for the planning and implementation of the proposed priority rail links and the possible rail links for the longer term under the "Studies related to artificial islands in the Central Waters".

The submission of the relevant funding proposal to the ESC and FC is tentatively scheduled for March and April 2021 respectively.

3. Stage 2 amendments to the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123I)

The Administration will brief members on the proposed Stage 2 amendments to repeal the existing regulations and make a new regulation. The amendments aim at enhancing the standards for the design and construction of drainage systems in private buildings; transforming the existing prescriptive requirements to performance-based standards, and rationalizing and updating the relevant statutory provisions.

First quarter
of 2021

**Proposed timing
for discussion/
Remarks**

The submission of the relevant legislative proposal to the Legislative Council is tentatively scheduled for the second quarter of 2021.

4. "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" ("Hong Kong 2030+")

The Administration will brief members on the findings and finalized territorial development strategy under "Hong Kong 2030+".

First quarter
of 2021

5. Progress report on funding scheme to support the use of vacant government sites by non-government organizations for the financial year 2020-2021

The Administration will brief members on the implementation progress made by DEVB regarding the funding scheme to support the use of vacant government sites by non-government organizations in the financial year 2020-2021.

25 May 2021

6. Work of the Urban Renewal Authority

The Administration will brief members on the progress of the work of the Urban Renewal Authority in 2020-2021 and its plan for the next financial year.

22 June 2021

7. Progress report on heritage conservation initiatives

The Administration will update members on the progress made on various heritage conservation initiatives since the last report in April 2020, amongst which the Administration will consult members on the proposal to upgrade four public works items (projects under Batch V of the Revitalizing Historic Buildings Through Partnership Scheme) to Category A.

Second quarter
of 2021

**Proposed timing
for discussion/
Remarks**

The submission of the relevant funding proposal to the Public Works Subcommittee and the Finance Committee is tentatively scheduled for the second quarter of 2021.

8. Developing land resources

At the Panel meeting on 12 October 2017, Hon Michael TIEN requested the Panel to conduct focused discussions on the following initiatives under the 2017 Policy Address:

- (a) increasing substantially the supply of units under the Green Form Subsidized Home Ownership Scheme; (Note (a))

- (b) exploring the reactivation of the revitalization scheme for industrial buildings to offer incentives to encourage redevelopment or wholesale conversion; and (Note (b))

- (c) formulating a policy framework on brownfield development. Second quarter
of 2021

Note (a): The Administration advises that Part (a) is under the purview of the Transport and Housing Bureau. The Hong Kong Housing Authority ("HA") launched the sale of the Green Form Subsidized Home Ownership Scheme ("GSH") pilot project King Tai Court in October 2016, and the project has been completed in mid-2017. HA has conducted a review on the GSH pilot project and endorsed regularizing GSH in January 2018. The Transport and Housing Bureau briefed the Panel on Housing on the outcome of the review at its meeting on 5 March 2018. A separate discussion at the Panel on Development is therefore considered not necessary.

*(Note (c))
(see Item 9)*

Note (b): The Administration briefed members on "Measures to revitalize industrial buildings" at the meeting on 19 December 2018.

**Proposed timing
for discussion/
Remarks**

Note (c): The Administration briefed members on "Study on Existing Profile and Operations of Brownfield Sites in the New Territories" on 26 November 2019. An information paper on "Shortlisting Brownfield Clusters for Public Housing Development" was issued on 18 March 2020. The Administration will brief members on the findings of further phase of the shortlisting exercise and the studies on developing multi-storey buildings to re-establish brownfield operations in a land efficient manner upon completion of a market sounding out exercise as part of the studies.

9. Studies on developing multi-storey buildings for brownfield operations

The Administration will brief members on the findings of the studies on developing multi-storey buildings to re-establish brownfield operations in a land efficient manner, and the way forward.

Second quarter
of 2021

10. Proposal to better protect areas of high ecological values in the rural parts of the New Territories subject to development pressure

At the Panel meeting on 22 October 2019, Hon CHU Hoi-dick requested that the Panel be briefed on the review of Town Planning Ordinance (Cap. 131) to control landfilling or dumping of construction wastes in rural areas of South Lantau.

Second quarter
of 2021

The Administration will consult the Panel in 2021 on practicable proposal to amend the Town Planning Ordinance to better protect areas of high ecological values in the rural parts of the New Territories (including South Lantau) that are subject to development pressure.

**Proposed timing
for discussion/
Remarks**

11. Proposed conversion of two one-rank grade directorate posts to multi-disciplinary directorate posts in the Greening, Landscape and Tree Management Section of Development Bureau

The Administration will brief members on the proposed regrading of two one-rank grade directorate posts to multi-disciplinary directorate posts in the Greening, Landscape and Tree Management Section of DEVB.

To be decided

12. Tree management in Hong Kong

At the Panel meeting on 11 October 2018, Hon Tanya CHAN and Hon Wilson OR suggested discussion on tree management in Hong Kong, covering measures for optimizing the role and functions of the Tree Management Office ("TMO"), review of existing regulations and guidelines, and other tree management matters.

To be decided

At the Panel meeting on 27 November 2018, Hon Tony TSE and Hon Mrs Regina IP requested the Administration to update members on the professional standard of TMO, with an explanation on its staffing establishment and the professional qualifications of its staff. They would also like to be briefed on the recruitment progress of the Head of Greening, Landscape and Tree Management Section of DEVB.

The Administration will brief members on the urban forestry management work.

13. Policy on greening and urban landscaping

At the Panel meeting on 22 October 2019, Hon CHU Hoi-dick urged the Administration to discuss with the Panel on the formulation of a territory-wide policy on greening and urban landscaping, with a view to enhancing the quality of the urban environment of Hong Kong.

To be decided
(Note)

**Proposed timing
for discussion/
Remarks**

The Administration will brief members on the urban forestry management work.

Note: The Administration advises that as urban greening and landscape are part and parcel of the holistic urban forestry management regime, this issue can be addressed in the context of "Tree Management in Hong Kong".

14. Review of the functions of the Town Planning Board and related issues

At the meeting of the Panel on 14 October 2008, Hon Cyd HO and Hon Abraham SHEK suggested that issues related to the review of the functions of the Town Planning Board, town planning procedures, and secretariat support for the Town Planning Board should be discussed.

To be decided

Panel members also requested that the Administration should provide information about the details of the basis for determining the various fee items under the Town Planning Ordinance (Cap. 131), the estimated costs incurred by the Administration in processing various types of planning applications each year, reconsider extending the fee waiver to all applications relating to "public causes", "public purposes" or "public interest" as a matter of policy, and consult Heung Yee Kuk on the fee items applicable to Small House applications.

On 24 November 2014, Dr Hon Kenneth CHAN wrote to the Chairman suggesting that matters related to amendments to the Town Planning Ordinance, functions of the Town Planning Board, the town planning procedure, etc. be discussed by the Panel as soon as possible. The letter and the Administration's responses were circulated to members vide LC Paper Nos. CB(1)299/14-15(01), CB(1)556/14-15(01) and CB(1)764/14-15(01).

**Proposed timing
for discussion/
Remarks**

At the Panel meeting on 22 October 2019, Hon Holden CHOW considered that the Administration should discuss with the Panel on the streamlining of the town planning procedure with a view to facilitating the land planning and resumption work including by invoking the Lands Resumption Ordinance (Cap. 124).

15. Review of the system of ex-gratia zonal compensation used in the resumption of land in the New Territories

At the Panel meeting on 22 October 2019, Hon LEUNG Che-cheung urged that the Administration should discuss with the Panel a review on the ex-gratia zonal compensation used in the resumption of land in the New Territories, given that the definitions of the zones and areas covered could no longer reflect the latest situation and land value given the substantial changes and developments over the years.

To be decided
(*Note*)

Note: Information on the ex-gratia zonal compensation system has been provided in the Administration's paper on the Land Sharing Pilot Scheme which was discussed at the Panel meeting on 26 November 2019.

16. Further measures to enhance the safety of drinking water

At the Panel meeting on 22 October 2019, Dr Hon Helena WONG requested to be briefed on the latest progress of the holistic review by the Water Supplies Department on the Waterworks Ordinance (Cap. 102), in particular regarding the regulation of plumbing works (including relevant stakeholders and control of plumbing materials), subsequent to the enactment of the Waterworks (Amendment) Ordinance 2018 under which the roles and

To be decided
(*Note*)

**Proposed timing
for discussion/
Remarks**

responsibilities of plumbers and plumbing workers were already defined.

Note: A Working Group on Holistic Review of the Waterworks Ordinance (Cap. 102) ("WVO") and WWR was formed in early 2018 to collect views from different stakeholder groups for formulation of the legislative amendment proposals, including the roles and responsibilities of various parties involved in plumbing works, the control on use of plumbing materials, drinking water dispensers and fountains in plumbing works. The Administration has commenced a 90-day public consultation on the legislative amendment proposals on 6 November 2020 and will brief the Panel on the legislative amendments in due course.

17. Proposed Construction Industry Security of Payment Bill

An information paper prepared by the Administration on "public consultation on proposed security of payment legislation for the construction industry" (LC Paper No. CB(1)1033/15-16(01)) was circulated to members on 14 June 2016.

To be decided

The Administration plans to consult Panel members on the legislative framework of the proposed Construction Industry Security of Payment Bill.

18. Fresh water supply in remote villages

This issue was raised by Hon Alice MAK and Hon TANG Ka-piu in December 2013. Ms MAK and Mr TANG expressed their concerns on the lack of fresh water supply in remote villages in their two joint letters to the Panel Chairman (LC Paper Nos. CB(1)605/13-14(01) and 879/13-14(01)). The Administration's written response has been circulated to members vide LC Paper No. CB(1)732/13-14(01).

To be decided

**Proposed timing
for discussion/
Remarks**

At the Panel meeting on 15 October 2015, Hon Alice MAK urged that the Administration should discuss the subject with the Panel as soon as possible.

At the Panel meetings on 18 October 2016 and 12 October 2017, Hon Alice MAK reiterated her request that the Administration should discuss the subject with the Panel as soon as possible.

In his letter to the Panel Chairman dated 28 October 2016 (LC Paper No. CB(1)50/16-17(01)), Hon Kenneth LAU suggested that matters related to the supply of fresh water, electricity and sewerage systems to remote villages be discussed by the Panel.

On 7 November 2016, Hon Elizabeth QUAT wrote to the Chairman (LC Paper No. CB(1)87/16-17(01)) to make a similar suggestion.

On 18 April 2017, a paper from the Administration (LC Paper No. CB(1)827/16-17(01)) on treated water supply for remote villages was issued to members.

19. Unauthorized building works in New Territories Exempted Houses ("NTEHs")

At the Panel meeting on 15 October 2015, Dr Hon KWOK Ka-ki suggested that the Administration should update the Panel on the enforcement actions that had been taken against unauthorized building works in New Territories Exempted Houses and the way forward for dealing with these unauthorized works. Dr KWOK reiterated this suggestion at the Panel meeting on 12 October 2017, and urged the Administration to provide a concrete timetable for discussion with the Panel on relevant issues within the 2017-2018 session.

To be decided
(*Note*)

**Proposed timing
for discussion/
Remarks**

Note: The Administration advises that the enforcement policy against unauthorized building works ("UBWs") in NTEHs has been put in place since 2012, and there has been no change in the policy since then. The Buildings Department has been reporting the progress of enforcement actions taken against UBWs in NTEHs on a regular basis in its Controlling Officer's Report and during the scrutiny of the annual Appropriation Bill.

20. Problems arising from sub-divisions of flat units and measures to tackle the problems

At the meeting between Legislative Council ("LegCo") Members and Yau Tsim Mong District Council members on 29 January 2015, the problems arising from sub-divisions of flat units (commonly known as "sub-divided units") and measures to tackle the problems were discussed. Yau Tsim Mong District Council members considered it important for the Administration to step up regulation of "sub-divided units" and suggested that, to enable the Buildings Department and other law enforcement authorities to take effective enforcement actions against irregularities, the Administration should draw up clear definitions in the relevant legislations (such as the Buildings Ordinance (Cap. 123) and the Building Management Ordinance (Cap. 344)) to differentiate "sub-divided units" from "cubicle apartments" and other accommodations.

To be decided
(Note)

LegCo Members attending the meeting agreed that the issues should be referred to the Panel on Development for consideration and follow-up. The referral memorandum has been circulated to Panel members vide LC Paper No. CB(1)704/14-15(01).

Panel members agreed at the meeting on 28 April 2015 that the subject matter be included in the Panel's "list of outstanding items for discussion", and wished to be briefed on the Administration's latest position on the issues.

**Proposed timing
for discussion/
Remarks**

Note: The Administration advises that in recent years it has briefed the LegCo on various matters relating to "sub-divided units" through responding to LegCo questions and Special Finance Committee Questions. A motion on "Studying the enactment of an ordinance on regulating subdivided units" moved by Hon Mrs Regina IP as amended by Hon Alice MAK, Hon LEUNG Yiu-chung and Hon Andrew WAN was passed at the Council meeting of 5 December 2018. The motion also covered matters relating to "sub-divided units". Meanwhile, Transport and Housing Bureau has set up a Task Force for the Study on Tenancy Control of Sub-divided Units.

21. Review of the Hong Kong Planning Standards and Guidelines

At the Panel meeting on 15 October 2015, Dr Hon Helena WONG proposed that the Administration should discuss with the Panel a review of the Hong Kong Planning Standards and Guidelines ("HKPSG"). On 3 March and 11 April 2016, Hon Alice MAK and Hon Elizabeth QUAT wrote to the Chairman respectively urging for an early discussion on the subject (LC Paper Nos. CB(1)648/15-16(01) and CB(1)828/15-16(01)). Hon Elizabeth QUAT made the same suggestion on 7 November 2016 (LC Paper No. CB(1)87/16-17(01)).

Background briefing on aspects of HKPSG cutting across various policy areas will be arranged for interested Members outside the context of meeting of the Panel on Development
(Note)

At the Panel meetings on 18 October 2016, 12 October 2017 and 11 October 2018, Dr Hon Helena WONG, Hon LAU Kwok-fan and Hon CHAN Han-pan urged that the Administration should put forward a concrete timetable for discussing the item with the Panel as soon as possible. In particular, the Administration should accord priorities to reviewing the planning standards in relation to child care services, kindergarten places, caring services for the elderly, public open space and

**Proposed timing
for discussion/
Remarks**

parking spaces. Dr Hon Helena WONG opined that the current piecemeal approach of separately reviewing specific standards and guidelines in HKPSG as and when necessary was not adequate.

At the Panel meeting on 22 October 2019, Hon Holden CHOW, Dr Hon Helena WONG and Ir Dr Hon LO Wai-kwok considered it undesirable that past discussions on and the review of HKPSG were fragmented. The Chairman (Hon Tony TSE) and members agreed that DEVB should coordinate with relevant bureaux and departments ("B/Ds") as necessary to give an updated briefing to the Panel on the overall review progress of HKPSG, including those standards that were already updated, the areas reviewed/being reviewed by DEVB and other B/Ds, and any challenges faced. The Chairman considered that with an updated briefing given by DEVB, the Panel could be in better position to conduct focused and in-depth discussions on specific area(s) of HKPSG which was voluminous.

Note: The Administration has advised that topical reviews of specific standards and guidelines in the HKPSG are conducted by individual B/Ds as and when necessary, taking into account the concerned B/Ds' latest relevant policies and development requirements. Examples include the HKPSG standards for whole-day and half-day kindergartens revised in 2018 following the promulgation of the Free Quality Kindergarten Education by the Education Bureau. The Labour and Welfare Bureau has also reinstated the population-based planning ratios in HKPSG for subsidized residential care services and community care services, district elderly community centres and neighbourhood elderly centres in 2018 as per the recommended standards in the Elderly Services Programme Plan completed in 2017.

**Proposed timing
for discussion/
Remarks**

As HKPSG is a collection of planning standards and guidelines covering a wide range of facilities and land uses that fall within the purview of different policy B/Ds, the Development Bureau will, in collaboration with relevant B/Ds, identify a suitable time slot outside the regular meeting schedule of the Panel for briefing members (including interested members from other relevant Panels) on the structure, review mechanism and recent updates of HKPSG.

22. Small House Policy and rural planning strategy

At the meeting of the Panel on 13 October 2011, Hon CHAN Kam-lam urged that the Administration should discuss the issues relating to the Small House Policy with the Panel. Hon Albert CHAN proposed that the discussion should also cover the Administration's rural planning strategy.

To be decided
(*Note*)

In the Public Accounts Committee ("PAC") Report No. 61 tabled in the Council on 12 February 2014, PAC urged the Administration to expedite the review of the Small House Policy and recommended that the issue be followed up by the Panel.

On 18 October 2017, Hon Kenneth LAU wrote to the Chairman suggesting that matters relating to the formulation of a comprehensive rural policy be discussed by the Panel (LC Paper No. CB(1)210/17-18(02)).

At the Panel meeting on 11 October 2018, Hon Tanya CHAN requested an early discussion on this item.

Note: The Administration advises that the Small House Policy review involves complicated issues in aspects such as legal, environment, housing, land use planning and demand on land. It is relevant to note that the Court of First Instance of the High Court

**Proposed timing
for discussion/
Remarks**

handed down a judgment on the judicial review against the Policy and subsequent order on 8 April and 30 April 2019 respectively, which ruled that the Free Building License and Land Exchange not involving government land are lawful and constitutional, while Private Treaty Grant and Land Exchange involving government land are not. All parties to the judicial review have lodged appeal against the judgment of the Court of First Instance of the High Court, and the Court of Appeal handed down the judgment on 13 January 2021 which allowed the Government's appeal. As there may be further appeal and the developments of the case may have implications for the Policy, the Administration advises that it would not be in a position to discuss the policy review at this juncture.

23. Development of leisure and entertainment facilities at Sunny Bay

At the Panel meeting on 12 October 2017, Hon Michael TIEN urged the Administration to report to the Panel on the outcome of its planning and engineering study on Sunny Bay reclamation, taking into account the suggestions made in his motion passed at the Panel meeting on 28 March 2017. His motion requested that the Administration should allow flexibilities for the development of different leisure and entertainment facilities such as multi-purpose venues for holding road events.

To be decided

24. Short term tenancies

At the Panel meeting on 12 October 2017, Hon CHAN Chi-chuen requested to discuss the policy relating to the granting of short term tenancies ("STTs"), as well as measures to avoid abuses.

To be decided
(Note)

Note: The Administration advises that DEVB has been responding to members' questions about STTs

**Proposed timing
for discussion/
Remarks**

on various occasions, including replies to Council questions raised by members. The subject was also the topic of a Public Accounts Committee report in mid-2020, with progress reports on follow up action being submitted to the Legislative Council on a regular basis.

25. Energizing Kowloon East

At the Panel meetings on 11 October 2018 and 16 December 2019, Hon Wilson OR requested that the Administration should update the Panel on the latest progress made under the Energizing Kowloon East initiatives, in particular the traffic and road improvement measures to solve the traffic congestion problem in Kwun Tong.

To be decided

26. Management of public works

At the Panel meeting on 11 October 2018, Dr Hon CHENG Chung-tai suggested that the Administration should brief the Panel on the contracting and tendering arrangements/mechanism of public works projects.

To be decided
(Note)

Note: The Administration advises that the contracting and tendering arrangements vary among public works projects due to the scope, scale and nature etc. DEVB and the relevant departments stand ready to brief Panel members on the details of specific projects as appropriate.

27. Technical Study on Transport Infrastructure at Kennedy Town for Connecting to East Lantau Metropolis — Report on Preliminary Traffic and Transport Impact Assessment (Final)

At the Panel meeting on 28 May 2019, Hon CHU Hoi-dick considered that the captioned report was relevant to the proposed "Studies related to artificial islands in the Central Waters" and

To be decided

**Proposed timing
for discussion/
Remarks**

requested that the Panel be briefed on the captioned report.

28. Opening up of the Sha Tau Kok Closed Area and its long-term planning and development

On 19 October 2020, Hon Kenneth LAU wrote to the Chairman expressing views on issues relating to the opening up of the Sha Tau Kok Closed Area and its long-term planning and development, and proposed that a joint meeting with the Panel on Security be arranged to discuss the relevant issues. (LC Paper No. CB(1)42/20-21(01)).

To be decided

**Proposed timing
for discussion/
Remarks**

Public Works Programme ("PWP")

1. Extension of Siu Ho Wan Water Treatment Works and improvement of water supply to Sha Tin, Sheung Shui and Fanling

The Administration will brief members on the following proposals:

23 February 2021

- (a) Upgrading part of PWP Item No. 365WF to Category A for the main works of Siu Ho Wan Water Treatment Works extension;
- (b) Upgrading PWP Item No. 054WS to Category A for the salt water supply to Sha Tin Area 52, Shui Chuen O; and
- (c) Upgrading PWP Item No. 055WS to Category A for the reclaimed water supply to Sheung Shui and Fanling.

The submission of the relevant funding proposal to the Public Works Subcommittee ("PWSC") and the Finance Committee ("FC") is tentatively scheduled for April 2021.

2. PWP Item No. 702CL-3 — Kai Tak Development — Remaining infrastructure works for developments at the former runway and south apron, Phase 2, Package F — Landscaped Elevated Walkway to the New Acute Hospital

The Administration will brief members on the proposal of upgrading the project to Category A for constructing an elevated landscaped walkway connecting Kowloon Bay and the New Acute Hospital in Kai Tak.

First quarter
of 2021

The submission of the relevant funding proposal to PWSC and FC is tentatively scheduled for the second quarter of 2021.

**Proposed timing
for discussion/
Remarks**

**3. PWP Item No. 58TF — Improvement works at
Kau Sai Village Pier**

The Administration will brief members on the proposal of upgrading the project to Category A for improvement works at Kau Sai Village Pier.

First quarter
of 2021

The submission of the relevant funding proposal to PWSC and FC is tentatively scheduled for the second quarter of 2021.

**4. PWP Item No. 59TF — Improvement works at
Lai Chi Chong Pier**

The Administration will brief members on the proposal of upgrading the project to Category A for improvement works at Lai Chi Chong Pier.

First quarter
of 2021

The submission of the relevant funding proposal to PWSC and FC is tentatively scheduled for the second quarter of 2021.

5. New Territories North ("NTN") Development

The Administration will brief members on the proposal to upgrade the following projects to Category A:

Second quarter
of 2021

- (a) Part of PWP Item No. 852CL for the investigation and detailed design for San Tin/Lok Ma Chau Development Node; and
- (b) PWP Item No. 854CL for the Planning and Engineering Study for NTN New Town and Man Kam To Logistics Corridor.

The submission of the relevant funding proposal to PWSC and FC is tentatively scheduled for the second quarter of 2021.

**Proposed timing
for discussion/
Remarks**

**6. PWP Item No. 347WF — Re provisioning of
Harcourt Road Fresh Water Pumping Station**

The Administration will brief members on the proposal of upgrading the project to Category A for re provisioning of Harcourt Road Fresh Water Pumping Station.

Second quarter
of 2021

The submission of the relevant funding proposal to PWSC and FC is tentatively scheduled for the second quarter of 2021.

**7. New block allocation subhead for risk-based
improvement of water mains under Capital
Works Reserve Fund Head 709**

The Administration will brief members on the proposal of creating a new block allocation for risk-based improvement of water mains.

To be decided
(*Note*)

Note: The Administration advises that the risk-based improvement of water mains would be implemented through the existing block vote. As such, the Administration will brief Panel members only when there is a need to create a new block allocation in future.

**8. PWP Item No. 213CL — Engineering works for
Ha Mei San Tsuen Village Expansion Area; and
PWP Item No. 394CL — Sha Tin New Town —
stage 2 — servicing and extension of Pai Tau
Village in Area 6A**

In his letter to the Panel Chairman dated 28 October 2016 (LC Paper No. CB(1)50/16-17(01)), Hon Kenneth LAU suggested that the above public works projects be discussed by the Panel.

To be decided
(*Note*)

**Proposed timing
for discussion/
Remarks**

Note: In a written reply to a Council question raised by Hon Kenneth LAU on 14 November 2018, DEVB advised that the Government would seek funding approval for the relevant works from FC at an appropriate juncture, taking into account the overall programme of public works items. The Court of First Instance of the High Court handed down a judgment and subsequent order on 8 April and 30 April 2019 respectively on a judicial review of the small house policy, and ruled that the Free Building License and Land Exchange not involving government land are lawful and constitutional, while Private Treaty Grant and Land Exchange involving government land are not. All parties to the judicial review have lodged appeal against the judgment of the Court of First Instance of the High Court, and the Court of Appeal handed down the judgment on 13 January 2021 which allowed the Government's appeal. There may be further appeal and the developments of the case may have implications for the Small House Policy.

Council Business Division 1
Legislative Council Secretariat
25 January 2021