

(Translation)

LEGCO QUESTION NO. 17

(Written Reply)

Asked by: the Hon Emily Lau

Date of meeting: 18 May 2005

Replied by: Secretary for Housing,
Planning and Lands

Question

It is learnt that the Executive Authorities introduced an administrative measure in 1970s, called the Pok Fu Lam Moratorium, which prohibited the Government from granting new leases for land or modification to existing leases which would result in an increase of traffic in the area until such time as the transport infrastructure had been improved sufficiently. In this regard, will the Executive Authorities inform this Council:

- (a) whether the Pok Fu Lam Moratorium is still in force;
- (b) of the number of applications received in the past 10 years from private leaseholders for lease modifications to enlarge, within the limits permissible under the relevant Outline Zoning Plans, the development acreage of their developments in Pok Fu Lam, and the number of such applications rejected; and
- (c) of the reasons of the Cyberport project not affected by the Pok Fu Lam Moratorium in terms of the granting of leases and the measures in place to ensure a level playing field for everybody?

Reply

President,

My reply to the 3-part question is as follows:

- (a) Based on traffic/transport policy considerations, the Pokfulam Moratorium restricts lease modification and the sale of Government land to control the amount of traffic generated within the Pokfulam area. It is still in force.

The Environment, Transport and Works Bureau is now studying the feasibility of Route 4, West Island Line and South Island Line. Once a decision has been made on the way forward, the Transport Department will review the need for the Moratorium.

- (b) In pursuance of the Moratorium, the Lands Department would automatically reject all such applications within the area which the Moratorium applies, unless the Chief Executive in Council orders otherwise. Therefore, the Lands Department has not got dedicated record on the number of applications within the area which the Moratorium applies. Due to time constraint, we are not able to provide the number of cases that were rejected in the past 10 years.
- (c) The Town Planning Board (TPB) agreed the zoning amendment in relation to the Cyberport development in April 1999. In considering the application, the TPB made reference to the Transport Department's advice that the existing transport infrastructure with the completed and planned road improvement and extension project, together with some further recommended improvements of a number of existing junctions, would be capable of coping with the traffic generated from the Cyberport development.

In May 2000, the Chief Executive in Council considered the Cyberport project. Since the traffic impact assessment concluded that the Cyberport project would not create adverse traffic impact on the existing road network, it agreed to partially lift the Pokfulam Moratorium for the purpose of the Cyberport Project, with a view to creating a strategic cluster of information technology and

information services companies and a critical mass of professional talents in Hong Kong in the shortest possible time.

The Pokfulam Moratorium was imposed on traffic grounds. The partial lifting of the Moratorium for projects where the assessment of traffic implications is acceptable and with overriding public needs is not unprecedented. In 1985, the Government identified the site within Pokfulam area for public housing development to meet pressing demand. The Moratorium was then partially lifted to enable the development of Wah Kwai Estate, considering that the traffic implications of the housing project are manageable.

The Government has considered the traffic impact that would be brought about by individual projects before making the above decisions. Provided that the traffic impacts are assessed to be acceptable and the projects are considered as necessary to fulfill public needs, the Government would then consider approving the development or redevelopment projects within the Pokfulam area. Therefore, the Cyberport project is neither a unique nor an unprecedented case for which the Pokfulam Moratorium is partially lifted. The issue of not ensuring a level playing field for everybody does not arise.

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