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**Replies to initial written questions raised by Finance Committee Members in examining
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DEVB(PL)202	2771	LAM Tai-fai	118	Territorial Planning
DEVB(PL)203	1133	LAU Kin-yee, Miriam	118	Territorial Planning
DEVB(PL)204	1264	LAU Kin-yee, Miriam	118	Town Planning Information Services
DEVB(PL)205	1977	LAU Sau-shing, Patrick	118	District Planning
DEVB(PL)206	2226	LEE Wing-tat	118	District Planning
DEVB(PL)207	2227	LEE Wing-tat	118	District Planning
DEVB(PL)208	2228	LEE Wing-tat	118	District Planning
DEVB(PL)209	2229	LEE Wing-tat	118	District Planning
DEVB(PL)210	2585	LEONG Kah-kit, Alan	118	Territorial Planning
DEVB(PL)211	2587	LEONG Kah-kit, Alan	118	District Planning
DEVB(PL)212	0390	SHEK Lai-him, Abraham	118	-
DEVB(PL)213	0398	SHEK Lai-him, Abraham	118	Town Planning Information Services
DEVB(PL)214	1988	LAU Sau-shing, Patrick	703	-
DEVB(PL)215	1997	LAU Sau-shing, Patrick	707	-
DEVB(PL)216	3498	CHAN Tanya	138	Buildings, Lands and Planning
DEVB(PL)217	3499	CHAN Tanya	138	Buildings, Lands and Planning
DEVB(PL)218	3352	CHEUNG Kwok-che	138	Buildings, Lands and Planning
DEVB(PL)219	3353	CHEUNG Kwok-che	138	Buildings, Lands and Planning

Reply Serial No.	Question Serial No.	Name of Member	Head	Programme
DEVB(PL)220	3379	CHEUNG Kwok-che	138	Buildings, Lands and Planning
DEVB(PL)221	3486	CHAN Tanya	42	Mechanical Installations Safety
DEVB(PL)222	3488	CHAN Tanya	118	District Planning
DEVB(PL)223	3491	CHAN Tanya	118	District Planning
DEVB(PL)224	3492	CHAN Tanya	118	District Planning
DEVB(PL)225	3509	CHAN Tanya	701	-

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)001

Question Serial No.

2774

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is stated in the Budget that “the Development Bureau, in collaboration with the MTRCL, will soon launch public consultation on two property projects above the West Rail Kam Sheung Road Station and Pat Heung Depot.” Please advise how much resources have been set aside in 2012-13 by the Development Bureau for conducting consultation.

Asked by: Hon. CHAN Kam-lam

Reply:

We will carry out consultation with the local community, including the Yuen Long District Council and the Kam Tin and Pat Heung Rural Committees, on the proposed development of the Kam Sheung Road Station and Pat Heung Maintenance Centre sites, and the adjacent areas, in collaboration with the MTR Corporation Limited. The work will be absorbed by Development Bureau's existing resources.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)002

Question Serial No.

2588

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The Budget Speech mentioned that the Tsuen Wan West TW 5 (Bayside) would be re-tendered in due course. Will the Government inform this Committee of the latest progress of the work and the tendering timetable, and the details of the amendments to the tender?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

As announced by the Tsuen Wan West Property Development Limited on 12 January 2012, it will invite expression of interest to tender for the Tsuen Wan West Station TW 5 (Bayside) project at an appropriate time. The tender details will be announced by the MTR Corporation Limited, which is the agent for implementing West Rail property development projects, when the project is re-tendered.

Signature

Name in block letters

Post Title

Date

Thomas Chow

Permanent Secretary for Development
(Planning and Lands)

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)003

Question Serial No.

2589

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The Government decided in the 2011-12 Budget to turn the "hotel only" pilot scheme into a permanent arrangement to encourage the industry to develop more hotels in support of the tourism industry. Will the Government inform this Committee the details of, and the resources and manpower involved in this permanent arrangement, and whether any target is set for the scheme?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

As announced by the Financial Secretary in his 2011-12 Budget Speech, with the objective of facilitating hotel development, the Government decided to turn the "hotel only" pilot scheme into a permanent arrangement. Under it, the reserve price of hotel sites on the Application List and the premium for lease modification/land exchange cases opting for "hotel only" development will be assessed and charged on a "hotel only" basis instead of their maximum permissible development potential irrespective of whether hotel use represents the optimal development.

The objective of turning the pilot scheme into a permanent arrangement is to continue to promote the development of hotels in Hong Kong in support of the tourism industry. We hope that the industry will benefit from this. There is no target set for the scheme. The scheme is being implemented using existing resources.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)004

Question Serial No.

2590

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The Urban Renewal Authority will launch redevelopment projects of industrial buildings in the form of a pilot scheme. Will the Government advise –

- (a) on the details of the scheme, including the target districts, number of buildings, timetable, the uses after redevelopment, plot ratio, and the implication on the rental and sale market of industrial and commercial buildings in Hong Kong?
- (b) on the criteria to be used in considering whether the scheme should continue upon completion of the review of the scheme?
- (c) whether the scheme will affect redevelopment at present? What are the additional manpower and establishment involved?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

- (a) The Urban Renewal Authority (URA) is in the process of working out the details of the pilot scheme, including its scope, implementation timetable, parameters, etc. and will consult its Board. We are therefore unable to provide the details at this stage.
- (b) The operation of the pilot scheme will be reviewed after its implementation and we will consult the public before deciding on the level of the long-term commitment of the URA on the redevelopment of industrial buildings.

- (c) The URA will allocate additional manpower resources for the initiative to ensure that the pilot scheme will not affect its core businesses. As the URA is in the process of working out the details of the pilot scheme, we are unable to provide the information requested at this stage.

The URA will establish a special task force to be headed by its Managing Director to take forward the pilot scheme. An implementation plan to include the scope of the project, the location, the timetable etc. will be drawn up for consideration and approval by the URA Board.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)005

Question Serial No.

2591

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Since the introduction of the pilot mediation scheme for compulsory sale for redevelopment in January 2011, how many applications have been received? What is the amount of financial subsidies involved? What is the number of eligible owners subsidised? And what are the mediation fees involved?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

Over the 12-month period since the launch of the Pilot Mediation Scheme (the Scheme) for compulsory sale for redevelopment on 27 January 2011, the Scheme received 31 requests for mediation. Arising from the 31 cases, there were two applications from elderly minority owners for support on the payment of mediator fees. One of the two applications was subsequently withdrawn and the other is still being processed. There has been no payment incurred so far.

Signature

Name in block letters

Post Title

Date

Thomas Chow

Permanent Secretary for Development
(Planning and Lands)

1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)006

Question Serial No.

2594

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is stated in paragraph 73 of the Budget Speech that the 47 residential sites in the Land Sale Programme for 2012-13 will provide some 13 500 units. Will the Government inform this Committee:

- (a) of the situation under which the Administration will decide to transfer to the Hong Kong Housing Authority or the Hong Kong Housing Society the sites not in tune with market reception when put up for sale in the market; the criteria and mechanisms to be followed; and
- (b) whether the Government has assessed the impacts of sites likely to be transferred on the supply of public and private residential flats each year and the Waiting List?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

The Government reviews from time to time the optimal use of sites in the Land Sale Programme for better utilisation of land resources. For instance, in the 2011-12 Application List, we did not roll over from the previous year's Application List two sites located in Mui Wo and Chai Wan, and had instead re-allocated them for public rental housing. Two sites in the 2011-12 Sale by Tender List located in Tsuen Wan and Yuen Long were originally intended for sale in the fourth quarter of 2011-12 when ready, but were re-allocated for the new Home Ownership Scheme to support this initiative which was mentioned in the 2011-12 Policy Address.

As the Secretary for Development has mentioned, re-allocation of sites in the Government Land Sale Programme for public housing purpose is the last resort to be pursued when such sites have not been taken up by the market after a long time. We will continue our endeavour to provide an annual supply of land for adequate provision of an average of about 40 000 residential units of various types by continuing to increase land supply and expand land resources using a multi-pronged approach.

Signature	_____
Name in block letters	_____ Thomas Chow _____
Post Title	_____ Permanent Secretary for Development (Planning and Lands) _____
Date	_____ 29 February 2012 _____

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)007

Question Serial No.

3005

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is stated in the Budget that the West Rail Kam Sheung Road Station and Pat Heung Depot and the adjacent rural area have enormous potential for providing more housing land. The Government, in collaboration with the Mass Transit Railway Corporation Limited, will launch public consultation on the above projects. Will the Government advise on details of the consultation and the anticipated work progress?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

The first round of consultation with the local community, including the Yuen Long District Council and the Kam Tin and Pat Heung Rural Committees, on the proposed developments of the West Rail Kam Sheung Road Station and Pat Heung Maintenance Centre sites, and the adjacent areas, is expected to be carried out in March / April 2012. Their views on the detailed land uses, development intensity and other planning considerations will be sought prior to the conduct of further technical assessments and finalisation of the land use proposals.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)008

Question Serial No.

3006

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is mentioned in para. 69 of the Budget Speech that the Government will invite the MTR Corporation Limited (MTRCL) to explore other opportunities for development along railways. Will the Government inform this Committee of its initial view? Will the Government consider requiring MTRCL to reserve a certain number of units with flat size restrictions having considered the demand for small and medium-sized flats in the market?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

As mentioned by the Secretary for Development at the Press Conference on 2 February 2012 announcing the 2012-13 Land Sale Programme, we will invite the MTR Corporation Limited to explore other opportunities for development along railways in addition to the proposed property development projects above the West Rail Kam Sheung Road Station and Pat Heung Depot. The work has only just started and we are thus unable to provide the information requested at this stage.

Signature	_____
Name in block letters	Thomas Chow
Post Title	Permanent Secretary for Development (Planning and Lands)
Date	29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)009

Question Serial No.

3007

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is stated in paragraph 69 of the Budget Speech that the property projects above the West Rail Kam Sheung Road Station and Pat Heung Depot will give impetus to the development of the southern part of Kam Tin. Will the Government advise on details of the development plan? Would it involve resumption of private land with relevant funding earmarked?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

According to preliminary assessment, there is potential to provide a total of about 8,700 flats at the Kam Sheung Road Station (KSRS) and Pat Heung Maintenance Centre (PHMC) sites, about 40% of which will be small-to-medium sized flats.

We expect that the development of KSRS and PHMC sites will promote the development of the adjacent areas. A total of about 100 ha of land adjoining the KSRS and PHMC sites has been identified as having potential for housing development, with a capacity to provide about 15 000 flats. Detailed land uses and development intensities of the potential sites will be further assessed after consultation with the local community. The Transport and Housing Bureau will also examine the potential for public housing development within these areas. The extent of land resumption, if any, for public purpose together with the required funding for the public projects / facilities will be worked out after finalisation of the detailed assessments on land use, development intensity and technical considerations.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)010

Question Serial No.

3008

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It has been stated in the Budget since 2008 that work on the proposals to resolve the problem of missing or illegible government leases will continue. Will the Government advise on details of the work each year and the latest progress?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

We have been in the process of formulating a possible way forward for tackling the problem of missing or illegible government leases in the light of feedback received during our earlier consultation with the Heung Yee Kuk, the Law Society of Hong Kong and the relevant Panel of the Legislative Council. This process is still on-going.

Signature

Name in block letters

Post Title

Date

Thomas Chow

Permanent Secretary for Development
(Planning and Lands)

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)011

Question Serial No.

3009

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 700 General non-recurrent (Item 865
(Planning and Lands Branch) Operation Building Bright)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It was proposed in the 2011-12 Budget that an additional funding of \$1 billion would be allocated to continue the implementation of Operation Building Bright (OBB).

- (a) Since the launch of OBB, how many applications have been received by the Government? Among them, what are the number of applications rejected, the reasons of the rejection, the amount of grants applied for, the number of units and the districts involved?
- (b) When the balance for OBB is expected to be used up? Will a final review of the effectiveness of OBB be conducted?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

- (a) Operation Building Bright (OBB) covers two categories of buildings, namely Category 1 and Category 2 target buildings. Category 1 target buildings are those with owners' corporations (OCs) which are prepared to carry out repair works on a voluntary basis. The OCs are required to make applications to participate in OBB. Category 2 target buildings are those having difficulties in coordinating repair works, such as buildings without OCs. Owners of such buildings are not required to make applications and their buildings are selected by the Steering Committee of OBB comprising representatives from the Buildings Department, Hong Kong Housing Society and Urban Renewal Authority.

In the two rounds of applications for Category 1 target buildings, a total of 1 678 applications from OCs have been received. As at 31 January 2012, 197 applications involving a total of around 17 900 units and an estimated amount of grant of around \$372 million had been rejected. The reasons for rejection mainly include failure to meet the relevant eligibility criteria and requirements of OBB, such as the age of the building is below 30 years, the average rateable value exceeds the specified limit, the building is not for domestic or composite use, etc. These buildings are distributed over all the District Council districts except Wong Tai Sin and Sai Kung.

- (b) With a total funding of \$3.5 billion, we estimate that the overall duration of OBB and disbursement of all the funding will extend until 2015. The experience gained in implementing OBB provides a good foundation for the Government, its partner organisations, building owners as well as building professionals and contractors to work together to enhance building maintenance and management. In this connection, we are arranging to conduct a survey to collate and analyse the experience gained in OBB and evaluate the effectiveness of OBB for future reference.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)012

Question Serial No.

3010

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The departmental operational expenses for temporary staff in 2012-13 have increased by more than 25% as compared with the revised estimate for 2011-12. What are the reasons?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

The provision for temporary staff in the 2012-13 estimate is higher than the 2011-12 revised estimate by \$5.148 million (25.6%). This is mainly due to the full-year effect of the increased honoraria for trainees under the Graduate Training Scheme (GTS), as well as the increase in the number of trainees to be engaged under the GTS and Vacation Training Scheme in 2012-13.

Signature

Name in block letters

Post Title

Date

Thomas Chow

Permanent Secretary for Development
(Planning and Lands)

1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)013

Question Serial No.

3011

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The departmental operational expenses for honoraria for members of committees in 2012-13 have increased by more than 35% when compared with the revised estimate for 2011-12. What are the reasons?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

The provision for honoraria for members of committees in the 2012-13 estimate is higher than the 2011-12 revised estimate by \$1.429 million (37.9%). This is mainly due to the full-year effect of the increased honoraria for members of the Appeal Tribunal Panel (Buildings) and Appeal Board Panel (Town Planning), as well as the estimated increase in the number of hearings to be handled by these two panels in 2012-13.

Signature

Name in block letters

Post Title

Date

Thomas Chow

Permanent Secretary for Development
(Planning and Lands)

1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)014

Question Serial No.

3012

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is stated in paragraph 69 of the Budget Speech that appropriately increasing the development intensity of land will help increase the supply of residential flats within a relatively short span of time. Will the Government advise this Committee how the development intensity of land will increase appropriately? Will public consultation be conducted? How will the supply of residential flats increase within a relatively short span of time?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

Currently, many parts of the New Territories are restricted to a relatively low level of development intensity. However, new infrastructure (including roads and rail facilities) and other new planning circumstances (e.g. obsolescence of rural industries) provide scope for reviewing these development restrictions. Subject to the availability of adequate infrastructure capacity, and taking into account factors such as environmental, heritage preservation and other constraints, we consider that appropriate relaxation of the current development restrictions would not only offer stronger incentives for privately initiated residential developments, but also allow more flats to be built on government land, especially for those sites which are more readily available for development. The identification of the West Rail Kam Sheung Road Station, Pat Heung Maintenance Centre sites and the adjacent areas for housing development is a case in point. As for all major government development proposals, public consultations will be carried out.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)015

Question Serial No.

3013

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is proposed in paragraph 87 of the Budget Speech that the Urban Renewal Authority (URA) will be invited to launch redevelopment projects of industrial buildings in the form of a pilot scheme.

- (a) Has the URA undertaken similar redevelopment projects before? What are the details and experience of the projects? And what are the acquisition criteria and the amount of compensation involved?
- (b) Can the URA invoke the Lands Resumption Ordinance for compulsory acquisition of industrial buildings?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

- (a) The Urban Renewal Authority (URA) has not previously undertaken any redevelopment of industrial buildings located on former industrial zones for the purpose of releasing the sites for residential or commercial redevelopment. There is, however, a URA redevelopment project at Sai Wan Ho Street (H14) with an existing industrial building which the URA has taken over from the former Land Development Corporation. As the industrial building involved in this project is situated on land that has all along been zoned "Residential" in the Outline Zoning Plan, it is not the same as the pilot scheme for the redevelopment of industrial buildings that the URA is going to implement.

The compensation and ex-gratia payment policy for H14 is as follows –

Status	Acquisition Offer
Owner-operator	Market Value + 1.5 times the standard government ex-gratia allowance
Owner of Tenanted / Vacant Property	Market Value + 0.5 times the standard government ex-gratia allowance
Tenant operator	1.5 times the standard government ex-gratia allowance

As the acquisition of H14 is still in progress, information on the acquisition expenses is not available.

- (b) The URA will redevelop industrial buildings under the Urban Renewal Authority Ordinance (Cap. 563) (URAO). Pursuant to section 29 of the URAO, the URA may apply in writing to the Secretary for Development requesting her to recommend to the Chief Executive in Council the resumption of land under the Lands Resumption Ordinance (Cap. 124) in relation to a development scheme or a development project contained in a corporate plan and business plan as approved by the Financial Secretary under the URAO. Prior to invoking section 29, the URA will consider acquiring land by agreement as in line with the Urban Renewal Strategy.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)016

Question Serial No.

3014

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is proposed in paragraph 87 of the Budget Speech that another injection will be made to the Urban Renewal Authority (URA) when necessary to ensure that the URA's task will not be affected if the URA becomes heavily involved in the redevelopment of industrial buildings in future.

- (a) Will the Government advise if the URA will become heavily involved in the redevelopment of industrial buildings during the implementation of the pilot scheme, the districts for redevelopment, the estimated expenditure involved and the duration of these redevelopment projects?
- (b) Will the Government consider making another injection to the URA during the implementation of the pilot scheme? What is the amount of and the criteria for the injection?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

- (a) The Urban Renewal Authority (URA) will carry out one to two redevelopment projects on industrial buildings over the next two years under the pilot scheme. The URA is in the process of working out the details of the pilot scheme, including its scope, parameters, the estimated budget, etc. and will consult its Board. We are unable to provide the details requested at this stage.

- (b) The operation of the pilot scheme will be reviewed after its implementation. We will consult the public before deciding on the level of the long-term commitment of the URA on the redevelopment of industrial buildings. We will only propose to make financial injection into the URA where necessary.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)017

Question Serial No.

3015

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The Hong Kong Housing Society has been providing free information service on the compulsory sale process under the Land (Compulsory Sale for Redevelopment) Ordinance. Since the Ordinance came into operation, how many property owners and members of the public who are interested in the subject have been provided with such service? And what are the manpower and expenditure involved?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

The Hong Kong Housing Society (HKHS) has been providing free information service on the Land (Compulsory Sale for Redevelopment) Ordinance to minority owners and interested members of the public since 1 April 2010. As at 31 January 2012, the HKHS had handled a total of 380 enquiries. The HKHS has not kept a breakdown of the identity of the enquirers. The manpower and expenditure involved in the provision of this service is absorbed by the HKHS.

Signature

Name in block letters

Post Title

Date

Thomas Chow

Permanent Secretary for Development
(Planning and Lands)

1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)018

Question Serial No.

3016

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It has been one year since the pilot mediation scheme for compulsory sale for redevelopment was implemented. Will the Government advise this Committee on the findings of the review of the scheme? Has the "Flat-for-Flat" arrangement or owners' participation in redevelopment projects been considered in the review? Has the implication of the expenditure on the sustainability of the mediation scheme been taken into account in the review?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

Over the 12-month period since the launch of the Pilot Mediation Scheme for compulsory sale for redevelopment on 27 January 2011, the scheme has handled 79 enquiries and received 31 requests for mediation.

Given the relatively short time over which mediation has been adopted as an alternative mechanism to settle disputes in compulsory sale cases, we have decided to extend the scheme for another year to ascertain its effectiveness in providing the necessary support to minority owners. We will continue to monitor the implementation of the scheme and will review its progress by the end of its second year of operation.

As the purpose of the Pilot Mediation Scheme is to facilitate the parties involved in or contemplating compulsory sale applications under the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) in undertaking mediation on a voluntary basis, including listing under the scheme qualified mediators who are familiar with the Ordinance, providing mediation venue support to the mediation parties and providing financial assistance to eligible elderly owners in their payment of their share of the mediator fees, any future review of the Pilot Mediation Scheme will not cover discussions of “flat-for-flat” or “owner participation” which are not related to the purpose of the scheme.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)019

Question Serial No.

3017

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

To enhance publicity and public education and to assist property owners to understand their rights and the services provided by various organisations, the Government launched a video on the Land (Compulsory Sale for Redevelopment) Ordinance in 2011. Will the Government inform this Committee of the number of property owners who have watched the video, whether opinion survey has been conducted in order to find out if property owners know their rights and protection under the Ordinance, and whether improvement has been made in response to property owners' views?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

The video on the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) (the Ordinance) launched on 27 January 2011 is part of the Government's public education and publicity programme on the subject of compulsory sale for redevelopment. Copies of the video have been distributed to over 3 700 owners' corporations of buildings aged over 40 years old in Hong Kong. The video is also uploaded onto the website of the Development Bureau and the dedicated websites of the service providers of the "Pilot Mediation Scheme" and the "Pilot Scheme on Outreach Support Service for Elderly Owners", both being pilot schemes launched in support of minority owners affected by compulsory sale or voluntary acquisition prior to compulsory sale. As at end January 2012, the cumulative hit rate of the video on these websites reached 7 200.

While we have not conducted any follow-up survey on the effectiveness of the video in enhancing public understanding of compulsory sale, we have continued to step up our public education efforts, including jointly organising public talks on the Ordinance and the support schemes with the Hong Kong Institute of Surveyors, the service providers of the “Pilot Mediation Scheme” and the “Pilot Scheme on Outreach Support Service for Elderly Owners”, and the Urban Renewal Authority. For the upcoming public talk to be held in early March 2012, we have also invited the Hong Kong Police Force to speak to the participants on crime prevention in buildings affected by voluntary acquisition or compulsory sale.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)020

Question Serial No.

0076

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is mentioned in the Budget that “the major sources of land supply for private residential housing in the coming year include the Government’s Land Sale Programme for the coming year, four property projects along the West Rail, three property projects owned by the MTRCL, redevelopment projects of the Urban Renewal Authority (URA), lease modifications or land exchanges, and private redevelopments not subject to lease modifications or land exchanges. It is estimated that the housing land supply in aggregate in the coming year will provide some 30 000 private residential flats.” What is the number of flats that can be produced by each source of housing land supply?

Asked by: Hon. CHEUNG Hok-ming

Reply:

As announced by the Secretary for Development at the post-Budget Press Conference on the 2012-13 Land Sale Programme on 2 February 2012, the total housing land supply in 2012-13 is estimated to have the capacity to produce about 30 000 flats, as tabulated below –

Source of Housing Land Supply	Estimated Flat Number
Government Land Sale Programme	13 500
West Rail property development projects	4 300
MTR Corporation Limited's own property development projects	6 200
Redevelopment projects of the Urban Renewal Authority	1 200
Projects subject to lease modification or land exchange (annual average of 2006-2010)	3 300
Private redevelopments not subject to lease modifications or land exchanges (annual average of 2006-2010)	1 300
Total :	29 800 (about 30 000)

We would like to point out that the above figures refer to the potential housing land that could be made available to the market for private residential developments within 2012-13. The actual supply of housing land will depend on market factors, such as the results of government land sales, tenders of railway property development projects and redevelopment projects of the Urban Renewal Authority, developers' initiatives to modify leases and to redevelop their sites, etc.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)021

Question Serial No.

0077

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

“On the proposals to resolve the problem of missing or illegible government leases”, what kind of preparation work will the Administration continue to do in 2012-13? What is the expected completion date of such work?

Asked by: Hon. CHEUNG Hok-ming

Reply:

In the light of feedback received during our earlier consultation with the Heung Yee Kuk, the Law Society of Hong Kong and the relevant Panel of the Legislative Council, we are in the process of formulating a possible way forward for tackling the problem of missing or illegible government leases. This process is complicated and will take some time to complete. We are unable to give a definite completion date for this.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)022

Question Serial No.

0078

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (3) Development Opportunities Office

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Will the Planning and Lands Branch provide one-stop consultation and co-ordination service for eligible land development proposals by non-governmental organisations and private sector project proponents after the Development Opportunities Office ceases operation at the end of June 2012? And after the cessation of the operation of the Office, which government department will follow up the outstanding projects of the Office?

Asked by: Hon. CHEUNG Hok-ming

Reply:

The Development Opportunities Office will strive to complete handling as many outstanding projects as possible during its remaining time. When the Office ceases to operate after 30 June 2012, the current one-stop consultation and co-ordination service provided by the Office for land development projects of non-governmental organisations and private sector proponents carrying a broader economic or social value will be taken up by the relevant policy units in the Development Bureau and its group of departments as appropriate, as well as by other relevant policy bureaux and departments. For example, the new Kowloon East Development Office will provide one-stop consultation and co-ordination service for such land development projects in Kowloon East; the policy units with special advocacy roles (e.g. the Harbour Unit, the Commissioner for Heritage's Office) will facilitate the implementation of such land development projects under their respective policy purviews; and other departments, in particular the Planning Department, will facilitate the implementation of such development projects in the same way as they did before the establishment of the Office.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)023

Question Serial No.

0079

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

In 2012-13, the Administration will “continue to refine the proposals in consultation with stakeholders to amend the Land Titles Ordinance (Cap. 585) to provide for effective implementation of the new title registration system.” Please advise when the consultation will end and when the new title registration system is expected to be implemented.

Asked by: Hon. CHEUNG Hok-ming

Reply:

As we have reported to the Joint Subcommittee on Amendments to Land Titles Ordinance under the Legislative Council Panel on Development and Panel on Administration of Justice and Legal Services, some of the major stakeholders have raised divergent views on the rectification and indemnity arrangements provided under the Land Titles Ordinance (Cap. 585). To address their concerns, we have developed a proposed “Two-stage Conversion Mechanism” and are consulting the major stakeholders on it. So far, the feedback has been generally positive. We will continue to work closely with the stakeholders and hope to be able to build consensus among them, following which we will map out the necessary actions and a timetable for introducing a new title registration system.

Signature

Name in block letters

Post Title

Date

Thomas Chow

Permanent Secretary for Development
(Planning and Lands)

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)024

Question Serial No.

2406

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

- (a) The Development Bureau (DEVB) has been active in taking forward urban renewal in recent years. How will residents affected by redevelopment be assisted by the DEVB? Please provide the figures in table form as follows:

	2007	2008	2009	2010	2011
Total number of private residential buildings (4 storeys or above) in Hong Kong					
Total number of residential buildings (4 storeys or above) aged 30 years or above in Hong Kong					
Total number of residents residing in residential buildings (4 storeys or above) aged 30 years or above in Hong Kong					
Number of redevelopment projects launched by the Urban Renewal Authority (URA) that year					
Number of domestic owners affected by the above projects					
Number of tenants affected by the above projects					

	2007	2008	2009	2010	2011
Amount of expenditure of the URA on the provision of the urban renewal social service teams that year					
Number of staff of the urban renewal social service teams that year					

- (b) Please provide information on the number of buildings and units involved in compulsory sale applications made under the Land (Compulsory Sale for Redevelopment) Ordinance in the past five years:

	2007	2008	2009	2010	2011
Number of buildings involved					
Number of units involved					
Number of owners involved					
Number of tenants involved					
Number of owners aged 60 years or above involved					

- (c) The Government launched the “Pilot Scheme on Outreach Support Service for Elderly Owners” in early 2011 to provide service for elderly owners aged 60 or above. In this connection, has the Government considered extending the scope of service to all affected owners? If yes, what are the plans? If no, what are the reasons?

Asked by: Hon. CHEUNG Kwok-che

Reply:

- (a) Urban renewal in Hong Kong is undertaken by both the public sector and the private sector.

On the public sector front, the Urban Renewal Authority (URA) has been tasked under the Urban Renewal Authority Ordinance (Cap. 563) to undertake urban renewal to tackle the problem of urban decay and improve the living conditions of the affected building owners and tenants. As the policy bureau overseeing the urban renewal policy, the Development Bureau (DEVB) undertook a comprehensive review of the Urban Renewal Strategy (URS) between 2008 and 2010 with the objective to bring the strategy up to date, including the support to affected owners and tenants. The URA has been compensating and rehousing the affected owners and tenants in accordance with its prevailing policy which broadly follows the Government’s policy as approved by the Legislative Council (LegCo) in March 2001.

After the promulgation of the new URS on 24 February 2011, the URA has implemented the following new measures to provide further assistance to the affected owners/tenants –

- (i) Flat for Flat (FFF) Scheme : The URA now provides a FFF option to affected owner-occupiers apart from cash compensation under the prevailing policy.
- (ii) Special measures to support domestic tenants who are evicted before the URA acquires the properties concerned : A cash compensation of three times the rateable value of the subject property is now payable to these “evicted” tenants.
- (iii) Compassionate approach in assessing the eligibility of landlord owners for ex-gratia payment : The URA now adopts a compassionate approach in assessing the eligibility of owners of tenanted domestic units for ex-gratia payment in exceptional circumstances such as in the cases of elderly owners.
- (iv) Social Service Teams : A dedicated Urban Renewal Trust Fund with an endowment of \$500 million from the URA has been set up to fund, among others, the work of the social service teams to support affected owners and tenants of URA projects.

On the private sector redevelopment front, to facilitate the private sector’s participation in urban redevelopment, the DEVB gazetted in January 2010 the Land (Compulsory Sale for Redevelopment) (Specification of Lower Percentage) Notice (Notice) which specifies the lower compulsory sale threshold of 80% for three classes of lot. The Notice came into operation on 1 April 2010 after scrutiny by LegCo. To enhance the support available to minority owners affected by compulsory sale, the DEVB commissioned on 27 January 2011 the Joint Mediation Helpline Office Limited (JMHOL) to launch the “Pilot Mediation Scheme” and the Senior Citizen Home Safety Association (SCHSA) to launch the “Pilot Scheme on Outreach Support Service for Elderly Owners” for a 12-month period.

The “Pilot Mediation Scheme” aims to facilitate the parties involved in or contemplating compulsory sale applications under the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) in undertaking mediation on a voluntary basis. All mediators listed under the scheme are qualified mediators who have undergone training on Cap. 545. The scheme provides mediation venue support to the participating owners. Financial assistance is also available to eligible elderly owners for payment of their share of the mediator fees under the “Pilot Mediation Scheme”.

The “Pilot Scheme on Outreach Support Service for Elderly Owners” aims to provide support to the elderly owners of old buildings affected by compulsory sale or voluntary acquisition prior to compulsory sale by way of information, technical and other support services.

To further step up public education and publicity, the DEVB has also launched a public education video on compulsory sale, and jointly organised with the Hong Kong Institute of Surveyors, JMHOL and SCHSA three public talks in 2011-12 to introduce the Ordinance and the two pilot schemes to the public.

The statistical information requested is set out below –

	2007	2008	2009	2010	2011
Total number of private residential buildings (4 storeys or above) in Hong Kong	19 094	19 383	19 459	19 564	19 701
Total number of residential buildings (4 storeys or above) aged 30 years or above in Hong Kong	9 445	9 802	10 161	10 473	10 839
Total number of residents residing in residential buildings (4 storeys or above) aged 30 years or above in Hong Kong	We do not have figures on the number of residents residing in these residential buildings				
Number of redevelopment projects launched by the URA that year	6	2	3	2	2
Number of domestic owners affected by the above projects	558	37	231	122	232
Number of tenants affected by the above projects	554	71	319	224	538
Amount of expenditure of the URA on the provision of the urban renewal social service teams that year	\$3.298 million	\$3.817 million	\$4.962 million	\$5.47 million	\$4.276 million (Note)
Number of staff of the urban renewal social service teams that year	15	15	17	18	18

Note : The Urban Renewal Fund Limited was set up in August 2011 and has since taken over the funding responsibility for social service teams from the URA.

- (b) Over the past five years, we have been monitoring the effectiveness of Cap. 545 in facilitating private sector participation in redevelopment through analysing the statistics on the number of compulsory sale applications filed with the Lands Tribunal, the number of compulsory sale orders granted and the auction results. In line with our commitment to LegCo in 2010 during the scrutiny of the Notice, we have launched two pilot schemes to provide support to minority owners affected by compulsory sale or voluntary acquisition as mentioned in the reply in part (a) above. We have been monitoring the effectiveness of the pilot schemes.

The two pilot schemes have been making good progress. Over the 12-month period from 27 January 2011 when the schemes were launched, the Pilot Mediation Scheme handled 79 enquiries and received 31 requests for mediation. For the same period, the “Pilot Scheme on Outreach Support Service for Elderly Owners” handled a total of 61 cases of requests for assistance from elderly owners, and provided them with information service and other support services.

Appended below are five-year statistics on the number of compulsory sale applications filed with the Lands Tribunal, the number of lots involved, the number of compulsory sale orders granted and the number of auctions successfully held:

	2007	2008	2009	2010	2011
Number of compulsory sale applications filed	14	10	8	21	46
Number of lots involved	31	17	23	60	88
Number of compulsory sale orders granted	3	5	5	6	9
Number of auctions successfully held	3	4	5	3	6

We have been using the trend statistics of the number of compulsory sale applications and also the territorial distribution of these compulsory sale cases to gear up the outreach service provided under the “Pilot Scheme on Outreach Support Service for Elderly Owners”. Furthermore, the service provider of the outreach pilot scheme has also proactively outreached to elderly owners through their district networks and identified elderly owners who require support. As the monitoring arrangement has worked well, we have not separately kept information on the number of buildings, the number of units, the number of owners and tenants involved in these compulsory sale applications for the same monitoring purpose.

- (c) Given the volume of requests for assistance from elderly owners under the “Pilot Scheme on Outreach Support Service for Elderly Owners”, we have decided to expand the current service from one outreach service team to two and are now conducting the tendering exercise. For a more comprehensive service, we have set out in the tender requirement this year that while the service provider should continue to target the service at elderly owners aged 60 years or above, information and support service should also be provided to their immediate family members as necessary. We have no plan to further expand the scope of this pilot support service.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)025

Question Serial No.

2888

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The Administration will solve the problem of “sub-divided units” which is of grave public concern by speeding up the redevelopment of old buildings.

- (a) What is the number of old buildings resumed in the past three years? What is the development of these old buildings resumed? Will the old buildings resumed be redeveloped into public housing blocks to ease the pressure on public housing?
- (b) Please provide the number of “sub-divided units” in Hong Kong, and the population residing in the “sub-divided units”.
- (c) Does the Administration have any measures to ensure that appropriate accommodation will be offered to the occupants of “sub-divided units” after redevelopment of old buildings? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. CHEUNG Kwok-che

Reply:

- (a) In the past three years, the Urban Renewal Authority (URA) has commenced the following seven redevelopment projects: the San Shan Road/Pau Chung Street project, the Shun Ning Road project, the Ma Tau Wai/Chun Tin Street project, the Pak Tai Street/San Shan Road project, the Fuk Wing Street project, the Kowloon City Road/Sheung Heung Road project and the Reclamation Street/Shantung Street project. A total of 83 buildings are affected.

Under the current plan, the URA will develop the Ma Tau Wai/Chun Tin Street project itself and will develop the other six projects with joint venture partners to provide private residential housing. As it is not the purpose of the URA to provide subsidised housing, no subsidised housing will be provided in these projects.

- (b) We do not have statistics on the number of “sub-divided units” in Hong Kong or the number of occupants residing in them.
- (c) Under the URA’s prevailing acquisition and compensation policy which broadly follows the Government’s policy as approved by the Legislative Council, the URA will offer cash compensation and ex-gratia payment to domestic tenants affected by the URA’s redevelopment projects who are registered at the time of the freezing survey and who have their occupancy status confirmed. Eligible domestic tenants may opt for public rental housing unit in the urban area in lieu of cash.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)026

Question Serial No.

3307

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It has been more than one year since the “Pilot Mediation Scheme for Compulsory Sale for Redevelopment” and the “Pilot Scheme on Outreach Support Service for Elderly Owners” were launched on 27 January 2011.

- (a) The Administration launched a pilot mediation scheme for compulsory sale for redevelopment and a pilot out-reach service scheme to help owners of old buildings who may be affected by compulsory sale for redevelopment. Please advise on the number of people who have joined the schemes by district since their launch.
- (b) Those affected by redevelopment are mostly tenants and many of them were forced to move out of their flats. Please advise whether the pilot mediation scheme is applicable to these affected tenants. Does the Administration have any measures to assist such a large number of tenants who were forced to move out? If yes, what are the details? If not, what are the reasons?
- (c) The “Pilot Scheme on Outreach Support Service for Elderly Owners” is operated by the Senior Citizen Home Safety Association. Please advise on the number of people who have joined the scheme by district since its launch.

Asked by: Hon. CHEUNG Kwok-che

Reply:

- (a) Over the 12-month period since the launch of the Pilot Mediation Scheme on 27 January 2011, the scheme handled 79 enquiries and received 31 requests for mediation. For the same period, the “Pilot Scheme on Outreach Support Service for Elderly Owners” handled a total of 61 cases of requests for assistance by elderly owners, and provided information service and support to the elderly owners involved in the cases. The scheme social workers also paid 475 home visits, 263 building visits (where the social workers outreached to the old buildings to distribute information leaflets door-to-door to elderly owners) and conducted 45 public talks on the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) at elderly centres in various districts.

A breakdown of the number of cases handled by the two pilot schemes over the 12-month period by district is as follows:

District	Number of mediation cases handled by the “Pilot Mediation Scheme”	Number of cases of request for assistance handled by the “Pilot Scheme on Outreach Support Service for Elderly Owners”
Central & Western District	0	11
Eastern District	5	19
Southern District	2	3
Wan Chai District	14	1
Kowloon City District	3	14
Sham Shui Po District	0	2
Yau Tsim Mong District	7	11
Total:	31	61

- (b) The purpose of the “Pilot Mediation Scheme” is to facilitate the parties involved in or contemplating compulsory sale applications under Cap. 545 in undertaking mediation on a voluntary basis, including listing under the scheme qualified mediators who are familiar with the Ordinance, providing mediation venue support to the mediation parties and providing financial assistance to eligible elderly owners for their payment of their share of the mediator fees.

The “Pilot Mediation Scheme” was launched in January 2011 in response to LegCo Members’ request when the Land (Compulsory Sale for Redevelopment) (Specification of Lower Percentages) Notice was scrutinised by LegCo in early 2010 that there should be enhanced support for minority owners affected by compulsory sale, including facilitating the mediation process between them and the majority owners prior to the Lands Tribunal hearing. As the pilot scheme is one of the enhanced support measures for minority owners, it is not applicable to tenants.

To safeguard the interest of tenants residing in properties that have been granted compulsory sale orders, it is provided under Cap. 545 that when the Lands Tribunal makes an order for compulsory sale, it may order that compensation be paid to a tenant for the termination of his tenancy. The Lands Tribunal may also take into account the tenant’s representations in determining the amount of compensation payable to him.

- (c) Over the 12-month period since the launch of the “Pilot Scheme on Outreach Support Service for Elderly Owners” on 27 January 2011, the scheme handled a total of 61 cases of requests for assistance by elderly owners. For further details on the distribution of cases by district, please refer to the reply in (b) above.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)027

Question Serial No.

0531

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The Administration will co-ordinate implementation of measures to encourage revitalisation of industrial buildings through redevelopment and wholesale conversion, including the refinements recommended in the mid-term review after the cessation of the operation of the Development Opportunities Office in 2012-13. Please provide the details, including manpower deployment and division of work, action plans and targets, etc.

Asked by: Hon. CHEUNG Yu-yan, Tommy

Reply:

As announced by the Chief Executive in his 2011-12 Policy Address, we had completed the mid-term review on the measures to facilitate redevelopment and wholesale conversion of Hong Kong's older industrial buildings ("the revitalisation measures") in September 2011. Following that, we will introduce a number of refinements to the measures to allow more flexibility in wholesale conversion and encourage adoption of green building design and features. We will also extend the deadline of application for the revitalisation measures for three years from 31 March 2013 to 31 March 2016.

The above refinements will be applicable to all eligible applications for wholesale conversion submitted on or after 1 April 2012, which will continue to be centrally processed by a dedicated team in the headquarters of the Lands Department. In the light of the outcome of the mid-term review, the Lands Department has revised the relevant Practice Note and published it on 28 February 2012.

Upon cessation of the operation of the Development Opportunities Office (DOO) after 30 June 2012, the policy work relating to revitalisation of older industrial buildings currently shouldered by DOO will be taken up by the Planning and Lands Branch of the Development Bureau. We will seek the recommendation from the Establishment Subcommittee and approval from the Finance Committee of the Legislative Council in the first half of this year for the proposed creation of an Administrative Officer Staff Grade C post (D2) to take over from DOO the relevant policy work.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)028

Question Serial No.

0532

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Regarding overseeing the implementation of the new Urban Renewal Strategy with particular emphasis on the work of the Kowloon City District Urban Renewal Forum and the Urban Renewal Trust Fund as well as alternative approaches to redevelopment undertaken by the Urban Renewal Authority in 2012-13, please provide the details, including the work plans and targets, the timetable, the manpower required, the development and planning for the commercial properties involved, etc.

Asked by: Hon. CHEUNG Yu-yan, Tommy

Reply:

The new Urban Renewal Strategy (URS) embracing a people-first, district-based and public participatory approach to urban renewal was promulgated in February 2011. The various initiatives of the new URS, including the setting up of a new advisory forum, the District Urban Renewal Forum (DURF), to strengthen urban renewal planning at the district level; the establishment of the Urban Renewal Trust Fund; and tasking the Urban Renewal Authority (URA) to undertake more diverse forms of redevelopment, have been fully implemented in the past 12 months.

The Kowloon City DURF was set up as a pilot scheme in June 2011 to strengthen urban renewal planning at the district level, namely, to advise the Government on urban renewal plans within the Kowloon City area; to monitor the progress of implementation of identified urban renewal projects; and to assume a public education role through outreach programmes to relevant stakeholders with the objective of fostering district partnership in urban renewal work.

A dedicated section within the Planning Department, comprising one chief town planner, one senior town planner, one town planner and two senior technical officers, was set up in May 2011 to provide professional and secretariat support to the Kowloon City DURF. The Kowloon City DURF published its three-year workplan in August 2011. Work is under way to commission consultants to conduct a planning study for Kowloon City, a social impact assessment study as well as the first stage public engagement exercise. It is expected that the second stage public engagement will commence later in 2012 and a proposed urban renewal plan for Kowloon City will be ready by end 2012. The Kowloon City DURF has also started its outreach publicity and public education programme to encourage non-governmental organisations (NGOs) to initiate district revitalisation proposals since November 2011. To better engage the community, the Kowloon City DURF also endorsed in November 2011 a proposal for members of the public and the non-government sectors to attend Kowloon City DURF meetings to present their proposals and views on urban renewal in Kowloon City.

The Urban Renewal Fund Limited (URFL) was registered as a company limited by guarantee in mid-August 2011 to act as the trustee of the Urban Renewal Trust Fund which was set up with an endowment of \$500 million from the URA to provide funding support to the various activities and agencies as stated in the new URS. So far, the URFL has recruited a chief executive, a manager and a secretary to serve the Board of the URFL.

The URFL has renewed the contracts with the three incumbent social service teams providing assistance to residents affected by the URA-implemented projects for one year from January 2012 to December 2012. The URFL will conduct a review on their scope of services and the manpower requirements before launching the next commissioning exercise in January 2013. The URFL is also considering the funding application submitted by the Kowloon City DURF for carrying out the various studies mentioned above. Furthermore, the URFL plans to announce in April/May 2012 the details of a new funding scheme to support heritage preservation and district revitalisation initiatives of NGOs and other stakeholders in the overall context of urban renewal.

As regards the other initiatives of the new URS, the URA will respond to joint applications from building owners to initiate redevelopment of their lot(s)/building(s) (i.e. the demand-led approach) and provide assistance to owners as consultant to help them assemble titles for owner-initiated redevelopment (i.e. the facilitator approach) to complement URA's role as an implementer to tackle the problem of urban decay.

Invitation for applications for the "Demand-led" scheme started on 26 July 2011 and by the close of application on 31 October 2011, a total of 25 applications for the demand-led redevelopment were received. The URA has selected suitable projects for implementation in 2012-13 in their Business Plan.

As for its “Facilitation” service, the URA has received three applications since the launch on 26 July 2011. There is no deadline for application. The URA is processing the applications and will enhance publicity on the scheme to encourage more applications. The URA has recruited a senior manager with an estate agency licence and considerable experience to support the facilitation service. The URA has absorbed the other additional workload arising from implementation of the demand-led and facilitator approaches through redeployment of existing resources.

Signature	_____
Name in block letters	_____ Thomas Chow _____
Post Title	_____ Permanent Secretary for Development (Planning and Lands) _____
Date	_____ 1 March 2012 _____

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)029

Question Serial No.

0533

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Please tabulate the sites for commercial use and their dates available for sale in the Land Sale Programmes in the past three years (i.e. 2009-10, 2010-11 and 2011-12), and provide information on the total area of such sites in the urban areas and the New Territories respectively, the number of such sites which were successfully triggered for sale or sold and the total area involved as well as the average price per square foot in each year. Besides, please advise on the estimated number of commercial sites available for sale in 2012-13 and their total area.

Asked by: Hon. CHEUNG Yu-yan, Tommy

Reply:

The requested information on the commercial/business sites on the 2009-10 Application List, 2010-11 Application List and 2011-12 Land Sale Programme is appended below –

Commercial/Business sites in the 2009-10 Application List

Item	Lot No.	Site Location	Estimated Earliest Site Available Date	Site Area (hectare) (about)	Sold or not; if sold, the price per square foot
Five sites in the urban areas					
1.	NKIL 6195	Cha Kwo Ling Road, Kwun Tong	Mar 2009	0.4878	Not sold
2.	NKIL 6312	Junction of Wang Chiu Road and Lam Lee Street, Kowloon Bay	Mar 2009	0.4297	Not sold
3.	NKIL 6313	Cheung Yip Street, Kowloon Bay	Mar 2009	0.3795	Not sold
4.	IL 8941	Central Market, Jubilee Street, Central	Mar 2009	0.4153	Not sold
5.	KIL 11111	Junction of Hung Luen Road and Kin Wan Street, Hung Hom Bay Reclamation, Kowloon	Dec 2009	1.3900	Not sold
			Total:	3.1023	
Seven sites in the New Territories					
6.	Lot 1176 in DD 215	Tui Min Hoi, Sai Kung	Mar 2009	0.1659	Not sold
7.	STTL 433	Junction of On Yiu Street, On Kwan Street and On Lai Street, Shek Mun, Sha Tin	Mar 2009	0.8533	Not sold

8.	STTL 463	Junction of On Yiu Street and On Kwan Street, Shek Mun, Sha Tin	Mar 2009	0.7997	Not sold
9.	YLTL 458	Junction of Fu Yip Street and Wang Yip Street West, Tung Tau, Yuen Long	Mar 2009	0.4748	Not sold
10.	STTL 482	Site 11, Area 77, Ma On Shan, Sha Tin	Mar 2010	0.5220	Not sold
11.	STTL 412	Junction of On Kwan Street and On Lai Street, Shek Mun, Sha Tin	Dec 2009	0.5900	Not sold
12.	TCTL 11	Area 3A, Tung Chung, Lantau	Dec 2009	1.0000	Not sold
			Total:	4.4057	

Commercial/Business sites in the 2010-11 Application List (also see Note)

Item	Lot No.	Site Location	Estimated Earliest Site Available Date	Site Area (hectare) (about)	Sold or not; if sold, the price per square foot
Four sites in the urban areas					
1.	NKIL 6195	Cha Kwo Ling Road, Kwun Tong	Feb 2010	0.4878	Not sold
2.	NKIL 6312	Junction of Wang Chiu Road and Lam Lee Street, Kowloon Bay	Feb 2010	0.4297	Not sold
3.	NKIL 6313	Cheung Yip Street, Kowloon Bay	Feb 2010	0.3795	Not sold

4.	KIL 11111	Junction of Hung Luen Road and Kin Wan Street, Hung Hom Bay Reclamation, Kowloon	Feb 2010	1.3703	Not sold
			Total:	2.6673	
Four sites in the New Territories					
5.	Lot 1176 in DD 215	Tui Min Hoi, Sai Kung	Feb 2010	0.1659	Not sold
6.	YLTL 458	Junction of Fu Yip Street and Wang Yip Street West, Tung Tau, Yuen Long	Feb 2010	0.4748	Not sold
7.	TCTL 11	Area 3A, Tung Chung, Lantau	Apr 2010	1.0026	Not sold
8.	STTL 482	Site 11, Area 77, Ma On Shan, Sha Tin	Aug 2010	0.5090	Not sold
			Total:	2.1523	

Note: Though not included in the 2010-11 Application List, the Government had initiated the sale of a business site at the junction of On Yiu Street, On Kwan Street and On Lai Street, Shek Mun, Sha Tin (STTL 433). It was sold in October 2010 and the price per square foot is \$1,777.

Commercial/Business sites in the 2011-12 Land Sale Programme

Item	Lot No.	Site Location	Estimated Earliest Site Available Date	Site Area (hectare) (about)	Sold or not; if sold, the price per square foot
Eight sites in the urban areas					
1.	NKIL 6269	Junction of Wai Yip Street, Shun Yip Street and Hoi Bun Road, Kwun Tong	Apr 2011	0.7083	Sold; the price per square foot is \$3,856.

2.	NKIL 6314	Junction of Kai Cheung Road and Wang Kwong Road, Kowloon Bay	Apr 2011	0.6600	Sold; the price per square foot is \$4,026.
3.	NKIL 6195	Cha Kwo Ling Road, Kwun Tong	Apr 2011	0.4878	Not sold
4.	NKIL 6311	Junction of Sheung Yuet Road, Wang Tai Road and Wang Yuen Street, Kowloon Bay	Apr 2011	0.2579	Not sold
5.	NKIL 6312	Junction of Wang Chiu Road and Lam Lee Street, Kowloon Bay	Apr 2011	0.4297	Not sold
6.	NKIL 6313	Cheung Yip Street, Kowloon Bay	Apr 2011	0.3795	Not sold
7.	KIL 11111	Junction of Hung Luen Road and Kin Wan Street, Hung Hom Bay Reclamation, Kowloon	Apr 2011	1.3703	Sold; the price per square foot is \$6,827.
8.	IL 8947	123 Gloucester Road and 219-227 Lockhart Road, former Wan Chai Police Station cum Wan Chai Police Married Quarters	Dec 2011	0.3950	Not sold
			Total:	4.6885	
Six sites in the New Territories					
9.	TSWTL 26	Area 108A, Tin Shui Wai	Apr 2011	0.6500	Sold; the price per square foot is \$1,470.
10.	STTL 463	Junction of On Yiu Street and On Kwan Street, Shek Mun, Sha Tin	Apr 2011	0.7997	Sold; the price per square foot is \$1,924.

11.	STTL 412	Junction of On Kwan Street and On Lai Street, Shek Mun, Sha Tin	Jul 2011	0.6540	Sold; the price per square foot is \$1,923.
12.	Lot 1176 in DD 215	Tui Min Hoi, Sai Kung	Apr 2011	0.1659	Sold; the price per square foot is \$4,126.
13.	STTL 482	Site 11, Area 77, Ma On Shan, Sha Tin	Apr 2011	0.5090	Not sold in 2011-12.
14.	TCTL 11	Area 3A, Tung Chung, Lantau	Apr 2011	1.0026	Not sold in 2011-12.
			Total:	3.7812	

In the 2012-13 Land Sale Programme, there are four commercial/business sites with a total site area of about 2.0306 hectares.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)030

Question Serial No.

0534

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (3) Development Opportunities Office

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

What is the number of land development proposals received and studied respectively by the Development Opportunities Office since its establishment? Please tabulate the projects already processed and supported by the Land and Development Advisory Committee respectively by project nature. What are the land area involved and the number of jobs that can be created by such projects? In addition, what is the number of projects involving the food and beverage industry? What is the number of these projects supported and not supported respectively? Of all the applications, what are the reasons for not supporting some of them?

Asked by: Hon. CHEUNG Yu-yan, Tommy

Reply:

By early February 2012, the Development Opportunities Office had handled or was handling 51 proposed land development projects meeting the eligibility criteria for its one-stop consultation and co-ordination service. Information contained in this reply has been provided in our latest progress report to the Legislative Council Panel on Development discussed at its meeting on 16 January 2012.

Amongst the 51 proposed projects, the Office had presented 26 of them to the Land and Development Advisory Committee (LDAC) for advice and support. The Office had also submitted information notes to the LDAC on nine other projects which could not be taken forward for various reasons. The LDAC had advised the Government to support 22 projects and not to support the other four. The remaining 16 projects are being processed.

The nature of the land development projects already processed and supported by the LDAC is set out below -

Project Nature	Number of projects already processed	Number of projects supported by LDAC
Non-governmental organisation headquarters and regional centres	3	3
Educational and related facilities	3	2
Religious organisations and related facilities	4	4
Museums/galleries/arts and creative industries	3	3
Social welfare facilities	4	4
Hotels and guesthouses	2	2
Local area improvement schemes	2	2
Columbarium	2	0
Sports and recreational facilities	1	1
Private hospitals	1	1
Marina and related developments	1	0
Total	26	22

For the four proposed projects that the LDAC did not advise the Government to support, they usually involved complex and adverse planning, land, environment and transport access issues which made them difficult to proceed further.

According to information provided by the project proponents, the 22 land development projects that the LDAC had advised the Government to support, if implemented, would involve a total site area of about 100 000m² and a total gross floor area of about 590 000m². These proposed projects would create about 11 000 employment opportunities during the construction phase and about 4 900 permanent jobs during the operational phase.

By early February 2012, the Office had assisted one land development project proposed by the food and beverage industry. The project was presented to the LDAC and the Committee advised the Government to support it. A number of other projects that the Office had handled or was handling also involve the food and beverage industry.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 2 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)031

Question Serial No.

0660

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is mentioned in paragraph 198 of the Budget Speech that “Besides taking forward individual projects to construct waterfront promenades, the Development Bureau is exploring with the Harbourfront Commission on the establishment of a statutory and dedicated harbourfront authority, which will push ahead with the design, construction, operation and management of harbourfront projects with a creative mindset, flexible framework and entrepreneurial culture. A proposal is expected to be put forward in the middle of this year. We aspire to create a vibrant waterfront with all kinds of attractions for the enjoyment of the public and tourists. If the proposal is widely supported by the community, we shall provide the necessary financial support.” Will the Administration inform this Committee of (a) the functions, terms of reference, delegated authority, modes of operation and financing of the harbourfront authority which is being explored; and (b) the estimated expenditure and manpower involved for the establishment of the harbourfront authority eventually?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

We are in the process of discussing with the Harbourfront Commission on a possible framework for a statutory harbourfront authority including matters such as its proposed functions, terms of reference, composition, modes of operation, financing, etc. Our aim is to draw up a proposal for consideration by the Government of the new term. We are therefore unable to provide the information requested in this question.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)032

Question Serial No.

0661

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Under Matters Requiring Special Attention, the Planning and Lands Branch has mentioned that it will “oversee the implementation of the new URS with particular emphasis on the work of the Kowloon City District Urban Renewal Forum and the Urban Renewal Trust Fund as well as alternative approaches to redevelopment undertaken by the URA.” Will the Administration inform this Committee (a) whether it has made preliminary assessment of the effectiveness of the work of the District Urban Renewal Forum (DURF) and the Urban Renewal Trust Fund; if so, of the assessment results; (b) whether it will consider further extending the establishment of DURF to other districts where there are a large number of old buildings like Sham Shui Po; and (c) of the progress of the work as to help owners of old buildings carry out redevelopment by taking forward “demand-led” schemes and acting as “facilitator”.

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

- (a) The Kowloon City District Urban Renewal Forum (KC DURF) was set up as a pilot scheme in June 2011 to strengthen urban renewal planning at the district level, namely, to advise the Government on urban renewal plans within the Kowloon City area; to monitor the progress of implementation of identified urban renewal projects; and to assume a public education role through outreach programmes to relevant stakeholders with a view to fostering district partnership in urban renewal work. The Urban Renewal Fund Limited (URFL) was registered in mid-August 2011 as an independent company limited by guarantee to act as the trustee of the Urban Renewal Trust Fund to provide funding support

for the various activities and organisations as set out in the new Urban Renewal Strategy (URS) promulgated in February 2011, namely, to fund the activities of DURF, to fund the social service teams who are providing assistance to residents affected by URA-implemented redevelopment projects and to fund applications from non-governmental organisations and other stakeholders involved in heritage preservation and district revitalisation initiatives in the overall context of urban renewal. The KC DURF and the URFL have been established for eight and six months respectively. As both are in their initial stage of work, it is premature to review the effectiveness of the two bodies.

- (b) With more experience gained from the KC DURF, we will consider setting up the second DURF at an appropriate juncture. The Administration has yet to form a view on the district for the second DURF.
- (c) In accordance with the new URS, the Urban Renewal Authority (URA) will respond to joint applications from building owners to initiate redevelopment of their lot(s)/building(s) (i.e. the demand-led approach) and provide assistance to owners as consultant to help them assemble titles for owner-initiated redevelopment (i.e. the facilitator approach) to complement URA's role as an implementer to tackle the problem of urban decay in Hong Kong.

Invitation for applications for the "Demand-led" Scheme was open between 26 July 2011 and 31 October 2011. By close of application, a total of 25 applications for the demand-led redevelopment were received. These applications have been screened in respect of their eligibility and the URA will select suitable projects for implementation in 2012-13 in their Business Plan.

Invitation for applications for the "Facilitator" Scheme has been open since 26 July 2011. The URA has so far received three applications. There is no deadline for applications for the facilitation service. The URA is processing the applications and will enhance publicity to encourage more applications.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)033

Question Serial No.

0662

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is mentioned in paragraph 87 of the Budget Speech that "... I propose to invite the URA to launch redevelopment projects of industrial buildings in the form of a pilot scheme. After trying out the pilot scheme, we shall review the situation and consult the public before deciding on the level of long-term commitment of the URA on the redevelopment of industrial buildings. Subject to the results of the pilot scheme, I shall propose to make another injection to the URA when necessary. The additional resources will ensure that the URA's task of improving the living environment of people residing in old buildings will not be affected if the URA becomes heavily involved in the redevelopment of industrial buildings in future." Will the Administration inform this Committee (a) of the details of the pilot scheme, including the scope of the scheme, the amount of funds required and the districts chosen; and (b) when the pilot scheme will be launched and when the review be completed.

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

- (a) The Urban Renewal Authority (URA) is in the process of working out the details of the pilot scheme, including its scope, parameters, the estimated budget, etc. and will consult its Board. We are therefore unable to provide the details at this stage.

- (b) Once the URA has worked out the details of the pilot scheme and selected suitable project(s) for redevelopment, the Authority will also need to seek the Financial Secretary's approval for inclusion of the pilot project(s) into its 2012-13 Business Plan for implementation. The operation of the pilot scheme will be reviewed after its implementation and we will consult the public before deciding on the level of long-term commitment of the URA on the redevelopment of industrial buildings.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)034

Question Serial No.

0664

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is mentioned in the Brief Description that the Planning and Lands Branch “worked with the MTR Corporation Limited (MTRCL) to revise the schemes for the West Rail property development projects at Nam Cheong, Tsuen Wan 5 (Bayside), Tsuen Wan 5 (Cityside) and Long Ping (North) to comply with the requirements of quality and sustainable built environment and to increase the supply of small and medium-sized flats.” Will the Administration advise this Committee on (a) the features included respectively in the revised schemes of the above projects which meet the requirements of quality and sustainable built environment; and (b) the estimated additional construction costs incurred?

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

The schemes for the West Rail property development projects at Nam Cheong, Tsuen Wan 5 (Bayside), Tsuen Wan 5 (Cityside) and Long Ping (North) have been revised to comply with the new requirements of quality and sustainable built environment in respect of building separation, building setback, greenery coverage and the total overall 10% cap on the gross floor area concessions as promulgated in the Building Department's practice notes and to increase the supply of small and medium-sized flat. Whether or not compliance with the new requirements of quality and sustainable built environment will lead to an increase in construction costs of these projects cannot be ascertained, as project costs depend also on a number of factors, such as the actual design, use of materials, labour costs, construction time, etc.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)035

Question Serial No.

0665

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 700 General non-recurrent (Item 865
(Planning and Lands Branch) Operation Building Bright)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is mentioned in the Brief Description that the Planning and Lands Branch “oversaw the implementation of the \$3.5 billion Operation Building Bright jointly launched with the Hong Kong Housing Society (HKHS), Urban Renewal Authority (URA) and Buildings Department (BD) to enhance safety of old and dilapidated buildings and create jobs for the building maintenance and construction sector.” Will the Administration inform this Committee (a) whether it has assessed the effectiveness of the Operation since its launch, including the number of buildings which have undertaken repair works under the Operation and the updated expenditure position of the Operation; (b) whether it has collected views on the Operation from owners of old buildings, District Councils and maintenance contractors; and (c) whether it will consider launching similar schemes again to improve the condition of old and dilapidated buildings; if not, of the reasons.

Asked by: Hon. FUNG Kin-kee, Frederick

Reply:

- (a) Since the launch of Operation Building Bright (OBB) in May 2009, we have been working closely with the Hong Kong Housing Society (HKHS), Urban Renewal Authority (URA) and Buildings Department (BD) to ensure smooth implementation of OBB in providing financial subsidies and one-stop technical assistance to help building owners carry out repair works as well as creating jobs for the building maintenance and construction sector.

With a total budget of \$3.5 billion, we estimate that OBB will eventually provide financial assistance for the repair and maintenance works of over 3 000 buildings aged 30 years or above and create more than 60 000 employment opportunities related to the construction industry. OBB was well received by the public as revealed by the overwhelming response to the scheme by owners corporations (OCs). Moreover, we have observed that with the one-stop technical support and assistance provided by HKHS, URA and BD, owners of some buildings who were previously inactive in organising repair works have initiated or speeded up their efforts to form OCs so as to join OBB to better co-ordinate the repair works and manage their buildings. So far, over 170 OCs have been formed purposely for OBB.

Up to 31 January 2012, the total number of target buildings included in OBB was around 3 100. Out of them, the repair works for 1 507 buildings had either been completed or were in progress. The total number of employment opportunities created under OBB exceeded 28 700. The total amount of grants earmarked for the target buildings was around \$3 billion and the total expenditure in operating the scheme, including the staff cost and associated expenses, was about \$20 million.

- (b) To assist OCs of OBB target buildings organise building repair works, staff of both HKHS and URA have been maintaining close liaison with OCs, including attendance at OCs' meetings and arrangement of briefings for OCs. The two organisations also collect feedbacks from the OCs with the objective to enhance the procedures and modus operandi of OBB, where appropriate. For instance, HKHS and URA have refined the OBB maintenance guidelines on tender arrangement so as to better facilitate OCs in making decision on selection and appointment of consultants.

The Administration has also discussed with the stakeholders, including members of the Legislative Council and the District Councils, to exchange views and listen to their comments and suggestions on OBB on different occasions so as to further enhance the procedures and modus operandi of OBB. For example, in the light of the suggestions from stakeholders, we have uplifted the "400 residential units" requirement in the second round of OBB, and refined the scope of OBB works to cover improvement and maintenance works in respect of barrier-free access facilities and certain communal building facilities in common areas of buildings.

The experience gained in implementing OBB provides a good foundation for the Administration, its partner organisations, building owners as well as building professionals and contractors to work together to enhance building maintenance and management. In this connection, we are arranging to conduct a survey to collate and analyse the experience gained in OBB and the feedback from stakeholders for future reference.

- (c) The \$3.5-billion OBB is a one-off special project. We do not have plan to launch a new round of OBB or similar schemes. Nevertheless, through other existing schemes, including the “Integrated Building Maintenance Assistance Scheme”, “Building Maintenance Grant Scheme for Elderly Owners” and “Comprehensive Building Safety Improvement Loan Scheme”, etc., HKHS, URA and BD will continue to render technical and financial support to building owners to help them carry out repair and maintenance works to improve the conditions of old and dilapidated buildings.

Signature

Name in block letters

Post Title

Date

Thomas Chow

Permanent Secretary for Development
(Planning and Lands)

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)036

Question Serial No.

1414

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 700 General non-recurrent
(Planning and Lands Branch) (Item 878 Building Maintenance Grant
Scheme for Elderly Owners)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

For the five-year Building Maintenance Grant Scheme for Elderly Owners introduced by the Government in the financial year 2008-09, why is there no revised estimated expenditure for the Operating Account Item Code 878 for 2011-12 in the Budget? What are the implementation details of the scheme at present?

Asked by: Hon. HO Sau-lan, Cyd

Reply:

The Building Maintenance Grant Scheme for Elderly Owners (BMGSEO), launched in May 2008, is administered by the Hong Kong Housing Society (HKHS). We transferred \$200 million to HKHS in 2008 and another \$200 million in 2009 for operation of BMGSEO. As at 31 March 2011, HKHS had received a total of 10 260 applications under BMGSEO, and the total amount of grants released and committed to be released was around \$194 million. It was anticipated that the remaining funding of around \$206 million held by HKHS should be sufficient to cover the prospective applications in 2011-12. In this connection, it is not necessary for the Administration to transfer additional funding to HKHS in 2011-12 and therefore the revised estimated expenditure for the year is nil.

HKHS has been administering BMGSEO smoothly. Up to 31 January 2012, HKHS had received a total of 12 193 applications, of which 8 972 had been approved in principle. The total amount of grants released and committed to be released was around \$240 million.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

29 February 2012

Examination of Estimates of Expenditure 2012-13
CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION

Reply Serial No.

DEVB(PL)037

Question Serial No.

1425

Head : 138 Government Secretariat: Subhead (No. & title) :
 Development Bureau (Planning and Lands Branch) 000 Operational expenses

Programme:

Controlling Officer: Permanent Secretary for Development
 (Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Regarding the consultancy studies (if any) commissioned by the Development Bureau (Planning and Lands Branch) and its departments for the purpose of formulating and assessing policies, please provide related information according to the following format -

- (a) Using the table below, please provide information on studies on public policy and strategic public policy for which funds had been allocated between 2009-10 and 2011-12 –

Name of consultants	Mode of award [open auction/ tender/ others (please specify)]	Title, content and objectives of project	Consultancy fees (\$)	Start Date	Progress of studies (under planning/ in progress/ completed)	Follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been made public? If yes, through what channels? If no, why?

- (b) Are there any projects for which funds have been reserved for conducting consultancy studies in 2012-13? If yes, please provide the following information –

Name of consultants	Mode of award (open auction/ tender/ others (please specify))	Title, content and objectives of project	Consultancy fees (\$)	Start Date	Progress of study (under planning/ in progress/ completed)	For the projects that are expected to be completed in 2012-13, is there any plan to make them public? If yes, through what channels? If no, why?

- (c) What are the criteria for considering the award of the consultancy projects to the research institutions concerned.

Asked by: Hon. HO Sau-lan, Cyd

Reply:

The consultancy studies commissioned by the Development Bureau (Planning and Lands Branch) and its departments for the purpose of formulating and assessing policies are as follows -

- (a) Information on studies on public policy and strategic public policy for which funds had been allocated between 2009-10 and 2011-12 is given in the table below -

Name of consultants	Mode of award [open auction/ tender/ others (please specify)]	Title, content and objectives of project	Consultancy fees (\$)	Start Date	Progress of studies (under planning/in progress/ completed)	Follow-ups taken by the Administration on the study reports and their progress (if any)	If completed, have they been made public? If yes, through what channels? If no, why?
Rocco Design Architects Ltd.	Tender	Consultancy Study on Public Open Space in Private Developments The study is for drawing up a set of design and management guidelines on public open space in private developments.	778,000	February 2009	Completed	The design and management guidelines were promulgated in January 2011 and came into effect in February 2011.	The study report was released to the public through various channels, including the website of the Development Bureau.
GHK (Hong Kong) Ltd.	Tender	Business Viability Study for Development of Site 4 and possibly Site 7 in the New Central Harbourfront The study is for determining the business viability and	1,353,170	January 2011	In progress	Progress reported to the Harbourfront Commission (HC) and its respective Task Force.	Not applicable

		recommending a public-private collaboration model for development of Site 4 and possibly Site 7 in the New Central Harbourfront.					
Ove Arup & Partners Hong Kong Ltd.	Tender	<p>Consultancy Study on Fire Engineering Approach and Fire Safety in Buildings</p> <p>The study is for reviewing the code of practice for fire safety in buildings and renovation works.</p>	<p><u>2009-10</u> 285,000</p> <p><u>2010-11</u> 143,000</p> <p><u>2011-12</u> 523,000</p>	February 2002	In progress	In September, 2011, the Buildings Department (BD) promulgated the new Code of Practice for Fire Safety in Buildings through the BD's website and relevant practice notes to the building professionals. A final version of the Code will be published after completion of the study.	Not applicable
Ronald Lu & Partners (Hong Kong) Ltd.	Tender	<p>Consultancy Study on Design and Construction Requirements for Residential Buildings for Energy Efficiency</p> <p>The study is for developing a set of design and construction guidelines for improving energy efficiency in residential buildings.</p>	<p><u>2010-11</u> 544,000</p>	August 2010	In progress	BD will conduct further consultation with the stakeholders on the draft guidelines in the 2nd quarter of 2012.	Not applicable

Guangdong (GD) Urban & Rural Planning and Design Institute and the Peking University	Appointed by GD planning authority under entrustment agreement among HK, GD and Macao	Planning Study on the Co-ordinated Development of the Greater Pearl River Delta Townships The study is for formulating a regional development strategy by taking a forward-looking perspective to consider opportunities and constraints of the Greater PRD region under the "One Country, Two Systems" framework.	<u>2009-10</u> 120,000	March 2006	Completed	To continue co-ordination with GD and Macao on regional issues.	The final report and its executive summary have been uploaded onto the website of the Planning Department (PlanD).
Chinese University of Hong Kong	Tender	Urban Climatic Map and Standards for Wind Environment – Feasibility Study The study is for formulating urban climatic map and refining the Air Ventilation Assessment (AVA) System for Hong Kong, with the aims to provide a more scientific and objective basis for identifying urban climatic issues to guide planning and design and to assess the impacts of major development proposals on the local wind environment.	<u>2009-10</u> 1,016,760 <u>2010-11</u> 1,184,080 <u>2011-12</u> 523,030	July 2006	In progress	Stakeholders engagement has been undertaken for the study findings and recommendations between November 2011 and February 2012. The study will be finalised taking into account the public comments received. PlanD will release the stakeholders engagement report and the final report of the study on its website after completion of the study.	Not applicable

Aedas Ltd.	Tender	<p>The Central Reclamation Urban Design Study (also known as Urban Design Study for the New Central Harbourfront)</p> <p>The study is for refining the existing urban design framework and preparing planning and design briefs for key sites in the New Central Harbourfront.</p>	<u>2009-10</u> 1,352,660 <u>2010-11</u> 1,493,140	March 2007	Completed	Implementation of the key sites is being examined.	The key findings and recommendations were presented to the Subcommittee on Harbourfront Planning of Legislative Council on 9 November 2009 and the Town Planning Board on 13 November 2009. The final report has been uploaded onto PlanD's website.
Ove Arup & Partners Hong Kong Ltd.	Tender	<p>Land Use Planning for the Closed Area – Feasibility Study</p> <p>The study is for formulating a planning framework to guide the development and conservation of the study area based on the principle of sustainable development, and providing a basis for preparing statutory plans prior to coming into effect of the new Closed Area boundary.</p>	<u>2009-10</u> 5,040,000 <u>2010-11</u> 450,000	September 2007	Completed	Based on the Recommended Development Plan prepared under the study, statutory town plans were prepared and gazetted in July 2010 to bring the land to be released from the Frontier Closed Area under statutory planning control.	The final report and its executive summary have been uploaded onto PlanD's website.

(b) Funds have been included in the 2012-13 estimate for the following consultancy studies –

Name of consultants	Mode of award (open auction/ tender/ others (please specify))	Title, content and objectives of project	Consultancy fees (\$)	Start Date	Progress of study (under planning/ in progress/ completed)	For the projects that are expected to be completed in 2012-13, is there any plan to make them public? If yes, through what channels? If no, why?
GHK (Hong Kong) Ltd.	Tender	Business Viability Study for Development of Site 4 and possibly Site 7 in the New Central Harbourfront The study is for determining the business viability and recommending a public-private collaboration model for development of Site 4 and possibly Site 7 in the New Central Harbourfront.	71,000	January 2011	In progress	Upon its completion, the findings will be published in suitable form through various channels such as the websites of DEVB and HC.
Ove Arup & Partners Hong Kong Ltd.	Tender	Consultancy Study on Fire Engineering Approach and Fire Safety in Buildings The study is for reviewing the code of practice for fire safety in buildings and renovation works.	1,244,000	February 2002	In progress	The BD will publish the final version of the new Code of Practice for Fire Safety in Buildings through the BD's website and make it available for public sale at the Government bookstores.
Ronald Lu & Partners (Hong Kong) Ltd.	Tender	Consultancy Study on Design and Construction Requirements for Residential Buildings for Energy Efficiency	817,000	August 2010	In progress	The BD will promulgate a set of design and construction guidelines for improving energy efficiency in residential buildings through Practice Notes for Authorized Persons posted on the BD's website.

		The study is for developing a set of design and construction guidelines for improving energy efficiency in residential buildings.				
(Not yet selected)	Tender	Consultancy for the review of the Code of Practice on Wind Effects in Hong Kong 2004	4,000,000	April 2012	Under planning	Not applicable
Chinese University of Hong Kong	Tender	Urban Climatic Map and Standards for Wind Environment – Feasibility Study The study is for formulating urban climatic map and refining the AVA System for Hong Kong, with the aims to provide a more scientific and objective basis for identifying urban climatic issues to guide planning and design and to assess the impacts of major development proposals on the local wind environment.	2,615,000	July 2006	In progress	Stakeholders engagement has been undertaken for the study findings and recommendations during 8.12.2011 to 15.2.2012. The study will be finalised taking into account the public comments received. The stakeholders engagement report and the final report of the study will be available on PlanD's website after completion.

- (c) The criteria for considering the award of consultancy studies mainly include: (i) background and experience of the consultant; (ii) methodology and work programme; (iii) composition and staffing of the consulting team; and (iv) past performance and fee.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)038

Question Serial No.

1432

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

In regard to the growing co-operation between Hong Kong and the Mainland in recent years, please provide relevant information on Hong Kong/Mainland cross-boundary projects or programmes in which the Development Bureau (Planning and Lands Branch) is or has been involved.

(1) For Hong Kong/Mainland cross-boundary projects or programmes from 2009-10 to 2011-12, please provide information in the following format:

Project/ Programme title	Details, objective and whether it is related to the Framework Agreement on Hong Kong/Guangdo ng Co-operation (the Framework Agreement)	Expenditure involved	Name of Mainland department/ organisation involved	Progress (%) completed, start date, anticipated completion date)	Have the details, objective, amount involved or impact on the public, society, culture and ecology been released to the public? If yes, through which channels and what were the manpower and expenditure involved? If no, what are the reasons?
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(2) For Hong Kong/Mainland cross-boundary projects or programmes from 2012-13, please provide information in the following format:

Project/ Programme title	Details, objective and whether it is related to the Framework Agreement	Expenditure involved	Name of Mainland department/ organisation involved	Progress (%) completed, start date, anticipated completion date)	Will the details, objective, amount involved or impact on the public, society, culture and ecology be released to the public? If yes, through which channels and what will be the manpower and expenditure involved? If no, what are the reasons?
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(3) Apart from the projects or programmes listed above, are there any other modes of cross-boundary cooperation? If yes, what are they? What were the manpower and expenditure involved in the past three years, and how much financial and manpower resources are earmarked in the 2012-13 Estimates?

Asked by : Hon. HO Sau-lan, Cyd

Reply:

(1) For Hong Kong/Mainland cross-boundary projects or programmes from 2009-10 to 2011-12:

Project/ programme title	Details, objective and whether it is related to the Framework Agreement	Expenditure involved	Name of Mainland department/ organisation involved	Progress (%) completed, start date, anticipated completion date)	Have the details, objective, amount involved or impact on the public, society, culture and ecology been released to the public? If yes, through which channels and what were the manpower and expenditure involved? If no, what are the reasons?
Planning Study on the Co-ordinated Development	It is a strategic planning study commissioned jointly by HK,	<u>2009-10</u> \$0.12 M	GD Province Housing and Urban-Rural Construction	The Study was completed in 2009.	Public Forums on the interim findings and recommendations

of the Greater Pearl River Delta Townships	<p>Guangdong (GD) and Macao to formulate a regional development strategy to enhance the Greater Pearl River Delta Region into a co-ordinated and sustainable world-class city-region, which is vibrant, energetic and globally competitive.</p> <p>The Study is not included in the “Framework Agreement”.</p>	<p><u>2010-11 & 2011-12</u> Nil</p>	Department		<p>of the Study were held on 13 October 2007 and 6 December 2008 respectively.</p> <p>The Final Report and its Executive Summary have been uploaded onto the website of the Planning Department (PlanD) in October 2009.</p> <p>The expenses and manpower for disseminating the information of the Study was absorbed in the study fee and by existing staff.</p>
Study on the Action Plan for the Bay Area of the Pearl River Estuary	<p>It is a regional planning study which provides a common platform for HK, GD and Macao to discuss and share experiences on planning projects. It focuses on planning concept with a view to enhancing the livability of the Bay Area.</p> <p>It is one of the regional</p>	<p><u>2010-11</u> \$4.2 M</p> <p><u>2011-12</u> \$1.9M</p>	GD Province Housing and Urban-Rural Construction Department	The Study commenced in April 2010 and is expected to be completed in 2012.	<p>Public consultation on the preliminary findings of the Study was undertaken in 2011. A press release was issued to disseminate relevant information. A dedicated Study website has been launched and includes information like a Public Consultation Digest, to facilitate better understanding by the public of the preliminary findings of the Study and collection of public views. Three</p>

	cooperation projects in the “Framework Agreement”.				<p>public forums were held on 29 January, 3 March and 9 April 2011 to collect public views. The Legislative Council Panel on Development was briefed on 22 February 2011. Briefings for professional institutes and individual organizations were also held.</p> <p>The expenses and manpower for disseminating the information of the Study was absorbed in the study fee and by existing staff.</p>
Planning and Engineering Study on Development of Lok Ma Chau Loop	<p>It is a joint planning and engineering study between HK and Shenzhen (SZ) governments. The objective is to formulate a comprehensive plan for the development of Lok Ma Chau Loop with a view to developing it as a sustainable knowledge and technology exchange zone for cross-boundary</p>	<p><u>2009-10</u> \$7.413 M</p> <p><u>2010-11</u> \$5.109 M</p> <p><u>2011-12</u> \$8.2 M</p>	Urban Planning, Land and Resources Commission of Shenzhen Municipality	The Study commenced in June 2009 and is expected to be completed in early 2013.	<p>The Stage 1 public engagement (PE) of the Study was conducted concurrently in HK and SZ from November 2010 to January 2011 to collect public views on the Preliminary Outline Development Plan (ODP) and the development proposals in the adjacent areas of the Loop. A series of PE activities including public forum, roving exhibitions, consultation with</p>

	<p>human resources development on the basis of mutual benefit to both HK and SZ.</p> <p>It is one of the major cooperation areas in the “Framework Agreement”.</p>				<p>relevant stakeholders such as the locals, concerned District Councils and Rural Committees, Legislative Council Panel on Development, Town Planning Board, tertiary education institutions and green groups were held.</p> <p>All basic information including public engagement digest and findings of completed technical reports were uploaded onto the study website.</p> <p>The expenses and manpower for disseminating the information of the Study was absorbed in the study fee and by existing staff.</p>
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(2) For Hong Kong/Mainland cross-boundary projects or programmes in 2012-13:

Project/ programme title	Details, objective and whether it is related to the Framework Agreement	Expenditure involved	Name of Mainland department/ organisation involved	Progress (% completed, start date, anticipated completion date)	Will the details, objective, amount involved or impact on the public, society, culture and ecology be released to the public? If yes, through which channels and what will be the manpower and expenditure involved? If no, what are the reasons?
Study on the Action Plan for the Bay Area of the Pearl River Estuary	Same as the above	<u>2012-13</u> Nil	Same as the above	Same as the above	The public would be consulted on the revised recommendations of the study in 2012. The expenses and manpower for disseminating the information of the Study was absorbed in the study fee and by existing staff.

Planning and Engineering Study on Development of Lok Ma Chau Loop	Same as the above	<u>2012-13</u> \$9.37 M	Same as the above	Same as the above	<p>The Stage 2 PE will be undertaken in the first half of 2012 to collect public views mainly on the Recommended Outline Development Plan (RODP) and the development proposals in the adjacent areas of the Loop.</p> <p>All basic information including Stage 1 PE report, public engagement digest and findings of completed technical reports will be uploaded onto the study website.</p> <p>The expenses and manpower for disseminating the information of the Study will be absorbed in the study fee and by existing staff.</p>
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(3) Apart from the projects or programmes listed above, there are no other modes of cross-boundary co-operation handled by the Planning and Lands Branch.

Signature	_____
Name in block letters	_____ Thomas Chow
Post Title	_____ Permanent Secretary for Development (Planning and Lands)
Date	_____ 2 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)039

Question Serial No.

2469

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 700 General non-recurrent (Item 865
(Planning and Lands Branch) Operation Building Bright)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The Government further allocated \$1 billion for Operation Building Bright (OBB) in the financial year 2011-12. It is estimated that 3 000 buildings will be assisted and 60 000 employment opportunities will be created. The balance of OBB will increase to \$1.443 billion this financial year. In this connection, please advise on the following:

1. the estimated unspent balance after financial assistance has been made available to the two rounds of applications under OBB;
2. the ways the unspent balance will be used apart from adjusting the disbursement of grants to elderly owner-occupiers.

Asked by: Hon. HO Sau-lan, Cyd

Reply:

With a total budget of \$3.5 billion, we estimate that Operation Building Bright (OBB) will provide financial assistance for the repair and maintenance works of a total of over 3 000 buildings aged 30 years or above and create more than 60 000 employment opportunities for the construction industry.

OBB covers two categories of buildings, namely Category 1 and Category 2 target buildings. Category 1 target buildings are those with owners' corporations (OCs) which are prepared to carry out repair works on a voluntary basis. The OCs are required to make applications to participate in OBB. Category 2 target buildings are those having difficulties in co-ordinating repair works, such as buildings without OCs. Owners of Category 2 buildings are not required to make applications and their buildings are selected by the Steering Committee of OBB comprising representatives from the Buildings Department, Hong Kong Housing Society and Urban Renewal Authority.

Up to 31 January 2012, the total amount of grants earmarked for the target buildings was around \$3 billion and other associated expenditure (including the staff cost and associated expenses) was about \$20 million. While the ultimate unspent balance could only be ascertained after completion of all the repair works, we currently expect that after meeting the grants for the existing Category 1 and Category 2 target buildings, there will still be a modest balance that could be deployed to assist some more Category 2 target buildings to carry out repair works. The Steering Committee of OBB will continue to endorse suitable buildings as Category 2 target buildings and the owners concerned will be provided with grants under OBB accordingly.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)040

Question Serial No.

2746

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch) 700 General non-recurrent

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The estimates for 2010-11 and 2011-12 under this programme are \$1.163 billion and \$815 million respectively, while the actual expenditure and revised estimate are \$949 million and \$678 million respectively, representing 18.4% and 16.8% deviations in the respective estimates. In this connection, please advise on the following:

- (a) the reasons for such deviations in the respective estimates in the two financial years;
- (b) the policy areas and projects involved;
- (c) the provision for cash flow requirement involved; and
- (d) the method of evaluating the estimates.

Asked by: Hon. HO Sau-lan, Cyd

Reply:

- (a) The actual expenditure for 2010-11 is \$214.2 million (about 18%) lower than the original estimate for 2010-11. This is mainly due to the decreased cash flow requirement of \$200 million for the non-recurrent item of the Building Maintenance Grant Scheme for Elderly Owners (BMGSEO).

The revised estimate for 2011-12 is \$137.7 million (about 17%) lower than the original estimate for 2011-12. This is mainly due to the decreased cash flow requirement of \$200 million for the BMGSEO, partly offset by the increased cash flow requirement of \$59.49 million for the Operation Building Bright (OBB) which is also a non-recurrent item.

- (b) The BMGSEO and OBB are mainly concerned with the policy area in promoting and ensuring building safety and timely maintenance.
- (c) The provision for cash flow requirements in the 2010-11 and 2011-12 estimates is \$1,050 million and \$695 million respectively, which is solely to cater for the demands of BMGSEO and OBB.
- (d) In preparing the estimates, we have largely taken into account the funding requirements of all ongoing and new commitments, the past spending patterns (if any) of such funding items and the progress of the projects concerned.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)041

Question Serial No.

2749

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 700 General non-recurrent (Item 865
(Planning and Lands Branch) Operation Building Bright)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The Development Bureau is responsible for overseeing the implementation of the \$3.5 billion Operation Building Bright (OBB). Please provide information on the buildings subsidised under OBB in 2010-11 and 2011-12 respectively according to the table below –

Age of buildings	Number of buildings subsidised	Total expenditure (\$)
30-39 years		
40-49 years		
50 years or above		
Total		

Asked by: Hon. HO Sau-lan, Cyd

Reply:

The required information is as follows:

From 1 April 2010 to 31 March 2011:

Age of buildings (as at 31 January 2012)	Number of buildings subsidised (See Note 1 below)	Total expenditure (\$) (See Note 2 below)
30-39 years	27	15,862,600
40-49 years	94	51,489,500
50 years or above	383	91,470,700
Total	504	158,822,800

From 1 April 2011 to 31 January 2012:

Age of buildings (as at 31 January 2012)	Number of buildings subsidised (See Note 1 below)	Total expenditure (\$) (See Note 2 below)
30-39 years	336	689,991,300
40-49 years	276	415,855,000
50 years or above	300	121,988,367
Total	912	1,227,834,667

Note 1 : The figures include also approved target buildings under Operation Building Bright (OBB) where repair works are in progress or have yet to commence.

Note 2 : The figures include also the estimated amount of grants earmarked for the owners corporations/owners of approved target buildings under OBB.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)042

Question Serial No.

2750

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 700 General non-recurrent (Item 865
(Planning and Lands Branch) Operation Building Bright)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Of the buildings subsidised under the Operation Building Bright, how many of them have been or will be demolished for redevelopment under the Land (Compulsory Sale for Redevelopment) Ordinance? If there are such buildings, please provide information on the age of the buildings, the amount of grants approved and when the grants were approved?

Asked by: Hon. HO Sau-lan, Cyd

Reply:

Up to 31 January 2012, one building subsidised under Operation Building Bright (OBB) had been granted with compulsory sale order under the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545). The building was selected as a Category 2 target building under OBB in July 2009. The building was around 50 years old. The repair works conducted by the Buildings Department (BD) involved repair of underground drains serving the building. The repair works were completed by BD in 2011. The actual amount of OBB grant for the building is being calculated by BD and the estimate is less than \$20,000.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)043

Question Serial No.

2755

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

In 2012-13, the Planning and Lands Branch will co-ordinate implementation of measures to encourage revitalisation of industrial buildings through redevelopment and wholesale conversion, including the refinements recommended in the mid-term review and provide secretariat support to the Steering Committee on Housing Land Supply from 1 July 2012. Please provide information on how the work will be taken up and the expenditure and the manpower involved each year. Will new indicators or strategies be devised for revitalisation of industrial buildings? If yes, what are the details? If no, what are the reasons and how the Branch can ensure that the policy on revitalisation of industrial buildings will be maintained?

Asked by: Hon. LAM Tai-fai

Reply:

As announced by the Chief Executive in his 2011-12 Policy Address, we had completed the mid-term review on the measures to facilitate redevelopment and wholesale conversion of Hong Kong's older industrial buildings ("the revitalisation measures") in September 2011. Following that, we will introduce a number of refinements to the measures to allow more flexibility in wholesale conversion and encourage adoption of green building design and features. We will also extend the deadline of application for the revitalisation measures for three years from 31 March 2013 to 31 March 2016. The relevant details have been set out in the Legislative Council Brief – "Mid-term Review on Measures to Facilitate Redevelopment and Wholesale Conversion of Older Industrial Buildings" dated 12 October 2011.

The above refinements will be applicable to all eligible applications for wholesale conversion submitted on or after 1 April 2012, which will continue to be centrally processed by a dedicated team in the headquarters of the Lands Department. In the light of the outcome of the mid-term review, the Lands Department has revised the relevant Practice Note and published it on 28 February 2012.

Upon cessation of the operation of the Development Opportunities Office (DOO) after 30 June 2012, the policy work currently shouldered by DOO, including that relating to revitalisation of older industrial buildings, will be taken up by the Planning and Lands Branch of the Development Bureau. We will seek the recommendation from the Establishment Subcommittee and approval from the Finance Committee of the Legislative Council in the first half of this year for the proposed creation of an Administrative Officer Staff Grade C post (D2) to take over from DOO the relevant policy work.

Signature	_____
Name in block letters	_____ Thomas Chow _____
Post Title	_____ Permanent Secretary for Development (Planning and Lands) _____
Date	_____ 1 March 2012 _____

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)044

Question Serial No.

1141

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

In 2011, the Planning and Lands Branch turned the pilot scheme for “hotel only” sites into a long-term policy to encourage the development of hotels by the industry. Please provide information on the number of hotels to be developed, the class of hotels involved, the location, the number of rooms to be provided and the anticipated completion date, since the introduction of the policy. What is the amount of additional resources that need to be allocated in 2012-13 in connection with turning the pilot scheme into a long-term policy?

Asked by: Hon. LAU Kin-yee, Miriam

Reply:

Since the introduction of the “hotel only” scheme in 2008, three hotels sites which could provide about 1 550 rooms had been sold as at end January 2012. In addition, a total of three lease modification cases which could provide about 1 300 rooms had benefitted from the “hotel only” scheme as at end January 2012.

The developer of a development project is required to complete the construction of the minimum gross floor area specified in the land grant documents or lease conditions, and obtain an Occupation Permit from the Building Authority within the Building Covenant period imposed in the land grant documents or lease conditions. For the above-mentioned six cases, the Building Covenant period ranges from 48 to 81 months, the exact length of which depends on the complexity of the development.

We have no information about the class of the hotels as this will be determined by the hoteliers. The “hotel only” scheme is being implemented using the existing resources.

Signature	_____
Name in block letters	_____ Thomas Chow _____
Post Title	_____ Permanent Secretary for Development (Planning and Lands) _____
Date	_____ 29 February 2012 _____

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)045

Question Serial No.

2355

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is proposed in the Budget Speech (paragraphs 86 to 87) that the Urban Renewal Authority will be invited to launch redevelopment projects of industrial buildings. It is reported that quite a number of art groups rent premises in industrial buildings for art purpose at present. While the Government has expedited redevelopment of industrial buildings, what measures will be taken to ensure that adequate premises will still be available for lease by different types of art groups in future so that the sustainable development of art in Hong Kong will not be hampered?

Asked by: Hon. LAU Sau-shing, Patrick

Reply:

At present, various individual artists and arts organisations are using industrial premises as their creative space, support office, or exhibition and performance venue. As the fire safety standards of industrial premises are different from those of premises suitable for arts use, the use of industrial premises for arts purposes may pose fire hazard to the users. There are also concerns that the use of industrial premises for arts purposes are in breach of the lease conditions. To tackle the problem of non-compliant use of industrial premises and to release vacant and under-utilised industrial premises to meet the development needs of Hong Kong, the Government has launched the industrial building revitalisation scheme since 1 April 2010 to provide incentives to owners to redevelop their buildings or to conduct wholesale conversion of their buildings. Owners can take advantage of the scheme to provide art space to artists and arts organisations. Furthermore, in the 2011-12 Policy Address, the Chief Executive announced that the Government would allocate resources to the Hong Kong Arts Development Council to provide art space at suitable industrial premises for rent by artists at concessionary rates.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)046

Question Serial No.

1582

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Regarding the implementation of the pilot mediation scheme for compulsory sale for redevelopment in 2011, will the Administration advise this Committee on the following:

- (a) the number of applications received, the number of successful mediation cases, and the number of unsuccessful mediation cases as well as the reasons for that; and
- (b) the average time required for handling each case?

Asked by: Hon. LEE Kok-long, Joseph

Reply:

- (a) Since the launch of the Pilot Mediation Scheme (the Scheme) for compulsory sale for redevelopment on 27 January 2011 and up till 26 January 2012, the Scheme handled 79 number of enquiries and received 31 requests for mediation. Among the 31 cases, mediation was successfully conducted in two and the parties involved had entered into settlement agreement. The parties involved in another 15 cases had approached the service provider for an introduction to the scheme. They resolved their differences themselves afterwards. In five other cases, one of the parties refused to participate in mediation. In another case, the parties could not reach settlement agreement after mediation. The remaining eight cases were still under processing. Since mediation is a private and confidential process, the service provider of the Scheme cannot divulge any information deliberated in the process. We therefore do not have information on why some mediation cases have been unsuccessful. However, as we understand from the service provider, some common reasons may include expectation gaps between the parties involved in the mediation and changing market conditions.

- (b) For the two successful cases mentioned in part (a), the time taken from case intake to completion of mediation was seven months and one month respectively. As the circumstances are different from case to case, and given the small number of completed cases so far, an assessment of the average time required for each mediation case may not be representative.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)047

Question Serial No.

1469

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The Urban Redevelopment Facilitating Services Company Limited, a subsidiary of the Urban Renewal Authority (URA), is set up to assist interested property owners in assembling titles for joint sale in the market. Since the URA invited applications from interested owners in July 2011, how many applications have been received from the building owners? Please advise on the age of buildings, the locations and the follow-ups taken in respect of these applications.

Asked by: Hon. LEE Wai-king, Starry

Reply:

As at 16 February 2012, the Urban Redevelopment Facilitating Services Company Limited (the company) had received three applications from owners of buildings aged over 50 years for the new facilitation service. Among the three, one failed to meet the ownership threshold specified in the scheme and was rejected. The other two are in different stages of processing. One is an application from building owners in Hung Hom. The financial viability of the redevelopment of the buildings has been confirmed. The company is in the process of signing facilitation agreements with the individual owners. The other is an application from building owners in Tsim Sha Tsui. As the application was only received in mid February 2012, it is still being vetted.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)048

Question Serial No.

1470

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The “flat-for-flat” (FFF) scheme is an alternative option to cash compensation and ex-gratia payment provided for domestic owner-occupiers affected by the Urban Renewal Authority (URA)’s redevelopment projects. Owners who opt for the FFF scheme can have a choice of “in-situ” flats situated in the lowest five to eight floors in the future new development or flats in an FFF scheme to be developed by the URA on a site at the Kai Tak Development Area. The FFF option is applicable to those projects commencing after the Government’s promulgation of the new Urban Renewal Strategy on 24 February 2011. How many applications have been received from the owners affected by redevelopment so far? And what follow-ups have been taken on these applications?

Asked by: Hon. LEE Wai-king, Starry

Reply:

Since 24 February 2011, the Urban Renewal Authority (URA) has commenced four redevelopment projects, namely, the Pak Tai Street/San Shan Road project in Ma Tau Kok, the Fuk Wing Street project in Sham Shui Po, the Kowloon City Road/Sheung Heung Road project in Kowloon City, and the Reclamation Street/Shantung Street project in Mong Kok. On 27 February 2012, the URA issued acquisition offers to the affected owners of the Pak Tai Street/San Shan Road project and announced at the same time the fixed per square foot unit prices for the in-situ flats and the Kai Tak flats under the “Flat-for-flat” Scheme. The eligible owner-occupiers have 60 days to decide if they will join the “Flat-for-flat” Scheme. For the other three projects mentioned above, as they are still under different stages of processing, the URA has yet to issue acquisition offer.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)049

Question Serial No.

1944

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is stated in paragraph 87 of the Budget that the Government proposes to invite the Urban Renewal Authority (URA) to launch redevelopment projects of industrial buildings in the form of a pilot scheme. The Administration will make another injection to the URA when necessary. The additional resources will ensure that other urban redevelopment projects will not be affected by the pilot scheme if the URA becomes heavily involved in the redevelopment of industrial buildings in future. Please advise this Committee on the details and commencement date of the pilot scheme; the scale of the redevelopment; the locations of the target industrial buildings; whether a task force will be set up to follow up the scheme; whether additional staff will be employed for the scheme; and the estimated total area of land that can be released under the entire redevelopment projects of industrial buildings.

Asked by: Hon. LEE Wai-king, Starry

Reply:

The Urban Renewal Authority (URA) will establish a special task force to be headed by its Managing Director to take forward the pilot scheme. An implementation plan to include the scope of the project, the location, the timetable, etc. will be drawn up for the URA Board's consideration and approval. As project details have yet to be worked out by the URA, we are unable to provide the information requested at this stage or the manpower resources that the URA will deploy for implementing the pilot project, and the amount of land to be released under the pilot project.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)050

Question Serial No.

2265

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Matters Requiring Special Attention in 2012-13 include continuing to monitor and review the implementation of the pilot mediation scheme for compulsory sale for redevelopment and the pilot out-reach service scheme to help owners of old buildings who may be involved in compulsory sale for redevelopment. Since the launch of the "Pilot Mediation Scheme" and the "Pilot Scheme on Outreach Support Service for Elderly Owners" on 27 January 2011 by the Development Bureau,

- (a) how many people have participated in these two schemes respectively?
- (b) what are the actual expenditure and the estimated expenditure in 2012-13 for these two schemes respectively?
- (c) how many clients have participated in the "Pilot Mediation Scheme" and what is the total amount of mediator fees involved?
- (d) what are the details of the "Pilot Scheme on Outreach Support Service for Elderly Owners"?

Asked by: Hon. LEE Wai-king, Starry

Reply:

- (a) Over the 12-month period since the launch of the “Pilot Mediation Scheme” on 27 January 2011, the Pilot Scheme handled 79 enquiries and received 31 requests for mediation. The 31 mediation cases involve 40 minority owners. For the same period, the “Pilot Scheme on Outreach Support Service for Elderly Owners” handled a total of 61 cases of requests for assistance from elderly owners, and provided information service and support to the elderly owners involved in the cases. The scheme social workers paid 475 home visits, 263 building visits (where the social workers outreached to the old buildings to distribute information leaflets door-to-door to the elderly owners) and conducted 45 public talks on the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) at elderly centres in various districts. The outreach scheme had reached out to 623 elderly owners and their family members through home visits, and another 2 943 had participated in the public talks.
- (b) For 2011-12, the Government earmarked \$2.84 million for the Pilot Mediation Scheme, comprising a setup cost of \$1.24 million and an operating cost of \$1.6 million. Another \$0.5 million was set aside to support eligible elderly minority owners in their payment of mediator fees. We also earmarked \$1.43 million for the “Pilot Scheme on Outreach Support Service for Elderly Owners”.

For 2012-13, we have budgeted \$1.13 million for the Pilot Mediation Scheme and have again set aside \$0.5 million to support eligible elderly minority owners in their payment of mediator fees. Given the volume of requests for assistance from elderly owners to the “Pilot Scheme on Outreach Support Service for Elderly Owners”, we have decided to expand the current service from one outreach service team to two. We are now conducting the tendering exercise for the outreach service and the tender sum for the outreach service in 2012-13 is not available at this stage.

- (c) So far, of the 31 mediation cases involving 40 minority owners, eight have proceeded to actual appointment of mediators under the “Pilot Mediation Scheme”. These eight cases involve 14 minority owners and 18 majority owners. Three out of the eight mediation cases have been completed, having spent 33.75 mediation hours and the total mediator fee is in the region of \$101,250.

- (d) The “Pilot Scheme on Outreach Support Service for Elderly Owners”, targeting elderly owners living in old buildings who are affected by compulsory sale, aims to provide the elderly owners with information and other support services in relation to compulsory sale. The scheme social workers will proactively reach out to the elderly owners to explain to them the general practice of property acquisition before compulsory sale and the process of compulsory sale, and will follow up with those elderly owners who need further assistance. The scheme social workers will also check for the owners free-of-charge whether their properties fall within the 90% or 80% compulsory sale application threshold and will refer them to professionals, such as surveyors, according to their wish.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)051

Question Serial No.

2221

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (3) Development Opportunities Office

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The Development Opportunities Office has three main streams of work, viz. facilitating the implementation of eligible land development proposals by non-governmental organisations and private sector project proponents, co-ordinating and facilitating redevelopment or conversion of industrial buildings, and providing secretariat support to the Steering Committee on Housing Land Supply. After the cessation of the operation of the Office at the end of June this year, the last two tasks will be taken up by the Planning and Lands Branch. How will the first task be handled? What arrangement will be made for the original staffing and establishment of the Office?

Asked by: Hon. LEE Wing-tat

Reply:

When the Office ceases to operate after 30 June 2012, the current one-stop consultation and co-ordination service provided by the Office for land development projects of non-governmental organisations and private sector proponents carrying a broader economic or social value will be taken up by the relevant policy units in the Development Bureau (DEVB) and its group of departments as appropriate, as well as by other relevant policy bureaux and departments. For example, the new Kowloon East Development Office will provide one-stop advisory and co-ordinating support to land development proposals from project proponents that are conducive to private sector development for transforming Kowloon East into a modern and premier business district; the policy units with special advocacy roles (e.g. the Harbour Unit, the Commissioner for Heritage's Office) will facilitate the implementation of such land development projects under their respective policy purviews; and other departments, in particular the Planning Department,

will facilitate the implementation of such development projects in the same way as they did before the establishment of the Office.

The Office has four civil service posts and three non-civil service contract positions. For the civil service posts, both the Head of the Office and personal secretary posts are supernumerary civil service posts created for three years and will lapse after 30 June 2012. The incumbents will be transferred to other positions as per the established practice. The Senior Administrative Officer and the Administrative Officer posts are internally redeployed from the Planning and Lands Branch (PLB) of DEVB, and they will be returned to the PLB after 30 June 2012. The three non-civil service contract positions, including two Project Managers and one Executive Assistant, will cease upon expiry of their three-year contracts later this year.

Signature	_____
Name in block letters	_____ Thomas Chow
Post Title	_____ Permanent Secretary for Development (Planning and Lands)
Date	_____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)052

Question Serial No.

2321

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Under this programme, the Planning and Lands Branch maintained close liaison with the Guangdong authorities on planning matters under the auspices of the Hong Kong-Guangdong Co-operation Joint Conference.

a) Please provide information for 2011:

Date of meeting	Items for discussion	Principal officials under the accountability system who attended the meeting

b) When the Branch liaised with the Guangdong authorities in the past, was the “Ad Hoc Quota Trial Scheme for Cross Boundary Private Cars” an item for discussion? If yes, what are the details?

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

a) The Hong Kong-Guangdong Co-operation Joint Conference (HKGDCJC), co-chaired by the Chief Executive of the Hong Kong SAR Government (HKSARG) and the Governor of Guangdong (GD) Province, is tasked to study and co-ordinate issues of mutual concern to both Hong Kong (HK) and GD, so as to enhance exchanges and communications between the two places. Working Meetings of

HKGDCJC, co-chaired by the Chief Secretary for Administration of the HKSARG and the Vice-Governor of GD Province, are also held to steer and take forward the co-operation initiatives through the expert groups set up under the framework of HKGDCJC. The expert group on town planning and development is co-chaired by the Permanent Secretary for Development (Planning and Lands) of Development Bureau (DEVB) of HKSARG and the Director of GD Province Housing and Urban-Rural Construction Department.

In 2011, HKGDCJC and the Expert Group of Hong Kong/Guangdong Town Planning and Development held the following meetings -

Date of meeting	Items for discussion	Principal officials under the accountability system who attended the meeting
28 February 2011 16 th Working Meeting of HKGDCJC	Progress on and work plans for major co-operation initiatives of HK and GD (including, amongst others, the Planning and Engineering Study on Development of Lok Ma Chau Loop (the Loop Study) and the Study on the Action Plan for the Bay Area of the Pearl River Estuary (the Bay Area Study) which are within the purview of DEVB (Planning and Lands Branch) (PLB)).	Nil from DEVB
20 July 2011 7 th Meeting of Expert Group of Hong Kong/Guangdong Town Planning and Development	The draft outline proposals of the Bay Area Study with a view to forming a basis for further study and improvement after taking into account the comments received during the public engagement.	Nil from DEVB
23 August 2011 14 th Plenary of HKGDCJC	Progress of major co-operation initiatives of HK and GD including, amongst others, the Loop Study and the Bay Area Study which are under PLB's purview.	Secretary for Development

- b) When the PLB of DEVB liaised with the GD authorities in the past, the “Ad Hoc Quota Trial Scheme for Cross Boundary Private Cars” was not raised for discussion.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)053

Question Serial No.

2323

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

According to paragraph 87 of the Budget Speech, the Financial Secretary proposes to “invite the URA to launch redevelopment projects of industrial buildings in the form of a pilot scheme.”

- (a) Please advise on the details of the pilot scheme, including the timetable for reviewing the scheme, the criteria to be used in deciding whether the scheme should continue, and the situation under which another injection will be made to the Urban Renewal Authority (URA).
- (b) How can the Development Bureau ensure that the acquisition offers, the selling prices and the uses after redevelopment determined by the URA in taking forward the scheme are in the public interest?

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

- (a) The Urban Renewal Authority (URA) is in the process of working out the details of the pilot scheme and will consult its Board. We are unable to provide the details at this stage.

The operation of the pilot scheme will be reviewed after its implementation and we will consult the public before deciding on the level of long-term commitment of the URA on the redevelopment of industrial buildings. As the Financial Secretary said in his Budget Speech, the Administration will propose to make another financial injection into the URA where necessary to ensure that URA's task of improving the living environment of people residing in old buildings will not be affected.

- (b) The URA will implement the pilot projects in accordance with the Urban Renewal Authority Ordinance (URAO) and its prevailing compensation policy which broadly follows the Government's compensation policy as approved by the Legislative Council. In line with its prevailing policy, the URA will dispose of the redevelopment projects at market price. Under the Urban Renewal Strategy, the URA has to uphold the long-term objective of a self-financing urban renewal programme.

On the issue of safeguarding public interest, pursuant to the URAO, the URA may implement a project by way of a development scheme or a development project. There are public representation, comment, objection and appeal processes under the relevant ordinances to be complied with before any development scheme/development project is approved/authorised. These public processes will help ensure that public interest is safeguarded.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)054

Question Serial No.

2564

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is stated in paragraph 69 of the Budget Speech that “the Development Bureau, in collaboration with the MTRCL, will soon launch public consultation on two property projects above the West Rail Kam Sheung Road Station and Pat Heung Depot. It is estimated that these projects will provide about 8 700 flats.”

- (a) Please explain how the 8 700 flats are calculated.
- (b) How many small and medium-sized flats are included in the 8 700 flats?
- (c) When will the two property projects be made available in the market?

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

- (a) The total site area concerned is about 32.9 ha. Preliminary assessment has been carried out to study the development potential of the two sites. Having regard to their general setting, the infrastructural support available and other planning considerations, it is estimated that a plot ratio of 3 would be appropriate, and that can provide a maximum residential gross floor area of about 600 000 m² for about 8 700 flats.
- (b) According to the present plan, about 40% of the flats will be small-to-medium sized flats.

- (c) Subject to completion of the rezoning procedures, it is estimated that the two sites will be available for tender in 2014 at the earliest. The availability of flats to the market will depend on the time required for construction and other necessary procedures.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)055

Question Serial No.

2573

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (1) Director of Bureau's Office

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

- (a) The provision for the Programme "Director of Bureau's Office" in 2012-13 has increased by 35.3% when compared with the 2011-12 revised estimate. What are the reasons?
- (b) Please provide details about the support the Political Assistant provided for the Secretary for Development in undertaking political work since he took office in June 2008.
- (c) Please provide a breakdown by year of the salaries and allowances paid to the Political Assistant to the Secretary for Development from the commencement of his term of office in June 2008 up to his departure in July this year.

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

- (a) The position of Under Secretary for Development has remained unfilled in 2011-12 and hence the 2011-12 revised estimate at \$8.5 million is 24.1% lower than the 2011-12 approved estimate. The increase of \$3 million (35.3%) in the 2012-13 estimate over the revised estimate for 2011-12 is mainly due to the provision for filling the position of the Under Secretary in 2012-13. The increase in expenses also includes secretarial support for this position.

- (b) In respect of division of work within the Development Bureau, the Political Assistant to Secretary for Development (SDEV) acts as the link between SDEV and Legislative Council, members of the political parties/groups, District Councils, and other community organisations and stakeholders.

He also assists SDEV in the development of strategy for taking forward various initiatives (e.g. revitalisation of industrial buildings, urban renewal strategy review, building safety and measures to foster a quality and sustainable built environment), provides political assessment and advises on how to engage political parties/relevant stakeholders, and formulates public relations activities.

- (c) The breakdown by year of the salaries and allowances paid/to be paid to the Political Assistant to SDEV is as follows:

<u>Year</u>	<u>Salaries and Allowances</u> (\$ million)
2008 - 2009 (from 12 June 2008)	1.302
2009 - 2010	1.557
2010 - 2011	1.535
2011 – 2012	1.535
2012 – 2013 (up to 30 June 2012)	0.384
Total	6.313

Signature

Name in block letters

Post Title

Date

Thomas Chow

Permanent Secretary for Development
(Planning and Lands)

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)056

Question Serial No.

2574

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Under Matters Requiring Special Attention in 2012-13, the Planning and Lands Branch will “continue to take forward the proposed conversion of Murray Building to hotel use and redevelopment of West Wing of the Central Government Offices” and “support the URA to take forward the revitalisation proposals in respect of the Central Market”. Please advise on details of the action plans for these three projects in the coming year and the operational expenses and manpower involved.

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

The plan to sell the Murray Building site for hotel development is being held up by judicial reviews relating to the Central District Outline Zoning Plan. It is uncertain when the site will be available for sale but we have included it in the 2012-13 Land Sale Programme as a tentative arrangement.

On the redevelopment of West Wing of Central Government Offices, we are continuing with the planning work.

As for the “Central Oasis” project for Central Market, the Urban Renewal Authority (URA) will carry on with its preparation of a town planning application for the proposed revitalisation works in the coming year. The processing of the town planning application may be delayed by the judicial reviews relating to the Central District Outline Zoning Plan. Meanwhile, market sounding exercise on the future operating model of the revitalised Central Market has just closed, and the URA will examine the information collated.

The work of the Planning and Lands Branch of the Development Bureau relating to these three projects is being handled by the existing staff of the Branch as part of their duties. We are unable to provide a breakdown on the amount of expenditure or manpower spent solely on them.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)057

Question Serial No.

2575

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch) 700 General non-recurrent

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Please inform this Committee of the following:

- (a) Under this programme, the provision for 2012-13 is \$109.1 million (16.1%) higher than the revised estimate for 2011-12. What are the details? And what are the details of the three posts to be created in 2012-13 including the functions and the expenditure involved?
- (b) The departmental expenses for temporary staff and honoraria for members of committees in 2012-13 are higher than the 2011-12 revised estimate. What are the reasons?

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

- (a) The increase of \$109.1 million (16.1%) in the 2012-13 estimate against the revised estimate for 2011-12 is mainly due to the net increase of \$101.5 million in cash flow requirement for two non-recurrent items, namely the Operation Building Bright and Building Maintenance Grant Scheme for Elderly Owners. There is also an increased provision of \$7.6 million for the operating expenses to meet the demands arising from ongoing and new initiatives, including creation of three new posts.

In 2012-13, we will create the following three posts to provide the necessary manpower support for taking over some of the ongoing duties and responsibilities of the Development Opportunities Office upon its discontinuation on 30 June 2012 and for taking forward the policy initiatives relating to land administration -

<u>Rank</u>	<u>No.</u>	<u>Estimated Expenditure in 2012-13 (\$ million)</u>
Administrative Officer Staff Grade C	1	1.209
Personal Secretary I	1	0.243
Assistant Clerical Officer	1	0.152

- (b) The provision for temporary staff in the 2012-13 estimate is higher than the 2011-12 revised estimate by \$5.148 million (25.6%). This is mainly due to the full-year effect of the increased honoraria for trainees under the Graduate Training Scheme (GTS), as well as the increase in the number of trainees to be engaged under the GTS and Vacation Training Scheme in 2012-13.

The provision for honoraria for members of committees in the 2012-13 estimate is higher than the 2011-12 revised estimate by \$1.429 million (37.9%). This is mainly due to the full-year effect of the increased honoraria for members of the Appeal Tribunal Panel (Buildings) and Appeal Board Panel (Town Planning), as well as the estimated increase in the number of hearings to be handled by these two panels in 2012-13.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)058

Question Serial No.

0266

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 700 General non-recurrent
(Planning and Lands Branch) (Item 878 Building Maintenance Grant
Scheme for Elderly Owners)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

In the past five years, what is the total amount of grants approved under the "Building Maintenance Grant Scheme for Elderly Owners"? How many households have benefited from the scheme?

Asked by: Hon. LEUNG LAU Yau-fun, Sophie

Reply:

The Building Maintenance Grant Scheme for Elderly Owners was launched in May 2008. Up to 31 January 2012, the total amount of grants approved was around \$240 million and 8 972 households had benefited from the scheme.

Signature

Name in block letters

Post Title

Date

Thomas Chow

Permanent Secretary for Development
(Planning and Lands)

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)059

Question Serial No.

0591

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

It is mentioned in paragraph 68 of the Budget Speech that the land use studies and reviews being conducted cover 2 500 hectares of land. Will the Administration impose flat size restrictions on such land? If yes, what is the number of flats that can be produced? If not, what are the reasons?

Asked by: Hon. LEUNG Yiu-chung

Reply:

The land use and reviews covering the 2 500 hectares of land are being conducted. Only upon their completion will the flat production capacity of the land identified as suitable for housing be known to us. For government sites among such land to be sold for private housing development, we will decide on whether to impose flat size or flat number restrictions having regard to the relevant considerations such as their size and location, as well as developments in the market.

Signature

Name in block letters

Post Title

Date

Thomas Chow

Permanent Secretary for Development
(Planning and Lands)

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)060

Question Serial No.

2069

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Under the item "Operational expenses" of the Planning and Lands Branch of the Development Bureau, an amount of \$25,245,000 has been earmarked in 2012-13 for temporary staff expenditure. In this connection, will the Administration advise on the following:

- a) the temporary staff involved in the above expenditure by mode of employment;
- b) the number of non-civil service contract (NCSC) staff employed in 2010-11 and 2011-12 respectively by programme, position, function and contract period; and
- c) the expenditure for "NCSC staff", "agency workers" and "outsourced workers" in 2010-11, 2011-12 and 2012-13 respectively?

Asked by: Hon. LI Fung-ying

Reply:

- (a) The provision of \$25,245,000 for temporary staff in 2012-13 is to meet the estimated expenditure on honoraria for trainees engaged under the Vacation Training Scheme and Graduate Training Scheme.

(b) Details on the NCSC staff employed in 2010-11 and 2011-12 are as follows :-

<u>Programme</u>	<u>Number and Position</u>	<u>Function</u>	<u>Period of Contract Offered</u>	
			<u>2010-11</u>	<u>2011-12</u>
Buildings, Lands and Planning	1 Assistant Information Technology Officer	Provision of information technology support	1.4.2010 to 31.3.2011	1.4.2011 to 31.3.2012
Development Opportunities Office	2 Project Managers	Provision of consultation and co-ordination services to land development proposals	1.4.2010 to 31.3.2011	1.4.2011 to 31.3.2012
	1 Executive Assistant	Provision of administrative support	1.4.2010 to 31.3.2011	1.4.2011 to 31.3.2012

(c) The expenditure on “NCSC staff”, “agency workers” and “outsourced workers” in 2010-11, 2011-12 and 2012-13 are as follows :-

	<u>Actual Expenditure</u> <u>2010-11</u> (\$ million)	<u>Revised Estimate</u> <u>2011-12</u> (\$ million)	<u>Draft Estimate</u> <u>2012-13</u> (\$ million)
NCSC staff	2.341	2.247	2.124
Agency workers	0.883	0.678	0.378
Outsourced workers	0	0	0

Signature	_____
Name in block letters	Thomas Chow
Post Title	Permanent Secretary for Development (Planning and Lands)
Date	29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)061

Question Serial No.

1094

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Since the introduction of the pilot scheme for “hotel only” sites, how many sites have been granted for the development of hotels in total? What is the year of the grant? What is the area of each site? How many hotel rooms are expected to be provided by each site? What is the target completion year?

Asked by: Hon. PAN Pey-chyou

Reply:

Since the introduction of the “hotel only” scheme in 2008, three hotels sites which could provide about 1 550 rooms had been sold as at end January 2012. In addition, a total of three lease modification cases which could provide about 1 300 rooms had benefitted from the “hotel only” scheme as at end January 2012.

The developer of a development project is required to complete the construction of the minimum gross floor area specified in the land grant documents or lease conditions, and obtain an Occupation Permit from the Building Authority within the Building Covenant period imposed in the land grant documents or lease conditions. For the above-mentioned six cases, the Building Covenant period ranges from 48 to 81 months, the exact length of which depends on the complexity of the development.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)062

Question Serial No.

1095

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Regarding the pilot mediation scheme for compulsory sale for redevelopment, how many buildings have been taken to compulsory sale under the relevant legislation after the Land (Compulsory Sale for Redevelopment) (Specification of Lower Percentage) Notice came into operation and what is the number of property interests involved? How many owners of property interests have participated in the scheme? What is the age profile of these owners? How many cases have been successfully handled under the scheme? How many cases are now being processed? What is the expenditure incurred under the scheme?

Asked by: Hon. PAN Pey-chyou

Reply:

Since the Land (Compulsory Sale for Redevelopment) (Specification of Lower Percentage) Notice came into operation on 1 April 2010 and up till 31 January 2012, the Lands Tribunal had granted two compulsory sale orders under the 80% compulsory sale threshold (with auctions completed). A total of three buildings comprising 60 property interests were involved in the two cases. Since mediation is a private and confidential process, the service provider of the Pilot Mediation Scheme cannot divulge any information on the parties involved in the two cases.

So far, since the launch of the Pilot Mediation Scheme on 27 January 2011 and up till 26 January 2012, the scheme had received 31 requests for mediation. Among the 31 cases, mediation was successfully conducted in two and the parties involved had entered into settlement agreement. The parties involved in another 15 cases had approached the service provider for an introduction to the scheme. They resolved their differences themselves afterwards. In five other cases, one of the parties refused to participate in mediation. In another case, the parties could not reach settlement agreement after mediation. The remaining eight cases were still under processing.

For 2011-12, the Government earmarked \$2.84 million for the Pilot Mediation Scheme, comprising a setup cost of \$1.24 million and an operating cost of \$1.6 million. Another \$0.5 million was set aside to support eligible elderly minority owners in their payment of mediator fees. For 2012-13, we have budgeted \$1.13 million for the Pilot Mediation Scheme and have again set aside \$0.5 million to support eligible elderly minority owners who apply for assistance for payment of the mediator fees.

Signature	_____
Name in block letters	Thomas Chow
Post Title	Permanent Secretary for Development (Planning and Lands)
Date	1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)063

Question Serial No.

1722

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Under Matters Requiring Special Attention in 2012-13, the Administration has indicated that it will continue to monitor and review the implementation of the pilot mediation scheme for compulsory sale for redevelopment and the pilot out-reach service scheme to help owners of old buildings who may be involved in compulsory sale for redevelopment. What are the estimated expenditure and the details of these two schemes in the coming year? And since the introduction of these two schemes, what are the manpower, resources and expenditure involved? What is the progress and effectiveness of these schemes?

Asked by: Hon. TO Kun-sun, James

Reply:

On 27 January 2011, the Government commissioned the Joint Mediation Helpline Office Limited (JMHOL) to launch the "Pilot Mediation Scheme" and the Senior Citizen Home Safety Association (SCHSA) to launch the "Pilot Scheme on Outreach Support Service for Elderly Owners" for a 12-month period in support of minority owners affected by compulsory sale or voluntary acquisition prior to compulsory sale.

For this 12-month pilot period, the Government earmarked \$2.84 million for the Pilot Mediation Scheme, comprising a setup cost of \$1.24 million and an operating cost of \$1.6 million. Another \$0.5 million was set aside to support eligible elderly minority owners in their payment of mediator fees. We also earmarked \$1.43 million for the "Pilot Scheme on Outreach Support Service for Elderly Owners". Staff resources required to oversee the two pilot schemes was absorbed by the Development Bureau.

Over the 12-month pilot period, the Pilot Mediation Scheme handled 79 enquiries and received 31 requests for mediation. Among the 31 cases, mediation was successfully conducted in two and the parties involved had entered into settlement agreement. The parties involved in another 15 cases had approached the service provider for an introduction to the scheme. They resolved their differences themselves afterwards. In five other cases, one of the parties refused to participate in mediation. In another case, the parties could not reach settlement agreement after mediation. The remaining eight cases were still under processing.

For the same period, the “Pilot Scheme on Outreach Support Service for Elderly Owners” handled a total of 61 cases of requests for assistance by elderly owners, and provided information service and support to the elderly owners involved in the cases. The scheme social workers also paid 475 home visits, 263 building visits (where the social workers outreached to the old buildings to distribute information leaflets door-to-door to elderly owners) and conducted 45 public talks on the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) at elderly centres in various districts.

Given the relatively short time over which mediation has been adopted as an alternative mechanism to settle disputes in these situations, we have decided to extend both pilot schemes for another year. For 2012-13, we have budgeted \$1.13 million for the Pilot Mediation Scheme. Another \$0.5 million is also earmarked to support eligible elderly minority owners who apply for assistance for paying mediator fees. The service contract with JMHOL has been extended for another year from 27 January 2012. The tenders for the outreach support service for elderly owners are being evaluated, and we are not able to disclose the tender sum for the outreach service in 2012-13 at this stage.

Signature	_____
Name in block letters	Thomas Chow
Post Title	Permanent Secretary for Development (Planning and Lands)
Date	1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)064

Question Serial No.

2962

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Regarding the “North East New Territories New Development Areas Planning and Engineering Study”, the “Hung Shui Kiu New Development Area Planning and Engineering Study”, the “Planning and Engineering Study on the Remaining Development in Tung Chung” and the “Planning and Engineering Study for Yuen Long South”, what are the details of these studies? What is the expenditure involved respectively? What is the number of personnel engaged for the studies respectively?

Asked by: Hon. WONG Kwok-hing

Reply:

The details of the four studies that are being/will be undertaken by the Planning Department and Civil Engineering and Development Department through the engagement of consultants are as follows -

The North East New Territories New Development Areas (NDAs) Planning and Engineering Study

The main objective of the study is to establish a planning and development framework for the NDAs at Kwu Tung North, Fanling North and Ping Che/Ta Kwu Ling to help meet the long-term housing, social, economic needs of Hong Kong, and to formulate an implementation programme. The Study commenced in June 2008 and is scheduled for completion in 2013. The approved project estimate of the Study is \$54.2 million and the estimated expenditure in the 2012-13 financial year for the Study is \$7.8 million.

The Hung Shui Kiu New Development Area Planning and Engineering Study

The objective of the Study is to formulate a land use framework and ascertain the feasibility of implementing the recommended proposals to help meet housing and other land use needs of Hong Kong in the long term. The Study commenced in August 2011 and will take about 30 months to complete. The approved project estimate of the Study is \$70.4 million and the estimated expenditure in the 2012-13 financial year for the Study is \$12.59 million.

Planning and Engineering Study on the Remaining Development in Tung Chung

The objective of the Study is to establish the detailed feasibility of and to explore the appropriate scope for the remaining development in Tung Chung, taking into account the planning, environmental, transport, infrastructure and other relevant aspects. The Study commenced in January 2012 and is scheduled for completion in mid 2014. The approved project estimate of the Study is \$44.0 million including staff cost of the consultant and site investigation works, and the estimated expenditure in the 2012-13 financial year for the Study is \$12.64 million.

Planning and Engineering Study for Yuen Long South

The objective of the Study is to examine the feasibility of developing degraded rural industrial areas, temporary storage areas, spoiled agricultural land or vacant Government land mainly for housing development purposes. The Study will commence in end 2012 and take about 30 months to complete. The project estimate is about \$48.34 million, and the estimated expenditure in the 2012-13 financial year for the Study is \$1.58 million.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)065

Question Serial No.

2968

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (3) Development Opportunities Office

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

The work of the Development Opportunities Office includes co-ordinating and monitoring the implementation of a package of measures to facilitate redevelopment and wholesale conversion of industrial buildings. Will the Government advise this Committee on:

- (a) the number of industrial buildings for which the Office provided co-ordination service to facilitate redevelopment and wholesale conversion of the buildings in 2011;
- (b) the floor areas involved;
- (c) the districts where the industrial buildings concerned are located; and
- (d) the expenditure involved for the above measures.

Asked by: Hon. WONG Kwok-hing

Reply:

The Development Opportunities Office (DOO) was set up in July 2009 as a time-limited office for three years to provide one-stop consultation and co-ordination service for land development projects of non-governmental organisations and private sector proponents. The DOO also seeks to formulate and co-ordinate policy responses, where appropriate, to tackle challenges identified in the course of facilitating individual land development projects, and has assisted in developing and reviewing measures for revitalisation of Hong Kong's older industrial buildings ("the revitalisation measures") and addressing issues identified regarding their implementation. The provision for DOO in the 2011-12 revised estimates is \$4.6 million, covering chiefly the salaries for DOO staff. We do not have further estimates on the manpower and expenditure of the office solely for carrying out the duties relating to the revitalisation measures.

Applications under the revitalisation measures are centrally processed by a dedicated team in the headquarters of the Lands Department. By the end of 2011, the Lands Department had received 67 applications under the revitalisation measures, including 55 applications for wholesale conversion and 12 for redevelopment of industrial buildings. Among them, 40 applications had been approved, including 29 for wholesale conversion and 11 for redevelopment. These approved applications will provide a total of about 410 000 m² converted or new floor area for non-industrial uses. Most of the approved conversion cases are in Kwun Tong and Kowloon Bay, and the approved redevelopment cases are mainly in Kwun Tong, Yau Tong and Cheung San Wan.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)066

Question Serial No.

0797

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Regarding the West Rail property development projects at Nam Cheong Station, Tsuen Wan 5 (Bayside) at Tsuen Wan West Station, Tsuen Wan 5 (Cityside) at Tsuen Wan West Station and Long Ping (North) undertaken in collaboration with the MTR Corporation Limited, will the Government inform this Committee of the following:

- (a) the number of residential flats that can be produced by each of the above projects and the unit sizes;
- (b) the number of small and medium-sized residential flats of below 500 square feet each that can be produced by each of the projects; and
- (c) the expected year of completion for each of the projects?

Asked by: Hon. WONG Kwok-kin

Reply:

The West Rail (WR) property development projects are wholly owned by the Government through the West Rail Property Development Limited. The MTR Corporation Limited is the agent for implementing these WR projects.

The requested information about the four WR property development projects is tabulated below –

Project	Total Flat No.	Small and Medium-sized Flats (saleable area not more than 50 square metres)		Remarks
		Flat No.	Percentage	
Nam Cheong	3 313	2 485	75%	The tender was awarded in October 2011. The project is estimated to be completed by phases from 2017 to 2019.
Tsuen Wan 5 (Bayside)	2 384	1 235	52%	The tender was not awarded in January 2012. Expression of interest to tender will be invited at an appropriate time.
Tsuen Wan 5 (Cityside)	942	588	62%	The tender was awarded in January 2012. The project is estimated to be completed in 2018.
Long Ping (North)	832	624	75%	The project is planned to be tendered in 2012-13. If the tender is awarded as planned, the project is estimated to be completed in 2017-18.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)067

Question Serial No.

0022

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In 2011, the Administration originally planned to include 300 target buildings under Operation Building Bright and 500 target buildings for inspection. Why was it that the actual numbers in 2011 were only 229 and 355 buildings respectively?

Asked by: Hon. CHAN Kam-lam

Reply:

For Operation Building Bright (OBB), we carried out repair and maintenance works for 229 buildings, or 76% of the original target, in 2011. This was due to the slippage in the Buildings Department (BD)'s repair programme for OBB target buildings in 2011 as a result of the longer than expected time taken to arrange for tendering and appointment of new term contractors, and to recruit staff for the OBB team. The BD would continue to endeavour to carry out repair works for the OBB target buildings under its purview.

The Large Scale Operation (LSO) on inspection of dilapidated buildings has commenced since April 2011. Therefore, the planned number of target buildings for inspection in 2011 was three quarters, or 375 buildings, of the annual target of 500. The BD had inspected 355 buildings under this LSO from 1 April to end December 2011, which is 95% of the planned target of 375 buildings.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)068

Question Serial No.

0023

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The Administration has set the target number of buildings of 2 000, 5 800 and 200 per year for mandatory building inspection, mandatory window inspection and rectification of irregularities associated with sub-divided flats respectively. But why is the planned number of buildings for 2012 set at 1 500, 4 350 and 187 only?

Asked by: Hon. CHAN Kam-lam

Reply:

The numbers of target buildings under the Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS) are 2 000 and 5 800 per year respectively, which are the whole year figures when the two Schemes are fully implemented. The two Schemes are scheduled for full implementation in the second quarter of 2012, hence the planned numbers of target buildings under the MBIS and the MWIS for 2012 are three quarters of the annual target, i.e. 1 500 and 4 350 respectively.

A large scale operation to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has commenced since 1 April 2011. The operation will be enhanced by increasing the number of target buildings to be inspected to 200 per year starting from 1 April 2012. The number of buildings to be inspected from January to March 2012 is one quarter of the annual target of 150 buildings and the planned number of target buildings to be inspected from April to December 2012 is three quarters of the annual target of 200 buildings. The total planned number of target buildings for 2012 is therefore 187.

Signature

Name in block letters

AU Choi-kai

Post Title

Director of Buildings

Date

27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)069

Question Serial No.

0024

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

So far, how many buildings have been assisted under the Operation Building Bright to carry out repair works? Of these buildings, how many are under Category 1 and Category 2 respectively?

Asked by: Hon. CHAN Kam-lam

Reply:

Up to 31 January 2012, 1 507 buildings had been assisted under Operation Building Bright. Out of them, 736 were under Category 1 and the remaining 771 were under Category 2.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)070

Question Serial No.

0025

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the launching of a large scale operation (LSO) “for removal of unauthorised building works in New Territories exempted houses that constitute serious contravention of the law and pose higher potential risks to building safety”, what is the amount of resources set aside by the Administration in 2012-13? What is the number of target buildings involved and the date when the LSO will be launched?

Asked by: Hon. CHAN Kam-lam

Reply:

The Buildings Department will set up a dedicated section to implement an enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs) in April 2012. Forty-one professional, technical and clerical staff will be allocated to this dedicated section in 2012-13.

The enhanced enforcement strategy includes a large scale operation (LSO) for removal of existing UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety, a Reporting Scheme for existing UBWs in NTEHs that constitute less serious contravention and pose lower potential risks to building safety, and immediate enforcement actions against other UBWs in NTEHs which constitute imminent danger, or are newly erected or found under construction.

As the LSO is part of the overall responsibility of the dedicated section for a full range of work in relation to the enhanced enforcement strategy, we are not able to provide a breakdown of the total expenditure for this LSO alone. As we are at the planning stage of launching the LSO in April 2012, the number of target buildings is not available at present.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)071

Question Serial No.

0026

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In 2012-13, the estimated expenditure of the Buildings Department will increase by \$206.2 million and 59 posts will be created. Please provide a detailed breakdown of the increase in estimated expenditure and manpower.

Asked by: Hon. CHAN Kam-lam

Reply:

The increase in the 2012-13 draft Estimates by \$206.2 million is mainly due to increase in salary payments (\$98 million), increase in payment for Land Registry/Companies Registry Trading Fund services (\$52 million), increase in payment to outsourced consultants (\$40 million) and increase in payment of rental for additional office accommodation (\$14 million).

As regards the 59 new civil service posts to be created in the Buildings Department in 2012-13, they include one directorate post (D1), 26 professional posts (four Senior Building Surveyor/Senior Structural Engineer and 22 Building Surveyor/Structural Engineer posts), 24 technical posts (four Senior Survey Officer (Building)/Senior Technical Officer (Structural) and 20 Survey Officer (Building)/Technical Officer (Structural) posts), as well as eight general grade posts (four Analyst/Programmer posts and four Clerical Officer grade posts).

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)072

Question Serial No.

0339

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In 2011, 2 264 prosecutions were instigated against failure to comply with removal orders on unauthorised building works. What was the expenditure involved in these prosecutions? What was the number of cases achieving compliance with removal orders and successful prosecution respectively?

Asked by: Hon. CHAN Kam-lam

Reply:

In 2011, 2 264 prosecutions were instigated against failure to comply with removal orders on unauthorised building works. The work associated with the instigation of prosecutions was mainly handled by the existing resources of 56 professional, technical and clerical staff of the Legal Services Section of the Buildings Department (BD) as part of their overall duties in dealing with all prosecutions and disciplinary proceedings arising from the enforcement work of the Department. Staff of frontline enforcement teams of the BD were also involved in compiling documentary evidence and attending court hearings as prosecution witnesses. We are not able to provide a breakdown of the manpower and expenditure involved solely for handling the prosecutions.

In 2011, the number of removal orders complied with was 10 252 and the number of convicted cases for failure to comply with removal orders was 1 794.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)073

Question Serial No.

1834

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

It is said in the Programme that the Buildings Department will fully implement the Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS), targeting in each year 2 000 buildings aged 30 years or above which require mandatory inspection and, if necessary, repair of the buildings; and 5 800 buildings aged ten years or above which require mandatory inspection and, if necessary, repair of windows. Will the Government advise this Committee whether the selection of buildings for mandatory building and window inspection has been finalised? When will the owners be notified? What is the specific time frame for implementing the schemes?

Asked by: Hon. CHAN Kin-por

Reply:

The Mandatory Building Inspection Scheme (MBIS) and Mandatory Window Inspection Scheme (MWIS) are planned for full implementation in the second quarter of 2012. The selection of target buildings for the two schemes will be conducted at quarterly intervals. A selection panel comprising representatives from the Buildings Department (BD), Hong Kong Housing Society, building professional institutes, property management associations and District Councils is being formed to advise on the selection of target buildings according to a set of selection criteria. Nominations for the first quarterly batch of the target buildings are underway for submission to the selection panel for consideration. Upon confirmation of this first batch of target buildings, the BD will issue pre-notification letters to the respective owners in the second quarter of 2012 to advise them that their buildings have been selected for the MBIS and the MWIS. The statutory notices will be issued in the second half of 2012.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)074

Question Serial No.

2593

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Will the Government advise how much expenditure the Buildings Department has set aside for enhancing the large scale operation on inspection of sub-divided flats in more target buildings to rectify the irregularities of building works associated with sub-divided flats? What is the change in expenditure when compared to 2011-12? What are the planned districts comprising the target buildings, and the anticipated number of flats, amount of manpower involved and results?

Asked by: Hon. CHAN Mo-po, Paul

Reply:

A large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has been launched since 1 April 2011. The operation will be enhanced by increasing the number of target buildings to be inspected to 200 buildings, involving an estimated number of 1 600 sub-divided flats, per year starting from 1 April 2012. The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the Buildings Department (BD), together with the additional resources for 12 professional and technical staff to be allocated to the Department in 2012-13, will be deployed to carry out the aforementioned operation. As the LSO is part of the overall duties of the concerned Divisions of the BD to implement its building safety and maintenance enforcement programme, we are not able to provide a breakdown of the manpower and expenditure solely for handling this operation.

Taking into account the fire risk that may be brought about by adjacent hawker stalls to buildings, the BD will also adjust the strategy of its enforcement action by selecting those old domestic or composite buildings situated in the vicinity of hawker stalls as target buildings for the LSO in 2012. So far, 339 such buildings have been identified and the list is still being finalised. The geographical breakdown of these buildings is as follows –

District	Number of buildings
Central and Western	28
Wan Chai	13
Eastern	26
Kowloon City	3
Sham Shui Po	137
Yau Tsim Mong	132
<i>Total</i>	<i>339</i>

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)075

Question Serial No.

2854

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

- (a) Since the Buildings Department established the Joint Office (JO) with the Food and Environmental Hygiene Department in 2006, how many water seepage complaints have been received each year? Generally speaking, what is the working procedure of the JO for handling these complaints and how much time is needed? Among these complaints, how many cases have been successfully handled or have the source of seepage been identified? Has the JO ever applied to the Court for warrants to enter the premises suspected to cause the seepage for investigation? If yes, please provide the number of cases.
- (b) What is the staffing provision and operational expenditure for the JO each year? Will the Government review the effectiveness and modus operandi of the JO and adopt improvement measures accordingly? If yes, what are the details? If no, what are the reasons?
- (c) On extending the operation of the JO for two years, will the Government allocate more resources (e.g. employ additional staff) for improving the JO's performance in complaint handling so as to expedite the processing of the complaints, improve the success rate of investigation and shorten the time for processing the complaints? If yes, what are the details? If no, what are the reasons? What is the estimated amount of expenditure and staffing provision for the JO each year? When the operation of the pilot JO expires in two years, by what means will the Government continue the vision and work of the JO?
- (d) What equipment is being used by the JO to conduct water seepage tests? Will the JO procure more advanced equipment next year to improve the efficiency and success rate in handling water seepage complaints? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. CHAN Tanya

Reply:

Water seepage in private premises is primarily a matter of building management and maintenance for property owners. However, if the problem of water seepage causes public health nuisance, building structural safety risks or wastage of water, the Government will consider intervention by exercising the relevant statutory powers. To facilitate action, the Food and Environmental Hygiene Department and the Buildings Department (BD) have established the Joint Office (JO) as a pilot programme since 2006 to co-ordinate investigation of complaints and taking of enforcement actions.

The statistics on the numbers of water seepage cases received, cases handled, cases with source identified as well as the number of applications to the Court for entry warrants from 2006 to 2011 are tabulated below :

	2006	2007	2008	2009	2010	2011
Number of cases received	12 733	17 405	21 717	21 769	25 717	23 660
Number of cases handled	7 294	13 375	16 708	18 237	22 971	23 210
Number of cases with source identified	1 430	3 452	4 476	4 813	4 737	4 199
Number of applications to the Court for entry warrants	-	18	70	120	136	90

Identification of the possible sources of water seepage is not a straightforward matter and is often complicated by the fact that there may be multiple sources of water seepage in a single case. As a result, a series of non-destructive tests may have to be performed with a view to identifying the source of seepage and this will require the time and understanding of all parties, especially the owners/occupiers concerned. Co-operation of all owners/occupiers involved is critical for JO staff to enter their premises and conduct multiple tests to identify the source of water seepage. With the full co-operation of concerned parties, an investigation can normally be concluded within around 130 days (90 working days). However, in many cases, repeated arrangements have to be made with the complainants on the timing for site inspections and consent of owners/occupiers has to be sought to allow multiple inspections inside their premises. It will take even longer time if the JO has to apply to the Court for a warrant to gain entry into the premises concerned for investigation. Based on our experience, such cases generally each takes about 170 days from the receipt of a complaint to the completion of an investigation.

The operation of the JO involves a provision of 60 professional and technical staff from the BD, at a projected expenditure of about \$35 million in 2011-12. The two-year extension of the programme from 2012-13 will involve provision of additional resources, at an estimated expenditure of about \$49 million per year. The Administration has been monitoring the work of the JO and will review its long term role, organisation and staffing to ensure effective enforcement of the law and efficient operation of the JO.

The source of water seepage can be varied. Hence, depending on individual circumstances, the JO will employ different methods of investigation. In this connection, moisture meters and colour dyes are commonly adopted in the JO's investigation work. The BD endeavours to keep abreast of the latest technological developments and is working with the Applied Science and Technology Research Institute to explore more effective investigation methods so as to enhance the JO's capability in handling water seepage complaints.

Signature	_____
Name in block letters	_____ AU Choi-kai _____
Post Title	_____ Director of Buildings _____
Date	_____ 28.2.2012 _____

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)076

Question Serial No.

3060

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Please provide the details of the consultancy study to be commenced to review the Code of Practice on Wind Effects in Hong Kong 2004, including the specific work plan, the proposed scope of study and the timetable. What is the amount of resources to be allocated by the Government for this study?

Asked by: Hon. CHAN Tanya

Reply:

Under the Buildings Ordinance, all private buildings in Hong Kong are required to be designed and constructed to resist wind loads. The Code of Practice on Wind Effects in Hong Kong 2004 (the "2004 Code") was published by the Buildings Department (BD) in 2004 for the reference and application of the building industry in this respect.

In recent years, there has been development of wind engineering and design approaches and more meteorological data are available. The BD intends to commission a consultancy study to review the current practices in overseas wind codes and published papers in respect of the wind speed/pressure profiles, wind directionality, terrain types, dynamic effects of wind, peak acceleration for excessive response of building including human comfort, external pressure coefficients, etc., and to make recommendations on modernising the 2004 Code so as to bring it in line with contemporary international design approaches and meet the latest development in wind engineering and technologies.

As the consultancy study is currently in the tendering process, the cost of the study is not available for the time being.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)077

Question Serial No.

3061

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

- (a) Since the introduction of a grading scheme for historic buildings, how many applications for alteration and addition works to or redevelopment of heritage buildings have been received by the Buildings Department (BD) each year? Among the applications, how many have been approved? Please provide the names of the heritage buildings concerned. What are the criteria currently adopted by the BD when processing the applications?
- (b) The BD indicates that a set of building design guidelines for works including alteration and addition works to heritage buildings will be developed. Please provide the specific details of the work arrangement and planned programmes, including the estimated expenditure, manpower arrangement, work schedule and so on.

Asked by: Hon. CHAN Tanya

Reply:

- (a) The grading system for historic buildings operated by the Antiquities Advisory Board is administrative in nature and does not provide historic buildings with statutory protection. Government departments will consider approving applications for redevelopment or alteration of graded historic buildings if the applications comply with the requirements stipulated under the respective Ordinances or policy. For the Buildings Department (BD), building plans submitted to the BD for approval are processed in accordance with the provisions of the Buildings Ordinance to ensure that the design, planning and construction of the proposed building, and any alteration and addition works comply with the safety and health standards stipulated therein. The BD does not keep separate statistics on the number of plan submissions or approvals involving graded buildings.

Nevertheless, the Development Bureau will engage the owners concerned to explore preservation-cum-development options upon receipt of alerts of redevelopment/demolition proposals from government departments concerned under the internal monitoring mechanism, whereby relevant government departments will alert the Commissioner for Heritage's Office and the Antiquities and Monuments Office regarding any identified possible threat which may affect privately-owned historic buildings that have been brought to departments' attention through applications and enquiries received.

- (b) Based on the findings of an earlier consultancy study, the BD has drafted a Practice Guidebook on Compliance with Building Safety and Health Requirements for Adaptive Reuse of and Alteration and Addition Works to Heritage Buildings under the Buildings Ordinance (the 'Practice Guidebook'). The Practice Guidebook will soon be issued after consultation with the relevant stakeholders which is now near completion. No further expenditure for preparation of the Practice Guidebook is required in 2012-13.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)078

Question Serial No.

3062

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

- (a) Regarding the maintenance of private slopes and among the repair orders issued to the owners of these slopes, how many did the Buildings Department (BD) appoint consultants or contractors for the owners in each of the past five years? Under what circumstances will the BD appoint the professionals concerned for the owners of private slopes? What are the criteria for the selection of the consultants or contractors? On average, how long does it take the contractors to complete all the slope improvement works after their appointment? Have there ever been any consultants or contractors not re-appointed due to their poor performance? If yes, please provide the details.
- (b) In each of the past five years, how long on average did it take the owners of private slopes to complete the repair works after having received the Dangerous Hillside Orders (DHOs)? Among the owners, how many of them completed the slope repair works and rendered the slopes structurally safe meeting the relevant standards before the repair orders expired?
- (c) At present, how many DHOs are not yet complied with after the expiry date? Please list out the respective number of repair orders not complied with in 1-3 years, 4-6 years, 7-9 years and 10 years or above after the expiry date?
- (d) Has the Government any plans to review the staff establishment of the Slope Safety Section? Will more resources be allocated to enhance the supervision of compliance with the DHOs? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. CHAN Tanya

Reply:

- (a) The primary responsibility to upkeep the stability of private slopes rests with the slope owners who should engage professionally-qualified persons to regularly inspect and, if necessary, repair or upgrade their slopes. The Government has been providing both financial and technical support to owners of private slopes to assist them in discharging their slope maintenance responsibility.

For those slopes that have become or are liable to become dangerous, the Buildings Department (BD) will issue a dangerous hillside order (DHO) to the concerned owners requiring them to engage professionally-qualified persons to inspect and repair the slope. If a DHO is not complied with by the owner within a specified period, the BD may appoint its consultant and contractor to carry out the inspection and any required repair or upgrading works on behalf of the owners (i.e. defaulted works), and subsequently recover the costs plus supervision charges from the owners. In the past five years (i.e. from 2007 to 2011), the BD awarded a total of 18 consultancy agreements for carrying out the defaulted works in respect of 55 DHOs.

In line with the established procedures, the selection and appointment of consultants and contractors for the carrying out of defaulted works are conducted through tendering exercises. The major consideration in selecting such consultants and contractors include the candidates' qualification and their relevant work experience. Since all the 18 consultancies are still ongoing, largely due to the fact that slope repair works often require a long period of time to complete and that multiple private slopes are often involved in each of the consultancies, we do not have information on the average time of completion of works. In the past five years, no consultant or contractor has been barred from re-appointment due to poor performance.

- (b) We do not have statistics on the average time taken by owners of private slopes in complying with DHOs. From 2007 to 2011, the BD issued a total of 661 DHOs. During the same period, 209 DHOs had been complied with.
- (c) As at 1 February 2012, 683 DHOs were not yet complied with. The requested breakdown is as follows:

Number of Years	Number of DHOs
1 to 3	305
4 to 6	195
7 to 9	98
10 or above	85
<i>Total</i>	<i>683</i>

- (d) To enhance the BD's enforcement action in relation to DHOs, the Slope Safety Section of the BD will be provided with additional manpower resources starting from 2012-13. The additional manpower provided to the section will enable the BD to accelerate its work in clearing the outstanding DHOs.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)079

Question Serial No.

3063

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

- (a) In the past year, what amount of resources has the Buildings Department (BD) allocated for the inspection of sub-divided flats in target buildings? After inspection, how many owners of sub-divided flats found with irregularities have been issued with removal orders or against whom legal action has been taken requiring rectification of the situation? Please list, by District Council district, the details and the number of sub-divided flats in which the irregularities of sub-dividing works have yet to be rectified;
- (b) Since the commencement of a special operation by the BD on sub-divided flats in April 2011, how many buildings have been inspected in each of the 18 districts? Among them, how many flats has the BD gained access to? How many times has the BD invoked the power under the Buildings Ordinance to break into private flats for inspection of irregularities associated with sub-division of flats? Please provide the details;
- (c) Will the BD allocate more resources or employ more staff for the enhancement of the large scale operation on sub-divided flats? If yes, what are the details? As expected by the BD, what is the estimated expenditure for the aforesaid operation in the coming year?

Asked by: Hon. CHAN Tanya

Reply:

- (a) A large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has been launched since 1 April 2011. The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the Buildings Department (BD) have been deployed to carry out the aforementioned operation. As the LSO is

part of the overall duties of the concerned Divisions of the BD to implement its building safety and maintenance enforcement programme, we are not able to provide a breakdown of the manpower solely for handling this operation.

During the nine months from April to December 2011, a total of 116 target buildings were inspected under the LSO and 800 flats were found to have sub-divided cubicles. As at 31 January 2012, 170 removal orders had been issued against the irregularities found, of which 15 orders had been complied with. The most common irregularities found in the sub-divided flats identified include formation of unauthorised door openings that contravene the fire-resisting construction requirements of the means of escape, installation of partition walls that block the fire escape routes, sub-standard drainage works that result in water seepage and excessive installation of partition walls and/or thickening of floor screeding that result in overloading of the floor slabs. As the inspection of some sub-divided flats is still on-going and the BD is still finalising the inspection results of some of the inspected cases, we are not able to provide information on the number of sub-divided flats where irregularities have yet to be rectified.

- (b) The distribution of the 116 target buildings inspected in 2011 on geographical basis is as follows:

District	No of target buildings
Central & Western	12
Wan Chai	11
Eastern	13
Southern	4
Kowloon City	16
Kwun Tong	6
Sham Shui Po	12
Wong Tai Sin	2
Yau Tsim Mong	17
North	3
Sha Tin	4
Kwai Tsing	4
Tsuen Wan	4
Tuen Mun	4
Yuen Long	4
<i>Total</i>	<i>116</i>

As at 31 January 2012, of the 800 flats with sub-divided cubicles identified, the BD was able to gain access to and inspect 562 flats. The inspection of the remaining 238 sub-divided flats is still on-going but the BD staff are experiencing difficulties in gaining access to these flats. So far, the BD has invoked the power under the existing section 22 of the Buildings Ordinance (Cap. 123) (BO) twice for gaining access to two of the sub-divided flats. Both cases took place in August 2011 and the power under section 22 of the BO was only invoked when staff of the BD had failed to gain access to the flats concerned after repeated attempts to contact the owners.

- (c) The LSO will be enhanced by increasing the number of target buildings to be inspected to 200 per year starting from 1 April 2012. The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the BD, together with the additional resources for 12 professional and technical staff to be allocated to the Department in 2012-13, will be deployed to carry out the LSO. As the LSO is part of the overall duties of the concerned Divisions of the BD to implement its building safety and maintenance enforcement programme, we are not able to provide a breakdown of the expenditure solely for handling this operation.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)080

Question Serial No.

3161

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

- (a) In the past year, what was the total amount of resources allocated by the Buildings Department (BD) for inspection of unauthorised building works (UBWs) in buildings in the urban areas, and how many removal orders have been issued as a result of proactive inspections conducted by the BD? Of the removal orders issued, how many prosecutions have been instigated against non-compliant cases? What is the number of convicted cases?
- (b) At present, how many removal orders against UBWs in buildings in the urban areas are not yet complied with after the expiry date? Please list out the respective number of removal orders not complied with in 1-3 years, 4-6 years, 7-9 years and 10 years or above after the expiry date?
- (c) In each of the past three years, what was the number of UBW cases where an encumbrance was imposed because of non-compliance with the removal orders?

Asked by: Hon. CHAN Tanya

Reply:

- (a) In 2011, the Buildings Department (BD) continued its enforcement against unauthorised building works (UBWs) constituting an obvious hazard or imminent danger to life and property, newly erected UBWs and UBWs under construction. In addition, since April 2011, the BD has been implementing the revised enforcement policy against UBWs by extending the scope of actionable UBWs to include UBWs on rooftops and podiums as well as those in yards and lanes of buildings, irrespective of their risk to public safety or whether they are newly constructed. The BD has initiated new large-scale operations since April 2011 to enforce against UBWs. These include an operation to inspect 500 target buildings each year for removal of UBWs on rooftops and flat roofs as well as those in yards and lanes, and another operation to inspect 150 target buildings each year to tackle irregularities of building works associated with sub-divided flats.

In 2011, the above enhanced enforcement actions against UBWs were carried out by the existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and Mandatory Building Inspection Division of the BD as part of the Divisions' overall duties to implement the Department's building safety and maintenance enforcement programme. We are not able to provide a breakdown of the resources solely for handling these enforcement actions.

In 2011, the BD issued 9 176 removal orders and instigated 2 264 prosecutions against failure to comply with removal orders. In the same year, 1 794 cases were convicted.

- (b) Amongst the removal orders issued before 2011 for the whole territory, 52 084 orders are still outstanding. The distribution of these outstanding orders on yearly basis is as follows :

Year of issue	Number of outstanding orders
2001 and before	132
2002-2004	1 299
2005-2007	9 294
2008-2010	41 359
Total	52 084

- (c) The BD does not keep statistics on the number of UBW cases where the removal orders were registered in the Land Registry as an encumbrance.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)081

Question Serial No.

3175

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

- (a) In the past year, what was the amount of resources used by the Buildings Department (BD) for publicity and public education against unauthorised building works (UBWs) targeting the owners and occupants of New Territories Exempted Houses (hereafter referred to as “NT village houses”)? Please provide details such as the expenditure. How effective are these activities?
- (b) In the past year, how many complaint cases against UBWs in NT village houses were received by the BD in each of the districts? What was the number of cases that were handled, that were confirmed unauthorised and that were already issued removal orders in each of the districts?
- (c) In the past year, what was the amount of resources allocated by the BD for proactive inspection of NT village houses? How many UBWs cases were found in these houses during inspection? Of these cases, how many were issued removal orders?
- (d) So far, how many removal orders against UBWs in NT village houses are not yet complied with after the expiry date? Please list out the respective number of removal orders not complied within 1-3 years, 4-6 years, 7-9 years and 10 years or above after the expiry date?

Asked by: Hon. CHAN Tanya

Reply:

In the past year, the Buildings Department (BD) launched a series of publicity and public education activities to enhance the awareness for building safety among the owners and occupants of New Territories Exempted Houses (hereafter referred to as NT village houses) and promote their understanding of unauthorised building works (UBWs). The

publicity activities included direct mailing of promotional pamphlets; Announcements in the Public Interest on television, radio, buses and trains; newspaper supplements; as well as outdoor advertisements on bus bodies and train bodies, banners at ferry piers, and posters at bus stations and railway stations. The expenditure incurred is around \$5 million. The BD will continue to monitor the effectiveness of these publicity activities and enhance the publicity programme as necessary.

For UBWs in NT village houses, the BD has been acting on complaints, reports from the public and referrals from other government departments. In the past year, the BD received 3 503 reports and referral cases about UBWs in NT village houses. The distribution of these cases, number of cases handled as well as the corresponding number of UBWs subject to enforcement action and number of removal orders issued as at 14 February 2012, broken down by the nine District Council districts in the New Territories, are as follows:

District	Number of complaints received	Number of cases handled	Number of UBWs subject to enforcement	Number of removal orders issued
Islands	117	109	8	8
Tsuen Wan	83	68	14	14
Sai Kung	580	556	58	58
Sha Tin	258	235	16	16
Tai Po	737	704	109	108
Yuen Long	1 162	1 079	126	116
North	378	283	31	31
Kwai Tsing	9	6	0	0
Tuen Mun	179	78	8	8
Total	3 503	3 118	370	359

As at 14 February 2012, there were 866 removal orders relating to UBWs in NT village houses that had not yet been complied with after the order expiry date. The number of these orders, broken down by the number of years over which they had been over-due, is tabulated below :

Over-due period	Number of removal orders
less than 1 year	318
within 1-3 years	479
within 4-6 years	64
within 7-9 years	5
10 years or above	0
Total	866

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)082

Question Serial No.

3176

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

- (a) According to the Buildings Department (BD), consultants will be appointed to identify and survey existing unauthorised building works (UBWs) in village houses belonging to the first round targets for enforcement, and conduct inspection upon expiry of the removal orders. Please advise on the progress of appointing the consultants and the detailed timetable for the entire appointment process? When will the consultants be expected to complete identifying all existing UBWs in village houses belonging to the first round targets for enforcement and to submit a report to the BD? What is the Government's estimated expenditure for the work involved?
- (b) Regarding the implementation of the "Reporting Scheme for UBWs in Village Houses" and the formulation of guidelines for inspection and safety certification of the structural safety of village houses, when will the standard reporting form and practice guidelines be expected to be published? What is the progress in these two areas of work?
- (c) When will the setting up of a database of UBWs in New Territories Exempted Houses (NTEHs) be expected to complete so as to include these houses in the current Building Condition Information System? Please provide details of the work plan and the estimated expenditure.
- (d) As expected by the BD, how much time is required for tackling UBWs in NTEHs belonging to the first round targets for enforcement? What is the timetable for handling the existing UBWs that "constitute less serious contravention of the law and pose lower potential risks"?

Asked by: Hon. CHAN Tanya

Reply:

The Buildings Department (BD) will set up a dedicated section in April 2012 for implementing an enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs). Forty-one professional, technical and clerical staff will be allocated to this dedicated section in 2012-13.

The enhanced enforcement strategy includes a large scale operation (LSO) for removal of existing UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety which are the first round target for priority enforcement action, a Reporting Scheme for existing UBWs in NTEHs that constitute less serious contravention and pose lower potential risks to building safety, and immediate enforcement actions against other UBWs in NTEHs which constitute imminent danger, or are newly erected or found under construction. As the LSO is part of the overall responsibility of the dedicated section for a full range of work in relation to the enhanced enforcement strategy, we are not able to provide a breakdown of the total expenditure for this LSO alone.

In view of the substantial scale of the enforcement against first round targets, the LSO will be conducted in phases. As for the first phase of the operation, the BD invited tender in February 2012 for commissioning consultants to commence survey in April 2012 to identify the first round targets for issue of removal orders and to conduct compliance inspections after expiry of the removal orders. Given the large number of UBWs involved, the whole exercise is likely to take some time. We are at this stage unable to accurately assess the time required for completing the survey of all first round targets, as well as the time span of the entire enforcement programme.

As regards the existing UBWs which constitute less serious contravention of the law and pose lower potential risks, the BD will analyse information collected from the Reporting Scheme, conduct objective risk assessment and then formulate follow-up plans for progressive enforcement after dealing with the first round targets.

The BD is drawing up guidelines for inspections and safety certification carried out under the Reporting Scheme, and is finalising a standard proforma for reporting UBWs. The reporting form and guidelines should be ready by 1 April 2012.

The BD aims to set up a database of UBWs in NTEHs making use of the information collected from the Reporting Scheme. Since participation in the Scheme is voluntary, it is not possible at this stage to estimate the number of reports which will be received as well as the degree of coverage of the database. As the enhancement to the existing information system is part of the full range of work in relation to the implementation of the enhanced enforcement strategy and other operations within the BD, it is not possible to provide a breakdown of the expenditure solely for setting up the database.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)083

Question Serial No.

1364

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In Matters Requiring Special Attention in 2012-13 under this Programme, the Administration indicates that a large scale operation will be launched for removal of unauthorised building works in New Territories exempted houses that constitute serious contravention of the law and pose higher potential risks to building safety. Will the Administration inform this Committee of the expenditure involved in the said initiative, the type of structures expected to be demolished and the districts involved?

Asked by: Hon. CHAN Wai-yip, Albert

Reply:

The Buildings Department will set up a dedicated section for implementing an enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs) in April 2012. Forty-one professional, technical and clerical staff will be allocated to this dedicated section in 2012-13.

The enhanced enforcement strategy includes a large scale operation (LSO) for removal of existing UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety which are the first round target for priority enforcement action, a Reporting Scheme for existing UBWs in NTEHs that constitute less serious contravention and pose lower potential risks to building safety, and immediate enforcement actions against other UBWs in NTEHs which constitute imminent danger, or are newly erected or found under construction.

As the LSO is part of the overall responsibility of the dedicated section for a full range of work in relation to the enhanced enforcement strategy, we are not able to provide a breakdown of the total expenditure for this LSO alone.

The LSO is scheduled for launch in April 2012 and will cover all districts of the New Territories. The first round targets mainly include village houses of four storeys or more, houses built without a Certificate of Exemption issued by the Lands Department or the approval and consent of the Building Authority, enclosed rooftop structures covering more than 50% of the roofed-over area of the building concerned and unauthorised projections/structures attached to UBWs, etc.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The Government indicates that the large scale operation (LSO) on comprehensive clearance of unauthorised building works on rooftops of target buildings will be continued in 2012-13. Will the Government inform this Committee of the number of rooftop structures removed in 2011-12, the number of occupants and amount of expenditure involved, and the number of rooftop structures planned to be removed in 2012-13?

Asked by: Hon. CHAN Wai-yip, Albert

Reply:

The large scale operation (LSO) to inspect 500 target buildings per year for removal of unauthorised building works (UBWs) on rooftops and flat roofs as well as those in yards and lanes commenced in April 2011 and will continue in 2012-13. As the survey of the target buildings for 2011-12 to identify actionable UBWs is in progress and the list of target buildings for 2012-13 has yet to be finalised, the number of unauthorised rooftop structures involved and the number of affected occupants are not available at this stage.

The LSO will be carried out using the existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division as part of the Divisions' overall duties to implement the Department's building safety and maintenance enforcement programme. We are not able to provide a breakdown of the resources solely for handling the LSO.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)085

Question Serial No.

1376

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The Government indicates that a reporting scheme for unauthorised building works (UBWs) in New Territories Exempted Houses that constitute less serious contravention of the law and pose lower potential risks to building safety will be implemented in 2012-13. Please advise this Committee of:

- (a) the time table and details of the implementation of the above scheme;
- (b) the expenditure involved;
- (c) the expected number of reports to be received;
- (d) the criteria for determining whether the UBWs reported pose lower potential risks; and
- (e) whether the UBWs reported will be demolished? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. CHAN Wai-yip, Albert

Reply:

The Buildings Department (BD) will set up a dedicated section for implementing an enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs) in April 2012. Forty-one professional, technical and clerical staff will be allocated to this dedicated section in 2012-13.

The enhanced enforcement strategy includes a large scale operation (LSO) for removal of existing UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety which are the first round targets for priority enforcement action, a Reporting Scheme for existing UBWs in NTEHs that constitute less serious contravention and pose lower potential risks to building safety, and immediate enforcement actions against other UBWs in NTEHs which constitute imminent danger, or are newly erected or found under construction.

The Reporting Scheme is designed to curb the emergence of new UBWs and to safeguard the structural safety of NTEHs. Under the Scheme, owners of existing UBWs in NTEHs may submit to the BD the required information on UBWs which were completed before 28 June 2011 and are not included in the list of first round targets. They will also be required to appoint qualified personnel to conduct inspections and verify the safety of the structures concerned. The reporting period will be open for six months from 1 April 2012 to 30 September 2012.

As the Reporting Scheme is part of the overall responsibility of the dedicated section for a full range of work in relation to the enhanced enforcement strategy, we are not able to provide a breakdown of the total expenditure for the Scheme alone. The Reporting Scheme will be launched in April 2012. Since participation in the Scheme is voluntary, it is not possible at this stage to estimate the number of reports which will be received.

During the period of enforcement against the first round targets, the BD will not take immediate enforcement against the reported UBWs unless they are imminently dangerous. The BD will analyse the information collected from the Reporting Scheme, categorise the UBWs, conduct objective risk assessment for different types of UBWs and then formulate follow-up plans for progressive enforcement.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)086

Question Serial No.

0690

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the key performance measures in respect of buildings and building works, the number of buildings targeted for rectification of irregularities associated with sub-divided flats will increase to 200 per year as from 2012. However, the planned number of buildings for 2012 is 187. What is the main reason for the discrepancy between the planned number and the targeted number?

Asked by: Hon. HO Chung-tai, Raymond

Reply:

A large scale operation to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has been launched since 1 April 2011. The operation will be enhanced by increasing the number of target buildings to be inspected to 200 per year starting from 1 April 2012. The number of buildings to be inspected from January to March 2012 is one quarter of the annual target of 150 buildings and the planned number of target buildings to be inspected from April to December 2012 is three quarters of the annual target of 200 buildings. The total planned number of target buildings for 2012 is therefore 187.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)087

Question Serial No.

0691

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The number of buildings targeted for rectification of irregularities associated with sub-divided flats will increase to 200 per year as from 2012. Please provide the relevant estimated expenditure for the 2012-13 financial year and the expenditure in the past two financial years (2010-11 and 2011-12).

Asked by: Hon. HO Chung-tai, Raymond

Reply:

A large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has been launched since 1 April 2011. The operation will be enhanced by increasing the number of target buildings to be inspected to 200 per year starting from 1 April 2012. As the LSO is part of the overall duties of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the Buildings Department to implement its building safety and maintenance enforcement programme, we are not able to provide a breakdown of the manpower solely for handling this operation.

Signature

Name in block letters

Post Title

Date

AU Choi-kai

Director of Buildings

27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

It is planned that the number of buildings targeted for removal of unauthorised rooftop structures will be 500 in 2012, which is a substantial decrease from the actual number of 781 in 2011. Please inform this Committee:

- (a) What is the reason for the decrease under the plan? Is it due to lack of manpower or difficulties in taking enforcement?
- (b) For the 781 buildings with unauthorised rooftop structures actually handled in 2011, what are the details of their distribution in the District Council districts?
- (c) For the 500 buildings planned to be handled in 2012, what are the details of their distribution in the urban areas and the New Territories?

Asked by: Hon. HO Sau-lan, Cyd

Reply:

- (a) A large scale operation (LSO) to inspect 500 target buildings per year for removal of unauthorised building works (UBWs) on rooftops and flat roofs as well as those in yards and lanes commenced in April 2011 and will continue in 2012-13. The planned number of target buildings for the period from April to December 2011 is three quarters of the annual target, i.e. 375. The actual number of target buildings inspected during the 9-month period was 371.

In addition, with the time-limited resources allocated to the Buildings Department (BD) in 2006-07, a special operation was launched in 2011 to assist owners of some 410 old industrial buildings to improve the condition of their buildings by taking enforcement action against the unauthorised structures on rooftops, flat roofs and yards constituting safety hazard or environmental nuisance. As a result, the total number of target buildings handled in 2011 was 781. The above special operation will not be launched in 2012. The planned number of target buildings for 2012 is therefore the annual target of the LSO, i.e. 500.

- (b) The distribution of the 781 buildings handled by BD in 2011 by District Council district is as follows :-

District	Nos. of Target Buildings
Central & Western	45
Wan Chai	34
Eastern	51
Southern	46
Yau Tsim Mong	100
Sham Shui Po	88
Kowloon City	79
Wong Tai Sin	46
Kwun Tong	128
Tsuen Wan	25
Tuen Mun	0
Yuen Long	4
Kwai Tsing	23
Islands	2
North	22
Tai Po	28
Sai Kung	12
Sha Tin	48
Total	781

- (c) For the LSO in 2012, the list of target buildings is being finalised.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)089

Question Serial No.

0050

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Among the indicators under unauthorised building works ("UBWs") of "Existing Buildings", the actual number of "unauthorised structures removed and irregularities rectified" is 25 751 in 2010, but the number in 2011 is 17 879. What is the reason for the decrease in number? Have the resources involved been reduced because of the decrease?

Asked by: Hon. IP LAU Suk-yee, Regina

Reply:

The decrease in the number of unauthorised structures removed and irregularities rectified from 25 751 in 2010 to 17 879 in 2011 is mainly due to the completion of the Blitz Operation on Unauthorised Building Works Clearance (BUC) in 2011. The BUC was launched in 2000 and focused on removal of a large number of unauthorised building works (UBWs) on external walls of target buildings in one go.

After the completion of the BUC, the clearance of UBWs has continued under the revised enforcement policy against UBWs implemented since April 2011, which has extended the coverage of actionable UBWs to include UBWs on rooftops and podiums as well as those in yards and lanes of buildings, irrespective of their risk to public safety and whether they are newly constructed. A Large Scale Operation (LSO) which focuses on the removal of such newly included actionable UBWs has also been launched since April 2011. Such UBWs are generally larger in size, and can rarely be found in large numbers in a single target building.

Apart from the above LSO against UBWs, enforcement actions are also taken under other LSOs of the new package of measures to enhance building safety, including the LSO on tackling irregularities of building works associated with sub-divided flats and LSO on inspection of dilapidated buildings. In addition, the Mandatory Building Inspection Scheme and the Mandatory Window Inspection Scheme are scheduled for full implementation in the second quarter of 2012. To implement the above initiatives, the staff resources assigned for the building safety and maintenance enforcement programmes will increase in the 2012-13 financial year.

Signature	_____
Name in block letters	_____ AU Choi-kai _____
Post Title	_____ Director of Buildings _____
Date	_____ 27.2.2012 _____

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)090

Question Serial No.

0936

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

It is mentioned in the Estimates that the Blitz Operation on Unauthorised Building Works Clearance (BUC) focusing on removal of unauthorised building works (UBWs) on external walls of buildings commenced in 2000 and ceased in 2011. The clearance of the remaining UBWs will continue in the form of other large scale operations (LSOs) under a new package of measures to enhance building safety. Please advise this Committee of:

- (a) the number of existing UBWs on external walls of buildings since the cessation of the BUC;
- (b) the specific details of the other LSOs and the resources involved; and
- (c) the expected date of completing the removal of those UBWs involved in (a) above.

Asked by: Hon. IP LAU Suk-ye, Regina

Reply:

- (a) The Buildings Department (BD) has engaged private sector consultants since 2011 to conduct a stock-taking exercise of all existing unauthorised building works (UBWs) on the exterior of private buildings in Hong Kong. It is anticipated that the stock-taking exercise will be completed in the second half of 2012. We will be able to have a clearer picture of the number of existing UBWs on the exterior of buildings after the completion of the exercise.
- (b) As one of the initiatives of the new package of measures to enhance building safety in Hong Kong, the BD has revised its enforcement policy against UBWs since April 2011 by extending the scope of actionable UBWs to cover all UBWs on the exterior of buildings, including those located on rooftops, flat roofs or in yards and lanes, irrespective of their risk to public safety and whether they are newly erected. To continue the momentum of tackling UBWs on the exterior of

private buildings after the cessation of the Blitz Operation on Unauthorised Building Works Clearance, a large scale operation to remove these types of UBWs in 500 target buildings per year has been launched since April 2011. The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and Mandatory Building Inspection Division have been deployed to carry out the abovementioned operation. As this operation is part of the concerned Divisions' overall duties to implement BD's building safety and maintenance enforcement programme, we are not able to provide a breakdown of the manpower solely for handling this operation.

- (c) As the details on the number and types of existing UBWs on the exterior of private buildings in Hong Kong will only be available upon the completion of the stock-taking exercise, we are not able to set a specific date by which all existing UBWs on the external walls of buildings can be removed.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)091

Question Serial No.

0937

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

It is mentioned in the Estimates that the Bureau will continue the large scale operation (LSO) on comprehensive clearance of unauthorised building works (UBWs) on rooftops, flat roofs, yards and lanes of target buildings in 2012-13. Will the Administration inform this Committee:

- (a) What are the specific details of the said LSO and the resources involved?
- (b) According to some members of the public, the penalty of imposing an encumbrance on the properties with UBWs not removed within the period specified in a warning notice is ineffective because it does not affect the owners of the UBWs concerned in letting out their properties for profit. As such, what measures will be adopted by the Department to tackle the situation?

Asked by: Hon. IP LAU Suk-ye, Regina

Reply:

- (a) As one of the initiatives in the new package of measures to enhance building safety, the Buildings Department (BD) has revised its enforcement policy against unauthorised building works (UBWs) since April 2011 by expanding the scope of the actionable UBWs to include those UBWs located on rooftops, flat roofs or in yards and lanes of private buildings, irrespective of their risk to public safety and whether they are newly erected. To dovetail our enforcement action against such UBWs, a large scale operation (LSO) to remove these types of UBWs in 500 target buildings per year has been launched since April 2011 and will be continued in 2012-13. The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division will be responsible for carrying out the abovementioned operation. As this operation is part of the concerned Divisions' overall duties to implement BD's building safety and maintenance enforcement programme, we are not able to provide a breakdown of the resources solely for handling this operation.

- (b) Warning notice records the existence of UBWs in a property. Its purpose is to constitute an encumbrance on the property title after the notice has been registered in the Land Registry, such that prospective purchasers or tenants can become aware of the existence of UBWs in the properties, thereby encouraging the owners to remove the UBWs voluntarily so as to avert the encumbrance registered against their property titles. In the past, warning notices were usually issued against existing UBWs on rooftops, flat roofs or in yards and lanes of buildings that did not constitute imminent danger to life or property. With the implementation of the enhanced enforcement policy against UBWs since April 2011, removal orders instead of warning notices are issued for these types of UBWs regardless of whether they constitute imminent danger to life or property, thereby creating a much greater deterrent effect on the owners concerned.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)092

Question Serial No.

1167

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the unauthorised building works (UBWs) mentioned under the Indicators of the Programme, will the Administration inform this Committee of the following:

- (a) Among the reports from members of the public, what is the total number of cases which required thorough investigation by the Buildings Department? How many of these cases involved issuance of warning letters and removal orders to the non-compliant owners? What is the respective number of warning letters and removal orders issued?
- (b) While the number of reports has increased, what is the reason for the significant decrease in the other Indicators, such as the number of warning notices, removal orders, prosecutions and structures removed?
- (c) In the coming year, what is the planned number of large scale operations to be conducted to handle the UBWs? What will be the manpower involved?

Asked by: Hon. IP Wai-ming

Reply:

- (a) All reports on unauthorised building works (UBWs) received by the Buildings Department (BD) will be investigated. In 2011, the BD attended to a total of 38 275 such reports, and issued a total of 2 156 and 9 176 advisory letters and removal orders respectively.
- (b) The decrease in the number of removal orders issued, and hence the lower figures for the number of prosecutions instigated and unauthorised structures removed in 2011 is mainly due to the completion of the Blitz Operation on Unauthorised Building Works Clearance (BUC) in 2011. The BUC was launched in 2000 and focused on removal of a large number of UBWs on external walls of target buildings in one go.

After the completion of the BUC, the clearance of UBWs has continued under the revised enforcement policy against UBWs implemented since April 2011, under which the BD has extended the coverage of actionable UBWs to include UBWs on rooftops and podiums as well as those in yards and lanes of buildings, irrespective of their risk to public safety and whether they are newly constructed. As removal orders instead of warning notices are now issued against these newly included actionable UBWs, the number of warning notices issued in 2011 also decreased.

- (c) In 2012-13, the BD will continue its enforcement against UBWs through its two large scale operations (LSOs) against UBWs. The first one is the LSO against UBWs erected on rooftops, flat roofs as well as in yards and lanes of private buildings, with a target to inspect 500 buildings per year. The second one is the LSO against the irregularities of building works associated with sub-divided flats, with a target to inspect 200 buildings per year. The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and Mandatory Building Inspection Division of the BD, together with the additional resources for 12 professional and technical staff to be allocated to the Department in 2012-13, will be provided to carry out the aforementioned operations. As such operations are part of the concerned Divisions' overall duties to implement the BD's building safety and maintenance enforcement programme, we are not able to provide a breakdown of the manpower solely for handling these operations.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)093

Question Serial No.

0832

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

With the Buildings Department to “continue the operation of the pilot joint office with Food and Environmental Hygiene Department to handle public complaints about water seepage problems which would be extended for another two years from 2012–13”, what are the resources involved? Please provide, in table form, the respective number of complaint cases the joint office received each year since its establishment, the categories of the complaints, the average, shortest and longest time required for handling the cases and the number of outstanding cases which have so far remained unresolved. Has the Government assessed whether the operation of the pilot joint office is successful? Will the Government consider changing it into a permanent office? If so, what are the details? If not, what are the reasons?

Asked by: Hon. LAM Tai-fai

Reply:

Water seepage in private premises is primarily a matter of building management and maintenance for property owners. However, if the problem of water seepage causes public health nuisance, building structural safety risks or wastage of water, the Government will consider intervention by exercising the relevant statutory powers. To facilitate action, the Food and Environmental Hygiene Department and the Buildings Department have established the Joint Office (JO) as a pilot programme since 2006 to co-ordinate investigation of complaints and taking of enforcement actions. This pilot programme will be extended for another two years from 2012-13, involving an estimated expenditure of about \$49 million per year.

The numbers of water seepage cases received and handled by the JO since its establishment in 2006 to 2011 are tabulated below :

Year	Cases received	Cases handled
2006	12 733	7 294
2007	17 405	13 375
2008	21 717	16 708
2009	21 769	18 237
2010	25 717	22 971
2011	23 660	23 210

As there is a lapse of time between receipt of complaint and completion of investigation/enforcement action, the number of cases handled in a year does not necessarily correspond to the number of cases received in that year. As at 31 December 2011, 21 995 cases were being followed up by the JO and were under various stages of investigation. The JO has not compiled statistics on the types of seepage cases and the time taken for investigation of individual cases.

The Administration has been monitoring the work of the JO and will review its long term role, organisation and staffing to ensure effective enforcement of the law and efficient operation of the JO.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)094

Question Serial No.

0833

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The number of buildings targeted for rectification of irregularities associated with sub-divided flats by the Buildings Department (BD) is 150 per year in 2011. The target will be revised to 200 as from 2012. In this connection, will the Government advise this Committee of the following:

- (a) The actual number of buildings inspected by the BD in 2011 is 116, and the planned number of buildings to be inspected in 2012 is 187 only. What is the reason for not being able to meet the target in these two years?
- (b) What are the details of the resources and manpower involved in the operation? Will the resources and manpower be increased to inspect more buildings?
- (c) Of the 116 buildings actually rectified in 2011, what is their distribution by district, their age and the details of irregularities involved? How many cases have been resolved? How many cases involve irregularities repeatedly identified?

Asked by: Hon. LAM Tai-fai

Reply:

- (a) A large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has been launched since 1 April 2011. The planned number of buildings to be inspected during the nine-month period from April to December 2011 is therefore three quarters of the annual target of 150 buildings (i.e. around 110 buildings). In 2012-13, additional resources will be provided to the Buildings Department (BD) to strengthen its enforcement work by, inter alia, increasing the number of target buildings to be inspected under the LSO to 200 per year starting from 1 April 2012. The planned number of buildings to be inspected from January to March 2012 is thus one quarter of the annual target of 150 buildings, while the

planned number of buildings to be inspected from April to December 2012 is three quarters of the annual target of 200 buildings. The total planned number of target buildings for 2012 is therefore 187.

- (b) The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the BD, together with the additional resources for 12 additional professional and technical staff proposed for allocation to the Department in 2012-13, will be deployed to carry out the aforementioned operation. As the LSO for rectification of irregularities of building works associated with sub-divided flats is part of the overall duties of the concerned Divisions of the BD to implement its building safety and maintenance enforcement programme, we are not able to provide a breakdown of the resources and manpower solely for handling this operation.
- (c) The distribution of the 116 target buildings inspected in 2011 on geographical basis is as follows :

District	Number of Target Buildings
Central & Western	12
Wan Chai	11
Eastern	13
Southern	4
Kowloon City	16
Kwun Tong	6
Sham Shui Po	12
Wong Tai Sin	2
Yau Tsim Mong	17
North	3
Sha Tin	4
Kwai Tsing	4
Tsuen Wan	4
Tuen Mun	4
Yuen Long	4
Total	116

The age distribution of the 116 target buildings inspected in 2011 is as follows :

Age of Building (Years)	Number of Target Buildings
Below 30	4
30 to 39	20
40 to 49	53
50 or above	39
<i>Total</i>	<i>116</i>

BD does not have a statistical breakdown on the distribution of sub-divided flats in these 116 target buildings by the types of irregularities involved. Nevertheless, based on the experience of BD's enforcement action, the most common irregularities found in the sub-divided flats in these 116 target buildings include formation of unauthorised door openings that contravene the fire-resisting construction requirements of the means of escape, installation of partition walls that block the fire escape routes, sub-standard drainage works that result in water seepage and excessive installation of partition walls and/or thickening of floor screeding that result in overloading of the floor screeding.

As at 31 January 2012, BD had issued 170 removal orders against the irregularities of building works associated with sub-divided flats so identified. Out of these removal orders, 15 orders had been complied with, involving 12 flats with sub-divided cubicles.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)095

Question Serial No.

0834

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In 2012-13, the Buildings Department will “commence a consultancy study to review and make recommendations on modernising the Code of Practice on Wind Effects in Hong Kong 2004, to bring it in line with contemporary international standards’ design approaches and meet the latest development in wind engineering and meteorological data”. Please advise this Committee of the details of the consultancy study and the expenditure involved.

Asked by: Hon. LAM Tai-fai

Reply:

Under the Buildings Ordinance, all private buildings in Hong Kong are required to be designed and constructed to resist wind loads. The Code of Practice on Wind Effects in Hong Kong 2004 (the “2004 Code”) was published by the Buildings Department (BD) in 2004 for the reference and application of the building industry in this respect.

In recent years, there has been development of wind engineering and design approaches and more meteorological data are available. The BD intends to commission a consultancy study to review the current practices in overseas wind codes and published papers in respect of the wind speed/pressure profiles, wind directionality, terrain types, dynamic effects of wind, peak acceleration for excessive response of building including human comfort, external pressure coefficients, etc., and to make recommendations on modernising the 2004 Code so as to bring it in line with contemporary international design approaches and meet the latest development in wind engineering and technologies.

As the consultancy study is currently in the tendering process, the cost of the study is not available for the time being.

Signature	_____
Name in block letters	_____ AU Choi-kai
Post Title	_____ Director of Buildings
Date	_____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)096

Question Serial No.

0835

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In 2012-13, the Buildings Department will “implement a reporting scheme for unauthorised building works in New Territories exempted houses that constitute less serious contravention of the law and pose lower potential risks to building safety”. What are the details of the scheme? Will the public be consulted on the scheme? How much expenditure and manpower will be involved?

Asked by: Hon. LAM Tai-fai

Reply:

The Buildings Department (BD) will set up a dedicated section for implementing an enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs) in April 2012. Forty-one professional, technical and clerical staff will be allocated to this dedicated section in 2012-13.

The enhanced enforcement strategy includes a large scale operation (LSO) for removal of existing UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety as the first round targets of enforcement, a Reporting Scheme for existing UBWs in NTEHs that constitute less serious contravention and pose lower potential risks to building safety, and immediate enforcement actions against other UBWs in NTEHs which constitute imminent danger, or are newly erected or found under construction.

The Reporting Scheme is designed to curb the emergence of new UBWs and to safeguard the structural safety of NTEHs. Under the Scheme, owners of existing UBWs in NTEHs may submit to the BD the required information on UBWs which were completed before 28 June 2011 and are not included in the list of first round targets. They will also be required to appoint qualified personnel to conduct inspections and verify the safety of the structures concerned. The reporting period will be open for six months from 1 April 2012 to 30 September 2012.

During the period of enforcement against the first round targets, the BD will not take immediate enforcement against the reported UBWs unless they are imminently dangerous. The BD will take priority enforcement action against those UBWs which have not been reported to the BD after the reporting period.

In formulating the enhanced enforcement strategy, the Administration has consulted the Legislative Council Panel on Development and has also taken into consideration the views from members of the public and Heung Yee Kuk.

As the Reporting Scheme is part of the overall responsibility of the dedicated section for a full range of work in relation to the enhanced enforcement strategy, we are not able to provide a breakdown of the total expenditure for the Reporting Scheme alone.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)097

Question Serial No.

0843

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The number of “buildings targeted for inspection and issue of repair/investigation orders” by the Buildings Department (BD) is 500 per year. The actual number of buildings inspected in 2011 was 355. In this connection, will the Government inform this Committee of:

- (a) the reason that the BD did not meet the target;
- (b) the details of the resources and manpower involved in the operation; and
- (c) the distribution by district and the age of the 355 buildings actually inspected, the number of repair/investigation orders issued, the number of cases that repair works had been carried out in compliance with the orders and the number of outstanding cases in 2011?

Asked by: Hon. LAM Tai-fai

Reply:

- (a) The large scale operation to inspect 500 target dilapidated buildings per year and to issue repair/investigation orders as necessary commenced in April 2011. The planned number of target buildings for the period from April to December 2011 is three quarters of the annual target, i.e. 375. The actual number of target buildings inspected during the 9-month period was 355, which is roughly in line with the target. The Buildings Department (BD) will continue its endeavour to carry out the operation with a view to meeting the annual target.
- (b) The operation was handled by the existing resources for 374 professional and technical staff of the two Existing Buildings Divisions of the BD as part of their overall duties to implement the Department's building safety and maintenance enforcement programme. We are not able to provide a breakdown of the manpower and expenditure solely for handling this operation.

- (c) The distribution of the 355 target buildings by district and building age is as follows:

District \ Building Age	10 to 19 years	20 to 29 years	Total
Central and West	10	46	56
Wan Chai	10	11	21
Eastern	14	36	50
Southern	0	3	3
Kwun Tong	0	3	3
Sham Shui Po	9	16	25
Kowloon City	7	22	29
Yau Tsim Mong	47	53	100
Wong Tai Sin	5	3	8
Kwai Tsing	4	0	4
North	1	8	9
Sha Tin	0	11	11
Tai Po	0	1	1
Tsuen Wan	0	10	10
Tuen Mun	0	8	8
Yuen Long	3	14	17
Total	110	245	355

The survey and inspection of the target buildings have just been completed. The BD is now assessing and analysing the results of the survey and inspection, and will issue repair/investigation orders to the owners of the target buildings as necessary.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)098

Question Serial No.

0844

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In 2012-13, the Buildings Department will “continue the consultancy study to develop a set of design and construction guidelines for improving energy efficiency in residential buildings”. What are the details of the study, including the amount of expenditure involved? Which consulting firm has been commissioned to conduct the study? When will the study be completed? Is there any plan for releasing the study report and conducting public consultation? If so, what are the details? If not, what are the reasons?

Asked by: Hon. LAM Tai-fai

Reply:

The Buildings Department (BD) has, through the established tendering and selection procedures, selected and commissioned Ronald Lu and Partners (Hong Kong) Limited to conduct a consultancy study to develop a set of design and construction guidelines for improving energy efficiency in residential buildings. The contract sum for the consultancy study is \$1,360,500.

The consultant has completed the review of the local legislation and the research on the requirements and practices of selected overseas countries, and conducted quantitative assessments to identify practical measures in improving energy efficiency in residential buildings applicable to the local environment. Stakeholder consultation forums on the measures identified were held in July and August 2011. Taking into account the initial feedback from the stakeholders, the consultant is refining the proposed measures and formulating a set of recommended design and construction guidelines for improving energy efficiency in residential buildings. We plan to conduct consultation with the stakeholders on the draft guidelines in the second quarter of 2012. The guidelines, which will take into account the findings of the consultancy study and stakeholders' views, will be released for public information when finalised.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)099

Question Serial No.

0845

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In 2012-13, the Buildings Department will “launch a large scale operation (LSO) for removal of unauthorised building works in New Territories exempted houses that constitute serious contravention of the law and pose higher potential risks to building safety”. What are the details of the LSO, and how much expenditure and manpower will be involved?

Asked by: Hon. LAM Tai-fai

Reply:

The Buildings Department will set up a dedicated section for implementing an enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs) in April 2012. Forty-one professional, technical and clerical staff will be allocated to this dedicated section in 2012-13.

The enhanced enforcement strategy includes a large scale operation (LSO) for removal of existing UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety, a Reporting Scheme for existing UBWs in NTEHs that constitute less serious contravention and pose lower potential risks to building safety, and immediate enforcement actions against other UBWs in NTEHs which constitute imminent danger, or are newly erected or found under construction.

As the LSO is part of the overall responsibility of the dedicated section for a full range of work in relation to the enhanced enforcement strategy, we are not able to provide a breakdown of the total expenditure for this LSO alone.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)100

Question Serial No.

2780

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In 2012-13, the Buildings Department will continue to implement the revised enforcement policy against unauthorised building works (UBWs) introduced since April 2011, which includes extending the scope of actionable UBWs for enforcement action to cover UBWs on rooftops, podiums, yards and lanes, continue to take vigorous enforcement action against UBWs by, inter alia, planning to instigate more prosecutions, and respond to reports from members of the public. In this connection, please advise this Committee of the provision of additional resources required for the work, and the work plan and target for this year.

Asked by: Hon. LAU Kin-yee, Miriam

Reply:

The Buildings Department (BD) has implemented the revised enforcement policy against unauthorised building works (UBWs) since April 2011 by expanding the scope of actionable UBWs to include UBWs on rooftops and flat roofs as well as those in yards and lanes of private buildings. A large scale operation to inspect 500 target buildings per year for removal of such actionable UBWs has commenced since April 2011 and will continue in 2012-13. The BD will also continue to encourage the public to report building safety problems and will actively respond to reports on UBWs by issuing statutory orders requiring the owners concerned to carry out rectification works if the UBWs are confirmed to be actionable after inspection. In addition, the BD will step up prosecutions against owners who fail to comply with removal orders. The estimated number of prosecutions to be instigated will increase from 3 000 in 2011 to 3 300 in 2012.

The enforcement work will be handled by the existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the BD as part of the Divisions' overall duties to implement the Department's building safety and maintenance enforcement programme.

Signature	_____
Name in block letters	_____ AU Choi-kai
Post Title	_____ Director of Buildings
Date	_____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)101

Question Serial No.

0275

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In the coming year, will the Joint Office with the Food and Environmental Hygiene Department be funded to conduct researches on the use of testing methods other than the traditional "colour water test" in handling water seepage cases so as to enhance its service for the public? If so, what is the estimated expenditure involved?

Asked by: Hon. LAU Wong-fat

Reply:

The source and passage of water seepage can be varied. Hence, depending on individual circumstances, the Joint Office would employ different methods of investigation, which are not limited to colour water tests.

The Buildings Department endeavours to keep abreast of the latest technological development and is working with the Applied Science and Technology Research Institute to explore more effective investigation methods so as to enhance the Joint Office's capability in handling water seepage complaints. No separate funding is required for this research.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)102

Question Serial No.

0276

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In the previous year, the Buildings Department completed a special operation of inspecting some 3 700 buildings with cantilevered slab canopies. Was the operation carried out by visual inspections only? Were the inspections conducted by outsourced contractors? What was the expenditure involved?

Asked by: Hon. LAU Wong-fat

Reply:

The special operation to inspect some 3 700 private buildings with cantilevered slab canopies (CSC) was carried out by in-house staff of the Buildings Department (BD) primarily by visual inspection to assess the conditions, and state of repair and maintenance of the CSC. Where more detailed investigation and repair were considered necessary, follow-up action had been taken with the issue of investigation and repair orders to the owners concerned. The special operation was handled by the two Existing Buildings Divisions of the BD as part of their overall duties to implement the Department's building safety and maintenance enforcement programme. We are not able to provide a breakdown of the expenditure involved solely for handling the special operation.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)103

Question Serial No.

1279

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the buildings selected for repair and maintenance under the Operation Building Bright, will the Administration advise this Committee of the following:

- (a) What are the reasons that the actual figures did not meet the target in both 2010 and 2011. Of the reasons, are staffing or resources involved? If so, what are the details? Will additional resources be allocated to achieve the target?
- (b) Has assessment been made on the number of target buildings which are eligible but not yet selected? Will the Administration set a timetable for the remaining target buildings? If yes, what are the details, and the resources and staffing involved?

Asked by: Hon. LEE Kok-long, Joseph

Reply:

- (a) Under Operation Building Bright (OBB), it was the Buildings Department (BD)'s annual target to carry out repair and maintenance works for some 300 target buildings. The BD carried out repair and maintenance works for 286 and 229 target buildings in 2010 and 2011 respectively, i.e. around 95% and 76% respectively of the annual target. The shortfall in the number of target buildings repaired in 2011 was due to the slippage in BD's repair programme for OBB target buildings as a result of the longer than expected time taken to arrange for tendering and appointment of new term contractors, and to recruit staff for the OBB team. Nevertheless, the BD would continue to endeavour to carry out repair works for the OBB target buildings under its purview as early as possible.
- (b) OBB covers two categories of buildings, namely Category 1 and Category 2 target buildings. Category 1 target buildings are those with owners' corporations (OCs) which are prepared to carry out repair works on a voluntary basis. The OCs are

required to make applications to participate in OBB. Applications under this category of buildings closed on 24 December 2010. Category 2 target buildings are those having difficulties in coordinating repair works, such as buildings without OCs. Owners of such buildings are not required to make applications and their buildings are selected by the Steering Committee of OBB comprising representatives from the BD, Hong Kong Housing Society and Urban Renewal Authority. We do not have information on the number of buildings that are eligible but have not applied (i.e. Category 1 target buildings) or have not been selected (i.e. Category 2 target buildings) to participate in OBB. In 2012, the BD will continue to identify eligible buildings as OBB Category 2 target buildings. It is estimated that about 500 buildings requiring assistance in carrying out repair works will be identified. The existing resources of 36 professional and technical staff of BD's OBB teams will handle the repair and maintenance works for about 300 buildings in 2012.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)104

Question Serial No.

1280

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The number of buildings targeted for removal of unauthorised roof structures in 2011 substantially exceeds that of the original target. Will the Administration inform this Committee of the reason for the substantial increase? Besides, has there been additional manpower and resources involved in handling the increased number of target buildings? If yes, what are the details?

Asked by: Hon. LEE Kok-long, Joseph

Reply:

A large scale operation (LSO) to inspect 500 target buildings per year for removal of unauthorised building works (UBWs) on rooftops and flat roofs as well as those in yards and lanes commenced in April 2011 and will continue in 2012-13. The planned number of target buildings for the period from April to December 2011 is three quarters of the annual target, i.e. 375. The actual number of target buildings inspected during the 9-month period was 371, which is roughly in line with the target. In addition, with the time-limited resources allocated to the Buildings Department (BD) in 2006-07, a special operation was launched in 2011 to assist owners of some 410 old industrial buildings to improve the condition of their buildings by taking enforcement action against the unauthorised structures on rooftops, flat roofs and yards constituting safety hazard or environmental nuisance. As a result, the total number of target buildings handled by the BD in 2011 was 781. The above special operation will not be launched in 2012. The planned number of target buildings for 2012 is therefore the annual target of the LSO, i.e. 500.

Both the LSO and the special operation were handled by the existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division as part of the Divisions' overall duties to implement the Department's building safety and maintenance enforcement programme. To cope with the anticipated workload arising from the enhanced enforcement work, additional resources of 124 professional and technical staff were already allocated to the Department in 2011-12. We are not able to provide a breakdown of the manpower and expenditure solely for handling the aforementioned LSO and special operation.

Signature	_____
Name in block letters	_____ AU Choi-kai _____
Post Title	_____ Director of Buildings _____
Date	_____ 28.2.2012 _____

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)105

Question Serial No.

1281

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The Administration commenced a special operation in April 2011 for rectification of irregularities of building works associated with sub-divided flats. The operation will be enhanced by increasing the number of target buildings to be inspected to 200 per year starting from 1 April 2012 in order to inspect sub-divided flats in more target buildings. In this connection, will the Administration advise this Committee of the following:

- (a) For the 116 buildings targeted in 2011, please list in detail the major irregularities and the improvement measures concerned.
- (b) What are the resources and number of staff involved after the operation is enhanced?
- (c) Has the Administration set a timetable for the operation? What are the details?

Asked by: Hon. LEE Kok-long, Joseph

Reply:

- (a) A large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has been launched since 1 April 2011. During the nine months from April to December 2011, a total of 116 target buildings were inspected. The most common irregularities found in the sub-divided flats in these 116 target buildings include formation of unauthorised door openings that contravene the fire-resisting construction requirements of the means of escape, installation of partition walls that block the fire escape routes, sub-standard drainage works that result in water seepage and excessive installation of partition walls and/or thickening of floor screeding that result in overloading of the floor slabs. Removal orders are being issued against the above identified irregularities.

- (b) The LSO will be enhanced by increasing the number of target buildings to be inspected to 200 per year starting from 1 April 2012. The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the Buildings Department (BD), together with the additional resources for 12 professional and technical staff to be allocated to the Department in 2012-13, will be deployed to carry out the aforementioned operation. As the LSO is part of the overall duties of the concerned Divisions of the BD to implement its building safety and maintenance enforcement programme, we are not able to provide a breakdown of the manpower solely for handling this operation.
- (c) The BD will strive to achieve the target of inspecting all the target buildings under the LSO within 2012.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)106

Question Serial No.

1282

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the large scale operation for removal of unauthorised building works (UBWs) in New Territories exempted houses that constitute serious contravention of the law and pose higher potential risks to building safety, please advise this Committee of the following:

- (a) What is the amount of resources and the number of staff involved? Is there any need to employ additional staff? If yes, what is the number?
- (b) Whether assessment of the number of existing UBWs as mentioned above has been made? If yes, what are the details? If no, will assessment be made?
- (c) Whether a time frame has been set and is there a planned completion date for the entire operation? If yes, what are the details? If no, will consideration be given to setting a time frame and a completion date?

Asked by: Hon. LEE Kok-long, Joseph

Reply:

The Buildings Department will set up a dedicated section for implementing an enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs) in April 2012. Forty-one additional professional, technical and clerical staff will be allocated to this section in 2012-13.

The enhanced enforcement strategy includes a large scale operation (LSO) for removal of existing UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety which are the first round target for priority enforcement action, a Reporting Scheme for existing UBWs in NTEHs that constitute less serious contravention and pose lower potential risks to building safety, and immediate enforcement actions against other UBWs in NTEHs which constitute imminent danger, or are newly erected or found under construction.

As the LSO is part of the overall responsibility of the dedicated section for a full range of work in relation to the enhanced enforcement strategy, we are not able to provide a breakdown of the total expenditure for the LSO alone.

The LSO is scheduled for launch in April 2012, and the number of UBWs targeted for removal will be available upon completion of the survey work concerned. Given the large number and variety of UBWs in NTEHs, we are at this stage unable to accurately assess the time span of the entire enforcement programme. We will closely monitor progress and will make improvements in the light of operational experience to enhance efficiency for early completion of the work.

Signature	_____
Name in block letters	_____ AU Choi-kai _____
Post Title	_____ Director of Buildings _____
Date	_____ 27.2.2012 _____

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)107

Question Serial No.

1283

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the buildings targeted for rectification of irregularities associated with sub-divided flats, will the Administration advise this Committee of the following:

- (a) List the number of buildings targeted in 2011 by district;
- (b) List the planned number of buildings to be targeted in 2012 by district; and
- (c) In addition, are there any districts targeted or prioritised for inspection in the operation? If yes, what are the details?

Asked by: Hon. LEE Kok-long, Joseph

Reply:

- (a) A large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has been launched since 1 April 2011. During the nine months from April to December 2011, a total of 116 target buildings were inspected. The distribution of these 116 target buildings on geographical basis is as follows:

District	No of target buildings
Central & Western	12
Wan Chai	11
Eastern	13
Southern	4
Kowloon City	16
Kwun Tong	6
Sham Shui Po	12

District	No of target buildings
Wong Tai Sin	2
Yau Tsim Mong	17
North	3
Sha Tin	4
Kwai Tsing	4
Tsuen Wan	4
Tuen Mun	4
Yuen Long	4
<i>Total</i>	<i>116</i>

(b)&(c) In 2012-13, additional resources will be provided to the Buildings Department (BD) to strengthen its enforcement work and these include increasing the number of target buildings to be inspected under the LSO to 200 per year starting from 1 April 2012. Furthermore, taking into account the fire risk that may be brought about by adjacent hawker stalls to those old domestic or composite buildings situated in the vicinity of hawker stalls, the BD will adjust the strategy of its enforcement action by selecting such buildings as target buildings for the LSO in 2012. So far, 339 such buildings have been identified and the list is still being finalised. The geographical breakdown of these 339 buildings is as follows –

District	Number of buildings
Central and Western	28
Wan Chai	13
Eastern	26
Kowloon City	3
Sham Shui Po	137
Yau Tsim Mong	132
<i>Total</i>	<i>339</i>

Signature _____

Name in block letters AU Choi-kai

Post Title Director of Buildings

Date 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)108

Question Serial No.

1284

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In both 2010 and 2011, the actual number of advertisement signboards removed/repared exceeded the target. Notwithstanding that the special operation is almost completed, and the number will resume normal and remain stable, the planned number of advertisement signboards for removal/repair in 2012 still exceeds the target. Will the Administration consider raising the target number to ensure there are sufficient resources and staffing to handle the huge number of cases? If so, what are the details?

Asked by: Hon. LEE Kok-long, Joseph

Reply:

With the additional resources allocated to the Buildings Department (BD) in 2011-12, the BD has set up a dedicated Minor Works and Signboard Control Section for the implementation of a proposed statutory control scheme, similar to the one for prescribed minor building works (small canopies, drying racks and supporting frames for air-conditioners) under the Building (Minor Works) Regulation (Cap. 123 sub. leg. N). Under the proposed control scheme, the continued use of certain existing unauthorised signboards (e.g. within stipulated dimensional requirements, not blocking the operation of emergency vehicles, etc.) will be allowed after safety checks and certification by registered building professionals or registered contractors. The safety checking and certification have to be conducted once every five years. Unauthorised signboards not joining the scheme will be subject to the BD's enforcement actions. The legislative amendments for the proposed signboard control system are being scrutinised by the Legislative Council. We will review the target for removal of abandoned/dangerous advertisement signboards after the signboard control system has been fully implemented.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)109

Question Serial No.

1285

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The Buildings Department will continue the operation of the pilot Joint Office (JO) with the Food and Environmental Hygiene Department dedicated to handling public complaints about water seepage problems in buildings for another two years. Will the Administration advise this Committee of the following:

- (a) Whether it has assessed the number of cases that can be handled by the JO in these two years?
- (b) What is the amount of resources and manpower for the JO that will be involved in these two years?
- (c) If the JO achieves significant results and is welcomed by the public, will consideration be given to making the JO permanent or further extending its operation period. If so, what are the details?

Asked by: Hon. LEE Kok-long, Joseph

Reply:

Water seepage in private premises is primarily a matter of building management and maintenance for property owners. However, where the problem of water seepage causes public health nuisance, building structural safety risks or wastage of water, the Government will consider intervention by exercising the relevant statutory powers. To facilitate action, the Food and Environmental Hygiene Department and the Buildings Department (BD) have established the Joint Office (JO) as a pilot programme since 2006 to co-ordinate investigation of complaints and taking of enforcement actions. This programme will be extended for another two years from 2012-13. Based on past experience, it is estimated that the JO should be able to handle about 46 000 seepage cases in the coming two years.

The two-year extension of this programme will involve provision of 60 professional and technical staff from the BD, at an estimated expenditure of about \$49 million per year.

The Administration has been monitoring the work of the JO and will review its long term role, organisation and staffing to ensure effective enforcement of the law and efficient operation of the JO.

Signature	_____
Name in block letters	_____ AU Choi-kai _____
Post Title	_____ Director of Buildings _____
Date	_____ 27.2.2012 _____

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)110

Question Serial No.

1286

Head: 82 Buildings Department

Subhead (No. & title):
000 Operating expenses

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In 2012-13, 59 posts will be created to enhance enforcement action relating to building safety. Please list in detail the job nature and salaries of the posts involved.

Asked by: Hon. LEE Kok-long, Joseph

Reply:

The 59 new posts to be created in 2012-13 comprise one directorate post (Directorate Pay Scale Point D1 (\$106,600 - \$116,500)), 26 professional posts (four Senior Building Surveyor/Senior Structural Engineer and 22 Building Surveyor/Structural Engineer posts) (Master Pay Scale Points 30 to 49 (\$45,020 - \$95,595)), 24 technical posts (four Senior Survey Officer (Building)/Senior Technical Officer (Structural) and 20 Survey Officer (Building)/Technical Officer (Structural) posts) (Master Pay Scale Points 9 to 29 (\$15,900 - \$43,010)), as well as eight general grade posts (four Analyst/Programmer posts and four clerical grade posts) (Master Pay Scale Points 1 to 33 (\$9,600 - \$51,670)). These posts are created mainly for enhancing enforcement relating to building safety including enforcement against unauthorised building works in New Territories Exempted Houses and large scale operations against irregularities of building works associated with sub-divided flats.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In 2011, because of the launch of additional complaint channels and the increased public awareness in reporting unauthorised building works (UBWs) to the Buildings Department (BD), the number of reports from members of the public attended to in 2011 was significantly increased when compared to that in 2010. In this connection, will the Administration inform this Committee of the following:

- (a) Will the Administration continue to allocate additional resources to encourage members of the public to report UBWs? If yes, what are the details? In no, what are the reasons?
- (b) While the BD continues to take enforcement actions against UBWs in New Territories exempted houses and launch large scale operations against sub-divided flats, will additional resources be allocated to provide more complaint channels so that the operations can be more efficient and effective? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. LEE Kok-long, Joseph

Reply:

- (a) The Buildings Department (BD) will continue to mount various public education and publicity campaigns to promote a safe building culture and increase public awareness of the importance of timely maintenance and inspection of buildings, the risks of unsafe building works and the potential liability arising from unauthorised building works. The public education activities include school talks, seminars and roadshows. The publicity activities include Announcements in the Public Interest (APIs) on TV, radio, buses and trains; as well as publication of newspaper supplements, booklets and posters. We will also continue to encourage the public to report building safety problems to the BD through the

existing hotline (2626 1616), the 1823 Call Centre, e-mail (enquiry@bd.gov.hk), facsimile (2537 4992), the on-line reporting system on the BD's website or in writing. The related work will be handled by the existing staff resources of the Information Unit and the Public Education and Publicity Unit of the BD.

- (b) The BD will continue to monitor the effectiveness of the existing complaint channels and explore new technology to facilitate the public in reporting building safety problems. The related work will be handled by the existing staff resources of the Technical Services Section of the BD as part of their overall duties in providing technical support to the enforcement sections and operation divisions of the Department.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)112

Question Serial No.

1468

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Under the Buildings Ordinance, where a building has been rendered dangerous, dilapidated or defective, the Building Authority (i.e. Director of Buildings) has the responsibility to serve an order in writing to the owner requiring the demolition or repair of such building. Where the owner cannot be found or fails to comply with the order, the Building Authority may carry out the works concerned and recover the cost of such works from that owner. In the past three years, how many demolition and repair orders have been issued for the various districts throughout Hong Kong? What is the average duration between the issuance of orders and completion of works in respect of the compliant cases in which the owners have completed the works specified in the orders issued by the Department? What is the longest duration for such cases? How many cases ultimately required the Building Authority to carry out the works and what are the costs of such works involved? How many cases are still pending recovery of the costs and what is the expenditure involved?

Asked by: Hon. LEE Wai-king, Starry

Reply:

In the past three years, the Buildings Department (BD) has issued a total of 4 185 statutory repair orders. The distribution of the orders by districts is as follows :

District \ Year	2009	2010	2011
Central and Western	137	282	94
Wan Chai	96	157	42
Eastern	113	211	76
Southern	83	84	16
Kwun Tong	34	46	25
Sham Shui Po	137	360	131
Yau Tsim Mong	189	425	97
Kowloon City	150	472	172
Wong Tai Sin	16	37	18
Islands	20	2	8
Tsuen Wan	68	55	49
Sai Kung	19	17	7
Sha Tin	18	24	10
Tai Po	12	11	3
Yuen Long	11	13	7
North	12	25	4
Kwai Tsing	20	17	24
Tuen Mun	8	8	13
Total	1 143	2 246	796

The numbers of demolition orders issued in 2009, 2010 and 2011 are five, one and five respectively. The five demolition orders issued in 2009 were all in Islands District; the order issued in 2010 was in Sai Kung District; and the five orders issued in 2011 were in Southern (three), Islands (one) and Kwun Tong (one) Districts respectively.

Regarding the demolition or repair orders issued in the past three years and where the owners had completed the works specified in the orders, the average duration between the issuance of orders and completion of works is about eight months. Amongst these cases, the longest duration for compliance is about 34 months.

In the past three years, the BD has engaged government consultants and contractors to carry out defaulted repair works on behalf of the owners for about 1 350 cases. The total cost of works is about \$101 million. The BD has been pursuing cost recovery actions under the Buildings Ordinance (Cap. 123) for about 335 cases which involve a total amount of about \$16 million. For the remaining 1 015 cases, the owners have settled the costs or the works are still in progress.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)113

Question Serial No.

2261

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

How many applications for the Comprehensive Building Safety Improvement Loan Scheme were received in each of the past three years in each District Council district? How many buildings were involved? What was the overall amount of loans and the outstanding amount of overdue loans? What were the follow-up measures taken by the Administration and the amount of loans recovered? What is the overall bad debt ratio of the scheme?

Asked by: Hon. LEE Wai-king, Starry

Reply:

The number of applications received, number of buildings involved, total amount of loan approved, total amount of overdue loans and the amount of loans recovered under the Comprehensive Building Safety Improvement Loan Scheme in the past three years in each District Council district are set out in Appendix I to Appendix III.

For the overdue and defaulted repayment cases, the Buildings Department would refer them to the Department of Justice for taking appropriate legal action to recover the outstanding loans from the borrowers. The overall bad debt ratio of the scheme is about 1.5%.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

Information on the Comprehensive Building Safety Improvement Loan Scheme for 2009
Breakdown by District Council districts (Position as at 31 January 2012)

<u>District</u>	<u>Number of applications received</u>	<u>Number of buildings involved</u>	<u>Amount of loan approved</u> (\$)	<u>Amount of overdue loans</u> (\$)	<u>Amount of loans recovered</u> (\$)
North	3	2	68,086	0	0
Sai Kung	3	3	47,460	0	0
Sha Tin	140	9		82,315	33,480
Tai Po	147	11	4,854,478		0
Tsuen Wan	12	7	151,213		0
Tuen Mun	69	8	1,266,345		0
Yuen Long	96	13	3,202,360	12,436	0
Kwai Tsing	51	13	733,531	43,800	0
Central & Western	182	30	7,334,687	51,988	0
Wan Chai	80	21	4,732,762	50,663	38,864
Eastern	807	25	27,611,339	151,255	27,924
Southern	44	5	1,348,720	93,171	93,171
Kowloon City	81	37	2,974,813	43,278	21,305
Kwun Tong	94	14	2,619,738		0
Yau Tsim Mong	277	74	9,389,948		10,705
Sham Shui Po	110	25	3,345,904		0
Wong Tai Sin	63	7	2,731,819	5,367	0
Islands	0	0	0	76,673	0
				39,000	
		304	77,266,162	720,998	227,893

Information on the Comprehensive Building Safety Improvement Loan Scheme for 2010

Breakdown by District Council districts (Position as at 31 January 2012)

<u>District</u>	<u>Number of applications received</u>	<u>Number of buildings involved</u>	<u>Amount of loan approved</u> (\$)	<u>Amount of overdue loans</u> (\$)	<u>Amount of loans recovered</u> (\$)
North	0	0	0	0	0
Sai Kung	2	1	0	0	0
Sha Tin	112	7	4,477,472	24,666	1,103
Tai Po	97	9	4,375,580	75,493	0
Tsuen Wan	22	15	876,176	63,236	43,014
Tuen Mun	5	2	118,452	0	0
Yuen Long	67	11	1,626,436		0
Kwai Tsing	60	15	1,272,813		0
Central & Western	282	43	11,444,898	69,255	
Wan Chai	51	21	2,277,613	68,976	34,163
Eastern	571	44	23,331,452	16,583	84,684
Southern	20	4	613,818	12,007	2,093
Kowloon City	698	39	35,878,394	146,840	28,920
Kwun Tong	210	27		19,704	0
Yau Tsim Mong	178	63	4,190,911	42,957	41,410
Sham Shui Po	89	19	2,070,102		510
Wong Tai Sin	64	9	6,162,573		0
Islands	0	0	1,969,489		0
	0	0	0	0	33,891
	2,528	329	100,686,179	764,080	143,694

53,779

44,490

Information on the Comprehensive Building Safety Improvement Loan Scheme for 2011

Breakdown by District Council districts (Position as at 31 January 2012)

<u>District</u>	<u>Number of applications received</u>	<u>Number of buildings involved</u>	<u>Amount of loan approved</u> (\$)	<u>Amount of overdue loans</u> (\$)	<u>Amount of loans recovered</u> (\$)
North	6	5		0	0
Sai Kung	0	0	0	0	0
Sha Tin	318	6		14,231	0
Tai Po	47	13	132,557 998,665		0
Tsuen Wan	19	9	9,023,938 438,504	9,957	
Tuen Mun	73	12		65,230	0
Yuen Long	200	24		0	0
Kwai Tsing	64	17	2,141,887 550,233		0
Central & Western	94	34	1,879,122	4,375	1,878
Wan Chai	48	19	770,939	15,294	0
Eastern	195	44		110,415	0
Southern	57	9	2,091,200 1,026		0
Kowloon City	161	42	5,806,853	39,691 56,967	0
Kwun Tong	61	23		5,956	0
Yau Tsim Mong	255	90			0
Sham Shui Po	109	39	4,803,301 1,017,798	19,867 75,014	
Wong Tai Sin	140	14	842,507	28,714	0
Islands	0	0	5,215,027 0	80,027 0	7,024 0
	1,847	400		525,738	

41,801,348

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)114

Question Serial No.

2278

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Since April 2011, the Buildings Department (BD) has commenced a special operation to inspect each year some target buildings with a large number of “sub-division of flat units” (commonly known as “sub-divided flats”) to check if any irregularities are involved. Please advise:

- (a) How many target buildings have been inspected so far? What is the distribution of these target buildings? On average, how many “sub-divided flats” are found in each target building? What is the number of “sub-divided flats” to which access has been gained for inspection? What is the number of “sub-divided flats” to which access has been denied? How many times has the BD invoked the Buildings Ordinance to break into premises in the operation and what are the details?
- (b) How many cases of irregularities of building works were found during inspection? What was the nature of the irregularities? How many statutory orders have been issued? What is the progress of the follow-up action?
- (c) To speed up the progress of inspection, will the Administration allocate more manpower for inspection? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. LEE Wai-king, Starry

Reply:

- (a) A large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has been launched since 1 April 2011. During the nine months from April to December 2011, a total of 116 target buildings were inspected, and 800 flats were

found to have sub-divided cubicles (i.e. an average of about seven flats with sub-divided cubicles per target building). The distribution of these 116 target buildings on geographical basis is as follows:

District	No of target buildings
Central & Western	12
Wan Chai	11
Eastern	13
Southern	4
Kowloon City	16
Kwun Tong	6
Sham Shui Po	12
Wong Tai Sin	2
Yau Tsim Mong	17
North	3
Sha Tin	4
Kwai Tsing	4
Tsuen Wan	4
Tuen Mun	4
Yuen Long	4
<i>Total</i>	<i>116</i>

Of the 800 flats with sub-divided cubicles identified, up till 31 January 2012, the Buildings Department (BD) was only able to gain access to and inspect 562 flats. The inspection of the remaining 238 sub-divided flats is still on-going but BD staff are experiencing difficulties in gaining access to these flats. So far, BD has invoked the power under the existing section 22 of the Buildings Ordinance (Cap. 123) (BO) twice for gaining access to two of the sub-divided flats. Both cases took place in August 2011 and the power under section 22 of the BO was only invoked when staff of the BD had failed to gain access to the flats concerned after repeated attempts to contact the owners.

- (b) The most common irregularities found in the sub-divided flats in these 116 target buildings include formation of unauthorised door openings that contravene the fire-resisting construction requirements of the means of escape, installation of partition walls that block the fire escape routes, sub-standard drainage works that result in water seepage and excessive installation of partition walls and/or thickening of floor screeding that result in overloading of the floor slabs.

However, as the BD is still finalising the inspection results of some of the cases, we are not able to provide the exact number of irregularities involved in these 800 sub-divided flats.

As at 31 January 2012, 170 removal orders had been issued against the irregularities found so far, of which 15 orders had already been complied with.

- (c) The LSO will be enhanced by increasing the number of target buildings to be inspected to 200 per year starting from 1 April 2012. The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the BD, together with the additional resources for 12 professional and technical staff to be allocated to the Department in 2012-13, will be deployed to carry out the LSO. As the LSO is part of the overall duties of the concerned Divisions of the BD to implement its building safety and maintenance enforcement programme, we are not able to provide a breakdown of the manpower solely for handling this operation.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)115

Question Serial No.

2279

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the full implementation of the Mandatory Building Inspection Scheme and the Mandatory Window Inspection Scheme this year, what is the amount of funding reserved in 2012-13? What are the details of the work plan? How many qualified inspectors are there in Hong Kong currently? What is the distribution of the target buildings for mandatory building and window inspection this year?

Asked by: Hon. LEE Wai-king, Starry

Reply:

The Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS) are planned for full implementation in the second quarter of 2012. The work arising from the MBIS and the MWIS will be handled by the existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the Buildings Department (BD) as part of the Divisions' overall duties to implement the Department's building safety and maintenance enforcement programme. We are not able to provide a breakdown of the resources solely for implementing the two schemes.

Owners of buildings selected for the MBIS and MWIS are required to appoint Registered Inspectors (RI) and Qualified Persons (QP) to carry out prescribed inspection and, if necessary, prescribed repair, in respect of their buildings and windows respectively. Registration of RI has commenced since 30 December 2011. Our present assessment is that about 7 800 building professionals are qualified to register as RI, including registered architects, registered professional engineers in the relevant engineering disciplines and registered professional surveyors in the relevant surveying divisions. On the other hand, there are about 10 000 building professionals (including authorised persons, registered structural engineers and registered inspectors) and registered contractors (including registered general building contractors and registered minor works contractors registered for window works) who are eligible to act as QP.

The BD will select 2 000 and 5 800 target buildings every year for the MBIS and the MWIS respectively. The selection of target buildings for the two schemes will be conducted at quarterly intervals. A selection panel comprising representatives from the BD, Hong Kong Housing Society, building professional institutes, property management associations and District Councils is being set up to advise on the selection of target buildings according to a set of selection criteria. Nominations for the first quarterly batch of the target buildings are underway for submission to the selection panel for consideration. Upon confirmation of this first batch of target buildings, the BD will issue pre-notification letters to the respective owners in the second quarter of 2012 to advise them that their buildings have been selected for the MBIS and the MWIS. The statutory notices will be issued in the second half of 2012. As the list of target buildings has yet to be finalised, we are not able to provide the distribution of the buildings at this stage.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)116

Question Serial No.

2280

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Since April 2011, the Buildings Department has extended the scope of actionable unauthorised building works (UBWs) for enforcement action to cover UBWs on rooftops, podiums, yards and lanes. Please advise:

- (a) How many target buildings have been inspected so far? How many cases of irregularities of building works were found during inspection? What was the nature of the irregularities? How many statutory orders have been issued? What is the progress of the follow-up action?
- (b) To speed up the progress of inspection, will the Administration allocate more manpower for inspection? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. LEE Wai-king, Starry

Reply:

- (a) The Buildings Department (BD) has implemented the revised enforcement policy against unauthorised building works (UBWs) since April 2011 by expanding the scope of actionable UBWs to include UBWs on rooftops, flat roofs as well as those in yards and lanes of private buildings. In this connection, a large scale operation (LSO) to inspect 500 target buildings per year for removal of these actionable UBWs commenced in April 2011 and will continue in 2012-13. The planned number of target buildings for the period from April to December 2011 is three quarters of the annual target, i.e. 375. The actual number of target buildings inspected during the 9-month period was 371. As the survey of the target buildings to identify the actionable UBWs is still in progress, the number and nature of UBWs and the number of statutory orders to be issued are not available at this stage. The BD will continue to take follow-up actions on the target buildings, including the issuance of removal orders as necessary.

- (b) The LSO will be carried out using the existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the BD as part of the Divisions' overall duties to implement the Department's building safety and maintenance enforcement programme.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)117

Question Serial No.

2785

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In each of the past three years, how many orders have been issued by the Buildings Department to building owners requiring them to reinstate their flats when the flat layouts were found to deviate from the original plans of the buildings? For those cases in which the owners have complied with the orders and completed the works, what was the average time taken from the service of the orders to the completion of works; and what was the time taken by the longest case? For those cases in which the owners could not be found or failed to comply with the orders and ultimately the Building Authority had to carry out the works, what was the number of such cases, the costs of such works involved, the number of cases still pending recovery of costs and the expenditure involved?

Asked by: Hon. LEE Wai-king, Starry

Reply:

In 2009, 2010 and 2011, the Buildings Department (BD) issued 12, 20 and 117 removal orders respectively to owners requiring them to remove the unauthorised building works associated with the sub-division of their flats and to reinstate their flats to accord with the original approved plans of the buildings. For the removal orders issued in the aforementioned period, 34 had already been complied with by the owners with the average duration between the issuance of orders and completion of rectification works of about eight months. Amongst these cases, the longest duration for compliance was about 31 months. For the completed cases, all owners had complied with the orders themselves, either upon receipt of the orders or upon initiation of prosecution action by the BD, without the need for the BD to carry out the works in default on behalf of the owners and recover the costs from them afterwards. For the removal orders issued in the past three years but not yet complied with by the owners, the BD has been monitoring the cases and they are at different stages of follow-up action. For instance, some owners are arranging for rectification works while some have lodged appeals which are being processed. So far, there has been no case requiring the BD to carry out default works.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)118

Question Serial No.

2786

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The Joint Office (JO) is dedicated to handling complaints on water seepage problems in buildings. For the proven cases, the JO may issue Nuisance Notices to parties concerned or apply to the Court for Nuisance Orders. Those who fail to comply with the Notices or Orders may be prosecuted. According to the working procedure of the JO, if the investigation is completed within three weeks after receipt of the complaint, a detailed reply will be given to the complainant. Otherwise, a reply will be issued within one month after acknowledgement of the complaint and also at appropriate intervals afterwards to inform the complainant of the progress of the investigation. In this connection, how many water seepage complaints did the JO receive in the past three years? Among them, how many complaints had the source of seepage been identified? On average, what was the time required from the receipt of a complaint to the identification of the source of seepage? In these three years, how many Nuisance Notices did the JO issue, how many applications for Nuisance Orders did the JO make to the Court, and how many prosecution cases did the JO instigate? Among the prosecution cases, how many of those concerned were convicted and what were the penalties? What was the percentage of cases with investigations completed within three weeks after receipt of the complaints for each year?

Asked by: Hon. LEE Wai-king, Starry

Reply:

The statistics on the numbers of water seepage complaints received, cases handled, cases with source of seepage identified and Nuisance Notices issued by the Joint Office (JO), Nuisance Orders granted by the Court, prosecutions instigated, convictions and the associated penalties in the past three years are tabulated as follows :

	2009	2010	2011
Number of water seepage complaints received	21 769	25 717	23 660
Number of cases handled	18 237	22 971	23 210
Number of cases with source identified	4 813	4 737	4 199
Number of Nuisance Notices issued	3 581	3 379	3 064
Number of Nuisance Orders granted by the Court	29	40	30
Number of prosecutions instigated	132	145	90
Number of convictions	76	121	84
Range of fine	\$300-\$5,000	\$500-\$6,000	\$500-\$3,500

Identification of the possible sources of water seepage is not a straightforward matter and is often complicated by the fact that there may be multiple sources of water seepage in a single case. As a result, a series of non-destructive tests may have to be performed with a view to identifying the source of seepage and this will require the time and understanding of all parties, especially those of the owners/occupiers concerned. Co-operation of all owners/occupiers involved is critical for JO staff to enter their premises and conduct multiple tests to identify the source of water seepage. With the full co-operation of concerned parties, an investigation can normally be concluded within around 130 days (90 working days). However, in many cases, repeated arrangements have to be made with the complainants on the timing for site inspections and consents of respondents have to be sought to allow multiple inspections inside their premises. It will take even longer time if the JO has to apply to the Court for a warrant to gain entry into the premises concerned for investigation. Based on our experience, such cases generally each takes about 170 days from the receipt of a complaint to the completion of an investigation.

The JO does not keep statistics on the time taken for investigation of individual cases and the number of cases dealt with within three weeks.

Signature _____

Name in block letters AU Choi-kai

Post Title Director of Buildings

Date 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)119

Question Serial No.

2788

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding buildings aged 30 to 39 years, 40 to 49 years and 50 years or above, what is the number of inspections conducted by the Government for each age group of buildings in each of the past three years? What is the number of repair orders issued for each group of buildings; and currently, what is the number of buildings for each age group in each district?

Asked by: Hon. LEE Wai-king, Starry

Reply:

The Buildings Department (BD) carries out inspections of private buildings, including those aged 30 years or above, through its regular large scale operations and in response to reports concerning building safety issues received from members of the public and the media. The Department also has an established programme of regular inspection of pre-war buildings at different intervals according to the conditions of individual buildings. However, the Department does not keep statistics on the number of inspections for buildings of different age groups.

In the past three years, the numbers of statutory repair/investigation orders issued by the BD on buildings of different age groups are tabulated as follows :

<div>Year</div> <div>Building Age</div>	2009	2010	2011
30-39	258	222	110
40-49	337	430	223
50 and above	353	1 386	309
Total	948	2 038	642

The distribution of private buildings under different age groups in each district is as follows :

District	Building Age		
	30-39	40-49	50 and above
Central and Western	929	980	555
Wan Chai	531	723	539
Eastern	435	302	327
Southern	762	327	310
Kwun Tong	292	347	26
Sham Shui Po	443	620	605
Yau Tsim Mong	593	1 053	829
Kowloon City	604	637	1 184
Wong Tai Sin	95	261	22
Islands	386	64	20
Tsuen Wan	190	249	62
Sai Kung	753	152	7
Sha Tin	233	77	7
Tai Po	612	73	16
Yuen Long	570	83	68
North	155	181	99
Kwai Tsing	307	91	5
Tuen Mun	344	23	5
Total	8 234	6 243	4 686

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)120

Question Serial No.

2231

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Under this Programme, the provision in 2012–13 is some \$200 million (23.4%) more than the revised estimate in 2011–12 for enhancing enforcement relating to building safety, and 59 posts will be created. How will the 59 posts be allocated for taking enforcement action against unauthorised building works (UBWs) in New Territories Exempted Houses, handling sub-divided flats (commonly known as sub-divided cubicles) and the full implementation of the Mandatory Building Inspection Scheme and the Mandatory Window Inspection Scheme? What are the resources estimated to be allocated for each of these three important tasks in 2012-13? The “Matters Requiring Special Attention in 2012-13” include a plan to instigate more prosecutions against UBWs in 2012. What are the resources estimated to be allocated in 2012-13 to carry out this plan? How many buildings have been inspected since the introduction of the revised enforcement policy against UBWs in April last year? How effective are these enforcement operations?

Asked by: Hon. LEE Wing-tat

Reply:

The 59 new posts to be created in the Buildings Department (BD) in 2012-13 comprise one directorate post (D1), 26 professional posts (four Senior Building Surveyor/Senior Structural Engineer and 22 Building Surveyor/Structural Engineer posts), 24 technical posts (four Senior Survey Officer (Building)/Senior Technical Officer (Structural) and 20 Survey Officer (Building)/Technical Officer (Structural) posts), as well as eight general grade posts (four Analyst/Programmer posts and four Clerical Officer grade posts).

Among these new posts, 41 will be allocated for setting up a dedicated section for enhancing enforcement action against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs), 13 for carrying out and providing support to the large scale operation (LSO) against irregularities of building works associated with sub-divided flats, and five for providing general administrative support. Furthermore, additional resources for 124 professional and technical staff have also been allocated to the BD in 2011-12 for the implementation of the new package of measures to enhance building safety, which includes the launch of the Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme. In 2012-13, additional financial provision will be provided to the BD for the full implementation of these two schemes. Since carrying out the aforementioned tasks is part of the overall responsibilities of the concerned Divisions of BD, we are not able to provide a breakdown of the financial provision allocated for each individual initiative.

The BD also plans to instigate more prosecutions in 2012-13 against owners who fail to comply with removal orders. We estimate that the number of prosecutions to be instigated will increase to 3 300 in 2012. Such work will mainly be handled by about 50 professional and technical staff of the Legal Services Section under the Corporate Services Division of the BD as part of their overall duties in dealing with the prosecutions and disciplinary proceedings arising from the BD's enforcement action. In addition, frontline staff from other Divisions will also be involved in various stages of the prosecutions.

The BD has stepped up its enforcement action against UBWs since 1 April 2011 by implementing various new initiatives, such as the extension of the coverage of actionable UBWs to include those located on rooftops and podiums as well as in yards and lanes of buildings, and the launch of various LSOs against UBWs, which involved 897 target buildings in 2011. The BD does not keep statistics on the total number of buildings inspected in its general enforcement action (such as those inspections carried out in response to complaints or reports from members of the public).

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)121

Question Serial No.

2571

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In Matters Requiring Special Attention in 2012-13, the Buildings Department will continue to implement the revised enforcement policy against unauthorised building works (UBWs) introduced since April 2011 and take enforcement action against UBWs by, inter alia, planning to instigate more prosecutions in 2012. Please advise this Committee of the relevant details, including:

- (a) enforcement against UBWs in New Territories Exempted Houses (NTEHs) in 2011, including the type and number of UBWs concerned, and the reporting of UBWs that constitute less serious contravention of the law, including the type and number of UBWs concerned; and
- (b) the targeted number of prosecutions and enforcement action against UBWs in NTEHs in 2012, and the staff and expenditure involved.

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

The Buildings Department (BD) has been taking immediate enforcement action against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs) which constitute obvious hazard or imminent danger to life or property and UBWs which are under construction or are newly erected. In 2011, the BD issued 372 removal orders against such UBWs.

The BD will set up a dedicated section for implementing an enhanced enforcement strategy against UBWs in NTEHs in April 2012. The dedicated section will involve provision of forty-one professional, technical and clerical staff in 2012-13, at an estimated expenditure of about \$32 million.

The enhanced enforcement strategy includes a large scale operation (LSO) for removal of existing UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety which are the first round target for priority enforcement action, a Reporting Scheme for existing UBWs in NTEHs that constitute less serious contravention and pose lower potential risks to building safety, and immediate enforcement actions against other UBWs in NTEHs which constitute imminent danger, or are newly erected or found under construction. As the LSO is scheduled for launch in April 2012, the numbers of UBWs targeted for removal and the associated prosecution cases will be available upon completion of the survey work and expiry of the removal orders concerned respectively. Since participation in the Reporting Scheme is voluntary, it is not possible at this stage to estimate the number of reports which will be received and details of the associated UBWs.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)122

Question Serial No.

0610

Head: 82 Buildings Department

Subhead (No. & title):
000 Operating expenses

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the 59 posts to be created in 2012-13, what are the ranks and the salaries of the posts involved? What are their respective scope of duties?

Asked by: Hon. LEUNG Yiu-chung

Reply:

The 59 new posts to be created in 2012-13 comprise one directorate post (Directorate Pay Scale Point D1 (\$106,600 - \$116,500)), 26 professional posts (four Senior Building Surveyor/Senior Structural Engineer and 22 Building Surveyor/Structural Engineer posts) (Master Pay Scale Points 30 to 49 (\$45,020 - \$95,595)), 24 technical posts (four Senior Survey Officer (Building)/Senior Technical Officer (Structural) and 20 Survey Officer (Building)/ Technical Officer (Structural) posts) (Master Pay Scale Points 9 to 29 (\$15,900 - \$43,010)), as well as eight general grade posts (four Analyst/Programmer posts and four clerical grade posts) (Master Pay Scale Points 1 to 33 (\$9,600 - \$51,670)). These posts are created mainly for enhancing enforcement relating to building safety including enforcement against unauthorised building works in New Territories Exempted Houses and large scale operations against irregularities of building works associated with sub-divided flats.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)123

Question Serial No.

0611

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the consultancy study commissioned to develop a set of design and construction guidelines for improving energy efficiency in residential buildings, the Administration has indicated that the report would be completed by early 2012. What is the progress?

Asked by: Hon. LEUNG Yiu-chung

Reply:

The Buildings Department has commissioned a consultancy study to develop a set of design and construction guidelines for improving energy efficiency in residential buildings. The consultant has completed the review of the local legislation and the research on the requirements and practices of selected overseas countries, and conducted quantitative assessments to identify practical measures for improving energy efficiency in residential buildings applicable to the local environment. Stakeholder consultation forums on the measures identified were held in July and August 2011. Taking into account the initial feedback from the stakeholders, the consultant is refining the proposed measures and formulating a set of recommended design and construction guidelines for improving energy efficiency in residential buildings. We plan to conduct consultation with the stakeholders on the draft guidelines in the second quarter of 2012.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)124

Question Serial No.

2078

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

On matters regarding the handling of public complaints about water seepage problems with the Food and Environmental Hygiene Department, please list out, by District Council district for the past three years, the number of water seepage complaints received, the processing details and the number of Nuisance Notices issued?

Asked by: Hon. LI Fung-ying

Reply:

The numbers of water seepage complaints received, cases handled and Nuisance Notices issued in the past three years, broken down by the 18 District Council districts, are as follows :

District	No. of water seepage complaints received			No. of cases handled			No. of Nuisance Notices issued		
	2009	2010	2011	2009	2010	2011	2009	2010	2011
Central & Western	1 014	1 338	1 177	952	1 109	929	297	91	35
Wanchai	874	908	835	876	819	701	166	50	16
Southern	905	1 132	958	781	844	1 113	216	177	183
Eastern	2 761	3 169	2 948	2 496	3 912	3 273	485	650	678
Kwun Tong	1 494	1 675	1 867	1 204	1 660	2 030	142	269	269
Wong Tai Sin	763	980	894	358	419	700	49	42	70

District	No. of water seepage complaints received			No. of cases handled			No. of Nuisance Notices issued		
	2009	2010	2011	2009	2010	2011	2009	2010	2011
Islands	103	121	94	108	95	45	32	15	5
Yuen Long	509	613	612	499	426	463	90	121	66
North	564	663	517	366	469	901	83	81	60
Shatin	1 509	2 003	1 796	962	1 490	1 586	362	216	131
Sai Kung	518	695	757	498	668	677	132	104	81
Tai Po	626	752	648	674	635	688	108	151	89
Kowloon City	2 637	3 116	2 380	2 346	2 892	2 580	271	321	437
Sham Shui Po	1 640	1 826	1 516	1 420	1 704	1 543	159	130	144
Yau Tsim Mong	2 298	2 441	2 354	1 805	1 853	2 050	282	329	355
Kwai Tsing	930	1 188	1 370	654	1 148	1 512	156	202	152
Tsuen Wan	1 093	1 330	1 234	685	939	608	403	295	171
Tuen Mun	1 531	1 767	1 703	1 553	1 889	1 811	148	135	122
Total	21 769	25 717	23 660	18 237	22 971	23 210	3 581	3 379	3 064

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

DEVB(PL)125

Question Serial No.

2079

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the Minor Works Control System, please provide the following information:

- a) The Buildings Department approved the registration of some 9 800 minor works contractors in 2011. Please list out the information concerned in the table below:

Class/Status	Class I	Class I (Provisional)	Class II	Class II (Provisional)	Class III	Class III (Provisional)	Individual
Applications received							
Applications approved							
Applications rejected							
Applications withdrawn							
Applications being processed							

- b) Regarding the top-up courses organised for those in the industry to tie in with the registration of minor works contractors, please list out the information concerned in the table below:

Class/Status	Class I	Class II	Class III
Number of applicants			
Number of applicants who have completed the courses and received the certificates			
Number of applicants not admitted			
Number of applicants who have dropped out			
Number of applicants currently attending the courses			

- c) Regarding the minor works submissions received, please list out the information concerning minor works items in the table below.

Class/Status	Class I	Class II	Class III
Number of applications received			
Number of applications processed			
Number of applications being processed			

Asked by: Hon. LI Fung-ying

Reply:

- a) The information on applications for registration as Registered Minor Works Contractors (RMWCs) in 2011 is as follows:

Class/Status	Class I	Class I (Provisional)	Class II	Class II (Provisional)	Class III	Class III (Provisional)	Class III (Individual)
Applications received	1 224	1 775	1 548	2 477	48	81	4 615
Applications approved	266	1 796	884	2 487	22	38	4 275
Applications rejected	12	1	-	1	-	-	-
Applications withdrawn	13	212	17	288	-	-	60
Applications being processed	967	997	1 004	1 002	39	62	962

Note: As there is a lapse of time between receipt of an application and completion of processing of the application, the total number of applications approved and rejected in 2011, together with the number of cases being processed as at 31 December 2011, may not necessarily be equal to the number of applications received in the same year.

- b) Both the top-up courses for Classes I and II RMWC applicants and the compulsory training courses for Class III RMWC applicants are provided by four training institutes, namely the Construction Industry Council Training Academy, the Hong Kong Institute of Vocational Education, the Industrial Centre of the Hong Kong Polytechnic University and the School of Professional and Continuing Education of the University of Hong Kong. The requested information of these courses during the period from their respective launch dates in 2009 up to 31 December 2011 is as follows:

Class/Status	Class I	Class II	Class III
Number of applicants	No such information kept by the Buildings Department (BD)		
Number of applicants who have completed the courses and received the certificates	13 682	345	22 074
Number of applicants not admitted	No such information kept by the BD		
Number of applicants who have dropped out	No such information kept by the BD		
Number of applicants currently attending the courses	2 008	2	177

- c) Under the Minor Works Control System, no application for prior approval and consent from the Building Authority is needed for carrying out the minor works. Contractors who wish to carry out Class I or Class II items are only required to submit notifications (together with the necessary documents) to the BD not less than seven days before the commencement, and within 14 days after the completion of works. As for Class III items, contractors are required to submit notifications (together with the necessary documents) to the BD within 14 days after the completion of works. The numbers of Classes I, II and III minor works submissions received by the BD in 2011 were 1 166, 26 465 and 12 431 respectively.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)126

Question Serial No.

2080

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

- a) Among the Matters Requiring Special Attention in 2012-13, the Buildings Department will fully implement the Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS). The Department has commenced the registration of registered personnel under MBIS and MWIS and started other preparatory work. Please provide the information below:

	Staff Establishment	Expenditure
Registration of registered personnel under MBIS and MWIS		
MBIS		
MWIS		

- (b) There will be an increase of 58 non-directorate posts in 2012-13. Please list the ranks of the posts and the expenditure involved.

Asked by: Hon. LI Fung-ying

Reply:

- (a) The Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS) are planned for full implementation in the second quarter of 2012. The work arising from the MBIS and the MWIS will be handled by the existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the Buildings Department (BD) as part of the Divisions' overall duties to implement the Department's building safety and maintenance enforcement

programme. We are not able to provide a breakdown of the resources solely for implementing the two schemes. As for the registration of registered inspectors (RI), the existing resources of 20 professional and technical staff of the Registration Unit of the BD are responsible for the task as part of their overall duties in the registration of all registered personnel under the Buildings Ordinance. For the same reason, we are not able to provide a breakdown of the resources solely for handling the registration of RI.

- (b) The 58 new non-directorate civil service posts to be created in 2012-13 include 26 professional posts (four Senior Building Surveyor/Senior Structural Engineer and 22 Building Surveyor/Structural Engineer posts), 24 technical posts (four Senior Survey Officer (Building)/Senior Technical Officer (Structural) and 20 Survey Officer (Building)/Technical Officer (Structural) posts), as well as eight general grade posts (four Analyst/Programmer posts and four clerical grade posts). The estimated expenditure is \$26 million per year.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)127

Question Serial No.

2206

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

It is mentioned under Matters Requiring Special Attention that the Buildings Department will continue the operation of the pilot Joint Office with Food and Environmental Hygiene Department to handle public complaints about water seepage problems. Will the Government inform this Committee:

- (a) What is the respective number of cases received, handled and successfully prosecuted by the Joint Office over the past three years?
- (b) What is the average time required for handling the cases? Is there any backlog of cases? Of the cases not yet handled or completed so far, when was the earliest case received?
- (c) What is the current establishment of the Joint Office? How many of the staff are civil servants, non-civil service contract staff and staff of outsourced services? Please list out the ranks and scope of duties of the staff under different modes of employment.
- (d) At the time when the operation was extended for two years, has any review been conducted on the effectiveness, problems and possible improvement of the Joint Office? If yes, what are the details?
- (e) Compared to 2011-12, what is the number of staff of and the amount of expenditure for the Joint Office in the coming year? What is the percentage of increase or decrease?

Asked by: Hon. PAN Pey-chyou

Reply:

Water seepage in private premises is primarily a matter of building management and maintenance for property owners. However, if the problem of water seepage causes public health nuisance, building structural safety risks or wastage of water, the Government will consider intervention by exercising the relevant statutory powers.

The numbers of cases received, cases handled and prosecutions instigated by the Joint Office (JO) in the past three years are tabulated below :

	2009	2010	2011
Number of cases received	21 769	25 717	23 660
Number of cases handled	18 237	22 971	23 210
Number of prosecutions instigated	132	145	90

Identification of the possible sources of water seepage is not a straightforward matter and is often complicated by the fact that there may be multiple sources of water seepage in a single case. As a result, a series of non-destructive tests may have to be performed with a view to identifying the source of seepage and this will require the time and understanding of all parties, especially the owners/occupiers concerned. Co-operation of all owners/occupiers involved is critical for JO staff to enter their premises and conduct multiple tests to identify the source of water seepage. With the full co-operation of concerned parties, an investigation can normally be concluded within around 130 days (90 working days). However, in many cases, repeated arrangements have to be made with the complainants on the timing for site inspections and consent of respondents has to be sought to allow multiple inspections inside their premises. It will take an even longer time if the JO has to apply to the Court for a warrant to gain entry into the premises concerned for investigation. Based on our experience, such cases generally each takes about 170 days from the receipt of a complaint to the completion of an investigation. The JO does not keep statistics on the time taken for investigation of individual cases and the time lapsed on individual outstanding cases.

The operation of the JO involves a provision of 60 professional and technical staff from the Buildings Department. These comprise 12 Building Surveyors (BSs)/Structural Engineers (SEs) as well as 48 Building Safety Officers (BSOs), who are employed on non-civil service contract terms. The BSs/SEs monitor the progress of investigation of seepage cases and performance of consultants, as well as vet the investigation reports submitted by their assistants or consultants. The BSOs co-ordinate the investigation of seepage cases, check the reports submitted by consultants as well as monitor the progress of investigation work. Ten outsourced consultants have been engaged to assist in conducting professional investigation on seepage cases.

The operation of the JO in 2012-13 will involve provision of additional resources, at an estimated expenditure of about \$49 million per year. This compares to a projected expenditure of about \$35 million in 2011-12, representing an increase of 40% in expenditure.

The Administration has been monitoring the work of the JO and will review its long term role, organisation and staffing to ensure effective enforcement of the law and efficient operation of the JO.

Signature	_____
Name in block letters	_____ AU Choi-kai
Post Title	_____ Director of Buildings
Date	_____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)128

Question Serial No.

2207

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

It is mentioned under Matters Requiring Special Attention that a large scale operation will be launched for removal of unauthorised building works in New Territories Exempted Houses (NTEHs) that constitute serious contravention of the law and pose higher potential risks to building safety. Will the Government inform this Committee:

- (a) When will the operation be expected to commence in 2012-13? Before commencing the operation, will there be thorough communication with the parties concerned and Heung Yee Kuk New Territories so that the operation can be smoothly implemented?
- (b) What is the estimated number of NTEHs targeted for inspection under the operation? How much manpower will be involved in the operation and inspections?
- (c) What is the estimated number of NTEHs in the New Territories currently? What is the expected time for completing all the inspections and demolition work?
- (d) Regarding the operation, is there any training provided by the Department for frontline staff? Are there discussions held with the staff and staff associations so that arrangement can be made to safeguard the staff during the operation?

Asked by: Hon. PAN Pey-chyou

Reply:

The Buildings Department will implement an enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs) from 1 April 2012. The enhanced enforcement strategy includes a large scale operation (LSO) for removal of existing UBWs in NTEHs that constitute serious contravention of

the law and pose higher potential risks to building safety which are the first round target for priority enforcement action, a Reporting Scheme for existing UBWs in NTEHs that constitute less serious contravention and pose lower potential risks to building safety, and immediate enforcement actions against other UBWs in NTEHs which constitute imminent danger, or are newly erected or found under construction.

In formulating the enhanced enforcement strategy, the Administration has consulted the Legislative Council Panel on Development and has also taken into consideration the views from members of the public and Heung Yee Kuk. We will continue to maintain communication with the parties concerned to smoothen implementation.

The Buildings Department will set up a dedicated section with 41 professional, technical and clerical staff to implement the strategy. The staff concerned will be given training and guidelines on operation and on dealing with special circumstances.

The number of NTEHs is large. Hence, the work involved in inspection and enforcement will be substantial. However, since we do not have statistics on the actual numbers of NTEHs and UBWs therein, we are unable at this stage to advise on the expected time for completing the tasks.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)129

Question Serial No.

2208

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The provision for 2012-13 is 23.4% higher than the revised estimate for 2011-12, which is mainly due to the enhanced enforcement relating to building safety and the creation of 59 posts. Will the Government advise on the following:

- (a) What are the ranks, scope of work and mode of employment of the 59 additional posts?
- (b) In the establishment of the Buildings Department in 2012-13, what is the respective number and ratio of staff employed under each of the different modes of employment?
- (c) On the basis of classification by project, list out the estimated expenditure and manpower involved for the implementation of each of the enhanced enforcement operations relating to building safety in 2012-13.

Asked by: Hon. PAN Pey-chyou

Reply:

- (a) The 59 new posts to be created in the Buildings Department (BD) in 2012-13 are civil service posts. They include one directorate post (D1), 26 professional posts (four Senior Building Surveyor/Senior Structural Engineer and 22 Building Surveyor/Structural Engineer posts), 24 technical posts (four Senior Survey Officer (Building)/Senior Technical Officer (Structural) and 20 Survey Officer (Building)/Technical Officer (Structural) posts), as well as eight general grade posts (four Analyst/Programmer posts and four Clerical Officer grade posts). Among these new posts, 41 will be allocated for setting up a dedicated section for enhancing enforcement action against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs), 13 for carrying out and providing support to the large scale operation against irregularities of building works associated with sub-divided flats, and five for providing general administrative support.

- (b) The civil service establishment of the BD will be 1 232 posts in 2012-13. As the number of non-civil service contract (NCSC) staff varies with changing service needs of the BD, we are not able to provide the number and ratio of NCSC staff for 2012-13.
- (c) As mentioned in our reply to part (a) of the question, 41 new civil service posts will be created in 2012-13 for setting up a dedicated section for enhancing enforcement action against UBWs in NTEHs. As for the BD's other enforcement duties, they will be carried out using the existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the BD, together with the additional resources for 12 professional and technical staff proposed to be allocated to these Divisions in 2012-13. The estimated expenditure, which covers staff costs as well as other departmental expenditures, is \$255.5 million per year. We are not able to provide a breakdown of the expenditure required for each of the operations.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)130

Question Serial No.

2210

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

It is mentioned under Matters Requiring Special Attention that the Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS) will be fully implemented. Will the Government advise on the following:

- (a) For the implementation of these two Schemes, what is the estimated total number of departmental staff dedicated for the inspection of the 7 800 buildings?
- (b) Have all the staff concerned been employed and trained so that inspection can be commenced from the second quarter of 2012?
- (c) What is the expenditure involved for these two Schemes in 2012-13?

Asked by: Hon. PAN Pey-chyou

Reply:

The Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS) are planned for full implementation in the second quarter of 2012. A total of 2 000 buildings aged 30 years or above and 5 800 buildings aged 10 years or above will be selected for the MBIS and the MWIS respectively each year. To minimise disturbance to building owners, we will synchronise the implementation of the MBIS and the MWIS as far as practicable, whereby buildings selected for the MBIS will also be selected for the MWIS under the same cycle so that owners can carry out inspection and repair works under both schemes concurrently. Therefore, the total number of buildings selected for the MBIS and MWIS in a year will be around 5 800 (i.e. the 2 000 buildings under MBIS will be included in the 5 800 buildings under MWIS), instead of 7 800.

The work arising from the MBIS and the MWIS will be handled by the existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the Buildings Department (BD) as part of the Divisions' overall duties to implement the Department's building safety and maintenance enforcement programme. We are not able to provide a breakdown of the manpower and expenditure solely for implementing the two schemes. The implementation of the two schemes will mainly be handled by existing staff, who are fully equipped with the relevant professional and technical expertise. In addition, clear and comprehensive guidelines will be provided for the staff in carrying out their duties under the two schemes.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)131

Question Serial No.

0401

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

According to the Buildings Department, the number of buildings targeted for rectification of irregularities associated with sub-divided flats will increase from 150/year to 200/year as from 2012. Yet, the actual number of buildings targeted for such work in 2011 was only 116 and the planned number of buildings targeted for such work in 2012 is 187. In this connection,

- (a) please explain the reasons for the Buildings Department's failure to meet this performance target for two consecutive years with a breakdown of the provision and manpower deployed for the work for 2011-12 and 2012-13; and
- (b) whether it has enhanced measures to meet the performance target.

Asked by: Hon. SHEK Lai-him, Abraham

Reply:

A large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has been launched since 1 April 2011. The planned number of buildings to be inspected during the nine-month period from April to December 2011 is therefore three quarters of the annual target of 150 buildings (i.e. around 110 buildings). The Buildings Department (BD) had inspected 116 buildings in 2011 and fully met the target.

In 2012-13, additional resources will be provided to the BD to strengthen its enforcement work and this includes increasing the number of target buildings to be inspected under the LSO to 200 per year starting from 1 April 2012. The planned number of buildings to be inspected from January to March 2012 is thus one quarter of the annual target of 150 buildings, while the planned number of buildings to be inspected from April to December 2012 is three quarters of the annual target of 200 buildings. The total planned number of target buildings for 2012 is therefore 187.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)132

Question Serial No.

0402

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In matters requiring special attention in 2012-13, the authority says it will launch a large scale operation for removal of unauthorised building works (UBWs) in New Territories exempted houses (NTEHs) that constitute serious contravention of the law and pose higher potential risks to building safety. In this regard, please provide the following information:

- (a) the estimated provision for such work for 2012-13;
- (b) the annual removal target of UBWs in NTEHs the authority plans to achieve for 2012-13;
- (c) the manpower to be deployed for such work for 2012-13; and
- (d) whether the Buildings Department will set up a dedicated team to handle such work.

Asked by: Hon. SHEK Lai-him, Abraham

Reply:

The Buildings Department will set up a dedicated section for implementing an enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs) in April 2012. Forty-one professional, technical and clerical staff will be allocated to this dedicated section in 2012-13.

The enhanced enforcement strategy includes a large scale operation (LSO) for removal of existing UBWs in NTEHs that constitute serious contravention of the law and pose higher potential risks to building safety, a Reporting Scheme for existing UBWs in NTEHs that constitute less serious contravention and pose lower potential risks to building safety, and immediate enforcement action against other UBWs in NTEHs which constitute imminent danger, or are newly erected or found under construction.

As the LSO is part of the overall responsibility of the dedicated section for a full range of work in relation to the enhanced enforcement strategy, we are not able to provide a breakdown of the total expenditure for this LSO alone. The LSO is scheduled for launch in April 2012, and the number of UBWs targeted for removal will be available upon completion of the survey work concerned.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)133

Question Serial No.

0403

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

In matters requiring special attention in 2012-13, the authority says it will continue the consultancy study to develop a set of design and construction guidelines for improving energy efficiency in residential buildings. Given that the Director of Buildings anticipated in the 2011-12 Estimates that the consultancy study would be completed in early 2012, what is the progress of the consultancy study? When will the report of the consultancy study be released?

Asked by: Hon. SHEK Lai-him, Abraham

Reply:

The Buildings Department has commissioned a consultancy study to develop a set of design and construction guidelines for improving energy efficiency in residential buildings. The consultant has completed the review of the local legislation and the research on the requirements and practices of selected overseas countries, and conducted quantitative assessments to identify the practical measures for improving energy efficiency in residential buildings applicable to the local environment. Stakeholder consultation forums on the measures identified were held in July and August 2011. Taking into account the initial feedback from the stakeholders, the consultant is refining the proposed measures and formulating a set of recommended design and construction guidelines. We plan to consult the stakeholders on the draft guidelines in the second quarter of 2012.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)134

Question Serial No.

0404

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The Buildings Department has estimated that it will create 59 additional posts in 2012-13; on the other hand, the provision for the Department for 2012-13 is \$206.2 million, 23.4% higher than the revised estimate for 2011-12. In these connections, please provide a breakdown of the provision and the new posts created for the following work:

- (a) enforcement against Unauthorized Building Works in New Territories exempted houses,
- (b) large scale operations against sub-divided flats and
- (c) full implementation of Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme.

Asked by: Hon. SHEK Lai-him, Abraham

Reply:

The increase in 2012-13 draft Estimates by \$206.2 million is mainly due to the increase in salary payments for both civil servants and non-civil service contract staff (\$98 million), increase in payment for Land Registry/Companies Registry Trading Fund services (\$52 million), increase in payment to outsourced consultants (\$40 million) and increase in payment of rental for additional office accommodation (\$14 million). The additional provision is mainly for enhancing enforcement relating to building safety, including enforcement against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs), large scale operations against irregularities of building works associated with sub-divided flats and full implementation of the Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme. We are not able to provide a breakdown of the additional provision allocated for each individual initiative.

In 2012-13, 59 new posts will be created in the Buildings Department comprising one directorate post (D1), 26 professional posts (four Senior Building Surveyor/Senior Structural Engineer and 22 Building Surveyor/Structural Engineer posts), 24 technical posts (four Senior Survey Officer (Building)/Senior Technical Officer (Structural) and 20 Survey Officer (Building)/Technical Officer (Structural) posts), as well as eight general grade posts (four Analyst/Programmer posts and four clerical grade posts). Among these new posts, 41 will be allocated for setting up a dedicated section for enhancing enforcement against UBWs in NTEHs, 13 for carrying out and providing support for large scale operations against irregularities of building works associated with sub-divided flats, and 5 for providing general administrative support.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)135

Question Serial No.

0643

Head: 82 Buildings Department

Subhead (No. & title):
000 Operating expenses

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

The Buildings Department has stated that the number of non-directorate posts would be increased by 58 to 1 200 as at 31 March 2013. Please inform this Committee of the nature of work, ranks and salaries of these posts.

Asked by: Hon. SHEK Lai-him, Abraham

Reply:

The 58 new non-directorate posts comprise 26 professional posts (four Senior Building Surveyor/Senior Structural Engineer and 22 Building Surveyor/Structural Engineer posts) (Master Pay Scale Points 30 to 49 (\$45,020 - \$95,595)), 24 technical posts (four Senior Survey Officer (Building)/Senior Technical Officer (Structural) and 20 Survey Officer (Building)/Technical Officer (Structural) posts) (Master Pay Scale Points 9 to 29 (\$15,900 - \$43,010)), as well as eight general grade posts (four Analyst/Programmer posts and four clerical grade posts) (Master Pay Scale Points 1 to 33 (\$9,600 - \$51,670)). These posts are created mainly for enhancing enforcement relating to building safety including enforcement against unauthorised building works in New Territories Exempted Houses and large scale operations against irregularities of building works associated with sub-divided flats.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)136

Question Serial No.

0471

Head: 82 Buildings Department

Subhead (No. & title):
000 Operational expenses

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the employment of non-civil service contract (NCSC) staff, please provide the following information:

	2012-13	2011-12	2010-11
Number of NCSC staff	()	()	()
Distribution of the positions held by NCSC staff			
Total expenditure on salaries for NCSC staff	()	()	()
Monthly salary range of NCSC staff			
• \$30,001 or above	()	()	()
• \$16,001 - \$30,000	()	()	()
• \$8,001 - \$16,000	()	()	()
• \$6,501 - \$8,000	()	()	()
• \$5,001 - \$6,500	()	()	()
• \$5,000 or below	()	()	()
• number of staff with monthly salary below \$5,824	()	()	()
• number of staff with monthly salary between \$5,824 and \$6,500	()	()	()
Length of service of NCSC staff			
• 5 years or above	()	()	()
• 3 – 5 years	()	()	()
• 1 – 3 years	()	()	()
• less than 1 year	()	()	()
Number of NCSC staff successfully appointed as civil servants	()	()	()
Number of NCSC staff failed to be appointed as civil servants	()	()	()

Percentage of NCSC staff against the total staff in the department	()	()	()
Percentage of staff costs for NCSC staff against the total staff costs in the department	()	()	()
Number of NCSC staff with paid meal break	()	()	()
Number of NCSC staff without paid meal break	()	()	()
Number of NCSC staff working 5 days per week	()	()	()
Number of NCSC staff working 6 days per week	()	()	()

Figures in () denote percentage changes

Asked by: Hon. WONG Kwok-hing

Reply:

Information on the employment of full-time non-civil service contract (NCSC) staff is provided below. As the number of NCSC staff to be recruited varies with changing service needs of the Buildings Department (BD), we are unable to provide the requested information for 2012-13.

(a) Number and job nature of NCSC staff

	2011-12 (as at 31 December 2011)	2010-11 (as at 31 March 2011)
Job nature	Number of NCSC staff	
Professional	46 (-49%)	91
Technical & inspectorate	224 (-25%)	299
General administration	179 (+159%)	69
Total:	449 (-2%)	459

(b) Total expenditure on salary for NCSC staff

2011-12 (as at 31 December 2011)	2010-11 (as at 31 March 2011)
\$65.981M (-53%)	\$140.566M

(c) **Salaries and length of service of NCSC staff**

	2011-12 (as at 31 December 2011)	2010-11 (as at 31 March 2011)
Monthly salary	Number of NCSC staff	
\$30,001 or above	49 (-48%)	94
\$16,001 to \$30,000	100 (-13%)	115
\$8,001 to \$16,000	300 (+24%)	242
\$6,501 to \$8,000	0 (-100%)	1
\$5,001 to \$6,500	0 (-100%)	7
\$5,000 or less	0 (0%)	0
Less than \$5,824	0 (0%)	0
\$5,824 to \$6,500	0 (-100%)	7

	2011-12 (as at 31 December 2011)	2010-11 (as at 31 December 2010) ¹
Length of services	Number of NCSC staff	
5 years or above	157 (+3%)	152
3 years to less than 5 years	98 (-37%)	156
1 year to less than 3 years	57 (-65%)	162
Less than 1 year	137 (+1 270%)	10
Total:	449 (-6%)	480

(d) **Number of NCSC staff appointed as civil servant**

2011-12 ** (as at 31 December 2011)	2010-11* (as at 31 March 2011)
57 (+1 800%)	3

(e) **Number of NCSC staff failed to be appointed as civil servant#**

2011-12** (as at 31 December 2011)	2010-11* (as at 31 March 2011)
138	0

* As at 31.3.2011, three recruitment exercises were still in progress.

** Four recruitment exercises were involved.

Although the applications for civil service posts were not successful, the NCSC staff concerned could continue to work in their NCSC posts in the BD.

¹ As BD does not have the breakdowns as at 31 March 2011, the breakdowns as at 31 December 2010 are provided.

(f) Percentage of NCSC staff against the total staff in the Department

2011-12 (as at 31 December 2011)	2010-11 (as at 31 March 2011)
30% (-6%)	32%

(g) Percentage of staff costs for NCSC staff against the total staff costs in the Department

2011-12 (as at 31 December 2011)	2010-11 (as at 31 March 2011)
14% (-36%)	22%

(h) Paid meal break for NCSC staff

	2011-12 (as at 31 December 2011)	2010-11 (as at 31 March 2011)
Meal break	Number of NCSC staff	
Paid meal break	449 (-2%)	459
Unpaid meal break	0 (0%)	0
Total:	449 (-2%)	459

(i) Working days of NCSC staff

	2011-12 (as at 31 December 2011)	2010-11 (as at 31 March 2011)
Working days	Number of NCSC staff	
5 working days or less per week	449 (-2%)	459
More than 5 working days per week	0 (0%)	0
Total:	449 (-2%)	459

Figures in () denote percentage changes

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)137

Question Serial No.

0496

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the engagement of agency workers, please provide the following information:

	2012-13	2011-12	2010-11
Number of contracts with employment agencies	()	()	()
Contract sum paid to each employment agency	()	()	()
Total amount of commission paid to each employment agency	()	()	()
Duration of service for each employment agency	()	()	()
Number of agency workers	()	()	()
Distribution of the positions held by agency workers			
Monthly salary range of agency workers			
• \$30,001 or above	()	()	()
• \$16,001 - \$30,000	()	()	()
• \$8,001 - \$16,000	()	()	()
• \$6,501 - \$8,000	()	()	()
• \$5,001 - \$6,500	()	()	()
• \$5,000 or below	()	()	()
• number of workers with salary below \$5,824	()	()	()
• number of workers with salary between \$5,824 and \$6,500	()	()	()
Length of service of agency workers			
• 5 years or above	()	()	()
• 3 - 5 years	()	()	()
• 1 - 3 years	()	()	()
• less than 1 year	()	()	()

Percentage of agency workers against the total staff in the department	()	()	()
Percentage of expenditure for employment agencies against the total staff costs in the department	()	()	()
Number of workers with paid meal break	()	()	()
Number of workers without paid meal break	()	()	()
Number of workers working 5 days per week	()	()	()
Number of workers working 6 days per week	()	()	()

Figures in () denote percentage changes

Asked by: Hon. WONG Kwok-hing

Reply:

The information in respect of engagement of agency workers is set out below. It excludes services provided under term contracts centrally administered by the Office of the Government Chief Information Officer. We are not able to provide information for 2012-13 as the number of agency workers to be engaged varies over time with changing service needs of the Buildings Department.

(a) Number of contracts with employment agencies

2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
1 (-50%)	2

(b) Contract sum and duration of services

Contract sum	2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
	Number of contracts	
Less than \$0.5 million	0 (0%)	0
\$0.5 million to \$1 million	0 (0%)	0
Over \$1 million	1 (-50%)	2
Total:	1 (-50%)	2

Duration of services	2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
	Number of contracts	
6 months or less	0 (0%)	0
Over 6 months to 1 year	1 (-50%)	2
Over 1 year to 2 years	0 (0%)	0
Over 2 years	0 (0%)	0
Total:	1 (-50%)	2

(c) Commission paid to employment agencies

In procuring employment agency services, departments must comply with the relevant requirements of the Stores and Procurement Regulations, Financial Circulars and guidelines issued by the Civil Service Bureau. These regulations and guidelines do not require departments to specify the amount or the rate of commission payable to the employment agencies. As such, we do not have information on the commission paid to the employment agencies.

(d) Number and job categories of workers

	2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
Number of workers	125 (-44%)	225

Job categories of workers ^{Note}	2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
	Number of workers	
Backend office support	125 (-44%)	225
Total:	125 (-44%)	225

Note: Agency workers are generally referred to as temporary staff and are not assigned any specific post titles.

(e) Monthly salary range of agency workers

We require the employment agencies to state the lowest wage they will pay to their employees. Since April 2010, we have specified in the contracts that, for the whole duration of the concerned service contracts, the employment agencies must pay their agency workers wages no less than the average monthly wage of miscellaneous non-production workers in all selected industries published in the latest Census and Statistics Department's Quarterly Report of Wage and Payroll Statistics at the time when tenders are invited. For the period from April to December 2011, the minimum monthly wages specified in the contracts ranged from \$7,183 to \$7,523. Furthermore, upon the implementation of the Statutory Minimum Wage (SMW) with effect from 1 May 2011, employment agencies are also obliged by law to provide wages to their workers at levels no less than the SMW and to comply with other applicable requirements of the Minimum Wage Ordinance (Cap. 608). Nevertheless, we do not keep information on the wage that each agency worker is receiving.

(f) Length of service of agency workers

An employment agency may arrange any of their employees who meet our requirements to work in the Department or arrange replacement of agency workers during the contract period for different reasons. Therefore, we do not have information on the years of service of agency workers who are employees of the employment agencies and are at the disposal of the latter.

(g) Percentage of workers against the total staff in the Department

2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
9% (-7%)	16%

(h) Percentage of expenditure for employment agencies against the total staff costs in the Department

2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
2.7% (+0.3%)	2.4%

(i) Paid meal break for workers

The agency workers are employed by the employment agencies, and whether meal breaks are paid or not is governed by the employment contract between the two parties. We do not have information on this matter.

(j) Working days of workers

Working days	2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
	Number of workers	
5 working days or less per week	125 (-44%)	225
More than 5 working days per week	0 (0%)	0
Total:	125 (-44%)	225

Figures in () denote percentage changes

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)138

Question Serial No.

2942

Head: 82 Buildings Department

Subhead (No. & title):
000 Operational Expenses

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the engagement of “outsourced workers”, please provide the following information:

	2012-13	2011-12	2010-11
Number of outsourced service contracts	()	()	()
Total expenditure for outsourced service providers	()	()	()
Duration of service for each outsourced service provider	()	()	()
Number of outsourced workers engaged through outsourced service providers	()	()	()
Distribution of the positions held by outsourced workers (e.g. customer service, property management, security, cleansing and information technology)	()	()	()
Monthly salary range of outsourced workers			
• \$30,001 or above	()	()	()
• \$16,001 - \$30,000	()	()	()
• \$8,001 - \$16,000	()	()	()
• \$6,501 - \$8,000	()	()	()
• \$5,001 - \$6,500	()	()	()
• \$5,000 or below	()	()	()
• number of staff with monthly salary below \$5,824	()	()	()
• number of staff with monthly salary between \$5,824 and \$6,500	()	()	()

Length of service of outsourced workers			
• 5 years or above	()	()	()
• 3 – 5 years	()	()	()
• 1 – 3 years	()	()	()
• less than 1 year	()	()	()
Percentage of outsourced workers against the total staff in the department	()	()	()
Percentage of expenditure for outsourced service against the total staff costs in the department	()	()	()
Number of outsourced workers with paid meal break	()	()	()
Number of outsourced workers without paid meal break	()	()	()
Number of outsourced workers working 5 days per week	()	()	()
Number of outsourced workers working 6 days per week	()	()	()

Figures in () denote percentage changes

Asked by: Hon. WONG Kwok-hing

Reply:

The Buildings Department employs outsourced services in office cleansing, security, and maintenance of engineering systems and equipment. The requested information is provided in the tables below. However, we are unable to provide information for 2012-13 since the need for outsourced services varies with changing service needs of the Department.

(a) Number of outsourced service contracts

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
3 (0%)	3

(b) Total expenditure for outsourced service providers (in million)

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
\$1.242 (-66.1%)	\$3.667

(c) Duration of outsourced service contracts

Duration of service	2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
	Number of contracts	
6 months or less	0 (0%)	0
Over 6 months to 1 year	1 (0%)	1
Over 1 year to 2 years	2 (0%)	2
Over 2 years	0 (0%)	0
Total:	3 (0%)	3

(d) Total number of workers engaged through outsourced service providers

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
22 (-12%)	25

Note: Both full time and part time workers are included.

(e) Work nature of outsourced workers

Nature of service contracts	2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
	Number of workers	
Security	2 (0%)	2
Cleansing	13 (-7.1%)	14
Maintenance of engineering systems and equipment	7(-22.2%)	9
Total:	22 (-12%)	25

(f) Salaries and length of service of outsourced workers

We do not have information on the remuneration package and years of service of outsourced workers who are employees of the contractors. From time to time, the contractors may arrange replacement of outsourced workers during the contract period for different reasons or assign different workers to perform a certain type of task such as maintenance of equipment upon receipt of service call.

(g) Percentage of workers against the total staff in the Department

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
1.5% (-0.3%)	1.8%

(h) Percentage of expenditure for outsourced service providers against the total staff costs in the Department

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
0.3% (-0.3%)	0.6%

(i) Paid meal break for outsourced workers

The outsourced workers are employees of the contractors, and whether meal breaks are paid or not is governed by the employment contract between the two parties. We do not have information in this respect.

(j) Working days of outsourced workers

Working days	2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
	Number of workers	
5 working days or less per week	22 (-12%)	25
More than 5 working days per week	0 (0%)	0
Total:	22 (-12%)	25

Figures in () denote percentage changes

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)139

Question Serial No.

2527

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

Regarding the problem of sub-divided flats mentioned under this Programme, will the Government advise this Committee:

- (a) How many inspections under the large scale operation on sub-divided flats have been conducted last year? How many sub-divided flats were involved? Among them, how many cases of irregularities of building works were found?
- (b) As indicated in the Estimates, the number of target buildings for tackling irregularities of building works associated with sub-divided flats will be increased to 200 in the coming year. How much manpower is involved in the operation?
- (c) While inspecting the sub-divided flats, will consideration be given to keeping a record of these flats at the same time so as to facilitate the setting up of a database on sub-divided flats, or to conducting a major statistical survey to grasp the scale of the problem of sub-divided flats in Hong Kong?
- (d) Regarding legislative work on the control of sub-divided flats, what are the details and timetable? What is the expected time for the submission of the legislation to the Legislative Council?

Asked by: Hon. WONG Kwok-kin

Reply:

- (a) A large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has been launched since 1 April 2011. During the nine months from April to December 2011, a total of 116 target buildings were inspected and 800 flats were found to have sub-divided cubicles. The Buildings Department (BD) was able to

gain access to and inspect 562 flats. As at 31 January 2012, 170 removal orders had been issued against the irregularities found. However, as the inspection of the remaining 238 sub-divided flats is still on-going and the BD is still finalising the inspection results of some of the inspected cases, we are not able to provide the requested information on the number of irregularities found.

- (b) The LSO will be enhanced by increasing the number of target buildings to be inspected to 200 per year starting from 1 April 2012. The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the BD, together with the additional resources for 12 professional and technical staff to be allocated to the Department in 2012-13, will be deployed to carry out the aforementioned operation. As the LSO is part of the overall duties of the concerned Divisions of the BD to implement its building safety and maintenance enforcement programme, we are not able to provide a breakdown of the manpower solely for handling this operation.
- (c) Similar to the handling of other building-safety related cases, the BD has been keeping record of the results of the inspections carried out under the LSO. The BD currently does not have a plan to conduct a territory-wide survey on sub-divided flats.
- (d) As mentioned in previous occasions, we propose to strengthen the statutory control of building works commonly associated with sub-division of flat units by including such works under the Minor Works Control System so that owners will be required to hire qualified professionals and contractors to carry out such works in a manner compliant with the requirements of the Buildings Ordinance (Cap. 123). The details of the proposal will be discussed at the meeting of the Panel on Development on 28 February 2012. We will endeavour to introduce the amendment regulations to the Legislative Council as soon as possible, such that the new arrangements can commence in the second half of 2012.

Signature _____

Name in block letters _____ AU Choi-kai

Post Title _____ Director of Buildings

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)140

Question Serial No.

0950

Head: 82 Buildings Department

Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

According to the Administration, it is estimated that 1 600 sub-divided flats will be inspected, the irregularities associated with 100 sub-divided flats will be rectified and 200 target buildings will be handled in 2012. What is the estimated expenditure and manpower involved?

Please list, by District Council district, the number of buildings targeted by the Administration this year.

Asked by: Hon. WONG Yuk-man

Reply:

A large scale operation (LSO) to inspect 150 target buildings per year for rectification of irregularities of building works associated with sub-divided flats has been launched since 1 April 2011. The operation will be enhanced by increasing the number of target buildings to be inspected to 200 per year starting from 1 April 2012. The existing resources for 488 professional and technical staff of the two Existing Buildings Divisions and the Mandatory Building Inspection Division of the Buildings Department (BD), together with the additional resources for 12 additional professional and technical staff to be allocated to the Department in 2012-13, will be deployed to carry out the aforementioned operation. As the LSO is part of the overall duties of the concerned Divisions of the BD to implement its building safety and maintenance enforcement programme, we are not able to provide a breakdown of the manpower solely for handling this operation.

Taking into account the fire risk that may be brought about by hawker stalls, the BD will adjust the strategy of its enforcement action by selecting those old domestic or composite buildings situated in the vicinity of hawker stalls as target buildings for the LSO in 2012. So far, 339 such buildings have been identified and the list is still being finalised. The geographical breakdown of these buildings is as follows –

District	Number of buildings
Central and Western	28
Eastern	26
Wan Chai	13
Kowloon City	3
Sham Shui Po	137
Yau Tsim Mong	132

Signature _____

Name in block letters AU Choi-kai

Post Title Director of Buildings

Date 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)141

Question Serial No.

0700

Head: 33 Civil Engineering and
Development Department

Subhead (No. & title):

Programme: (3) Provision of Land and Infrastructure

Controlling Officer: Director of Civil Engineering and Development

Director of Bureau: Secretary for Development

Question:

Under Matters Requiring Special Attention in 2012-13, it is mentioned that the studies on potential housing/development sites in the North, Yuen Long and Tuen Mun Districts will commence. What are the details of the studies? What are the differences between the studies and the planning on the North East New Territories New Development Areas currently in progress?

Asked by: Hon. CHAN Hak-kan

Reply:

The studies for the North and Yuen Long Districts will examine the feasibility of developing degraded rural industrial areas, temporary storage areas, spoiled agricultural land or vacant Government land mainly for housing development purposes. The study for the Tuen Mun District will review the planned uses of vacant sites and sites with temporary uses at the fringe of Tuen Mun New Town and examine the feasibility of using these sites for housing development purpose. These studies cover a total area of about 178 ha.

On the other hand, the North East New Territories New Development Areas (NENT NDAs) comprising Kwu Tung North, Fanling North and Ping Che/Ta Kwu Ling cover a much bigger proposed area up to a total of about 800 ha. The study being undertaken is to explore the feasibility of developing the three NDAs on a strategic scale for various purposes, including the provision of land for housing, education, community facilities and special industries to cater for future population and economic growth.

Signature

Name in block letters

C K HON

Post Title

Director of Civil Engineering and Development

Date

1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)142

Question Serial No.

1379

Head: 33 Civil Engineering and Subhead (No. & title):
Development Department

Programme: (3) Provision of Land and Infrastructure

Controlling Officer: Director of Civil Engineering and Development

Director of Bureau: Secretary for Development

Question:

It is stated that the Government will continue the detailed design of the facelift of Mui Wo in 2012-13. Will the Government inform this Committee on its progress and the anticipated date of completion?

Asked by: Hon. CHAN Wai-yip, Albert

Reply:

The works for Mui Wo Facelift will be implemented in phases. Phase 1 works comprise the widening of the existing north waterfront promenade, duplication of the bridge across River Silver and improvements to the Civic Square at Mui Wo Old Town. The detailed design of the Phase 1 works is substantially completed. The detailed design of the works in the remaining phases is in progress.

Signature _____

Name in block letters _____ C K HON

Post Title _____ Director of Civil Engineering and Development

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)143

Question Serial No.

0852

Head: 33 Civil Engineering and Development Department Subhead (No. & title):

Programme: (3) Provision of Land and Infrastructure

Controlling Officer: Director of Civil Engineering and Development

Director of Bureau: Secretary for Development

Question:

The Civil Engineering and Development Department will commence studies on potential housing/development sites in the North, Yuen Long and Tuen Mun Districts in 2012-13. What are the estimated expenditure involved and the details of the studies? Will the results of the studies be announced for public consultation? If yes, what are the time table and the details? If not, what are the reasons?

Asked by: Hon. LAM Tai-fai

Reply:

We plan to commence the studies on potential housing/development sites in the North, Yuen Long and Tuen Mun Districts in late 2012. The studies for the North and Yuen Long Districts will examine the feasibility of developing degraded rural industrial areas, temporary storage areas, spoiled agricultural land or vacant Government land mainly for housing development purposes. The study for the Tuen Mun District will review the planned uses of vacant sites and sites with temporary uses at the fringe of Tuen Mun New Town and examine the feasibility of using these sites for housing development purpose. The estimated total costs for the studies for the North and Tuen Mun Districts, including consultancy fees and ground investigation, are detailed below –

- (a) Planning and engineering study for Kwu Tung South: \$9.5 million
- (b) Engineering feasibility study for Kong Nga Po: \$14 million
- (c) Planning and engineering study for Sheung Shui Area 30: \$9.5 million
- (d) Planning and engineering study for Tuen Mun Areas 40 and 46: \$17 million

The studies above will be funded under block allocations under Capital Works Reserve Fund subhead 7100CX.

As for the study for Yuen Long District, the estimated cost of the planning and engineering study for housing sites in Yuen Long south is \$48.34 million. Funding approval of the Finance Committee will be sought.

The studies concerned will take 18 to 30 months to complete, during which the public will be consulted on the formulation of any housing/development proposals.

Signature _____

Name in block letters _____ C K HON

Post Title _____ Director of Civil Engineering and Development

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)144

Question Serial No.

0853

Head: 33 Civil Engineering and Development Department Subhead (No. & title):

Programme: (3) Provision of Land and Infrastructure

Controlling Officer: Director of Civil Engineering and Development

Director of Bureau: Secretary for Development

Question:

The Civil Engineering and Development Department will continue the planning and engineering study on the North East New Territories New Development Areas comprising Kwu Tung North, Fanling North and Ping Che/Ta Kwu Ling in 2012-13. What are the details of the study and the estimated expenditure involved? Does the study include the time tables for development of the different areas? If yes, what are the details? If not, what are the reasons?

Asked by: Hon. LAM Tai-fai

Reply:

The planning and engineering study on the North East New Territories New Development Areas (NENT NDAs) covers detailed studies on environmental impact and other technical assessments, preparation of outline development and layout plans, undertaking of public engagement activities, preliminary design of engineering works, and formulation of implementation strategies for the NENT NDAs. The study is ongoing and is expected to be completed in 2013. The time table for implementing the NDAs will be mapped out in the light of the findings of the study. The approved project estimate for the study is \$54.2 million and the estimated expenditure in the 2012-13 financial year for the study is \$7.8 million.

Signature _____

Name in block letters _____ C K HON

Post Title _____ Director of Civil Engineering and Development

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)145

Question Serial No.

0280

Head: 33 Civil Engineering and Subhead (No. & title):
Development Department

Programme: (3) Provision of Land and Infrastructure

Controlling Officer: Director of Civil Engineering and Development

Director of Bureau: Secretary for Development

Question:

CEDD will commence the studies on potential housing/development sites in the North, Yuen Long and Tuen Mun Districts in the next financial year. What is the expenditure? Would consultants be employed for such work, if yes, how much is the consultancy fee?

Asked by: Hon. LAU Wong-fat

Reply:

CEDD will employ consultants for undertaking the studies on potential housing/development sites in the North, Yuen Long and Tuen Mun Districts. The estimated total costs for the studies for the North and Tuen Mun Districts, including consultancy fees and ground investigation, are detailed below –

- (a) Planning and engineering study for Kwu Tung South: \$9.5 million
- (b) Engineering feasibility study for Kong Nga Po: \$14 million
- (c) Planning and engineering study for Sheung Shui Area 30: \$9.5 million
- (d) Planning and engineering study for Tuen Mun Areas 40 and 46: \$17 million

The studies above will be funded under block allocations under Capital Works Reserve Fund subhead 7100CX.

As for the study for Yuen Long District, the estimated cost of the planning and engineering study for housing sites in Yuen Long south is \$48.34 million. Funding approval of the Finance Committee will be sought.

Signature

Name in block letters

C K HON

Post Title

Director of Civil Engineering and Development

Date

1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)146

Question Serial No.

2232

Head: 33 Civil Engineering and Subhead (No. & title):
Development Department

Programme: (3) Provision of Land and Infrastructure

Controlling Officer: Director of Civil Engineering and Development

Director of Bureau: Secretary for Development

Question:

The Civil Engineering and Development Department is responsible for planning, co-ordinating, programming and implementing the provision of land and infrastructure. What is the manpower and resources received and what is the progress in respect of the following work:

- (a) In the village reprovisioning works for Chuk Yuen Village, how many households and residents are involved?
- (b) In the planning and engineering study on Hung Shui Kiu New Development Area (NDA), what is the area of land involved? What will be the planned supporting transport, land uses and industries, and residential population in the NDA?
- (c) In the planning and engineering study on the development of the North East New Territories NDAs, what is the area of land involved? What will be the planned supporting transport, land uses and industries, and residential population in the NDAs? For Kwu Tung North, Fanling North and Ping Che/Ta Kwu Ling NDAs, what is the area of land involved? What will be the planned supporting transport, land uses and industries, and residential population in the NDAs?
- (d) In the planning and engineering study on the development of Lok Ma Chau Loop, what is the area of land involved? What will be the planned supporting transport, land uses and industries, and residential population in the development area?

Asked by: Hon. LEE Wing-tat

Reply:

- (a) The village reprovisioning works for Chuk Yuen Village will be substantially completed in end March 2012. The approved project estimate is \$51.3 million. The estimated expenditure for the works in 2012-13 is \$3.768 million. A total of 44 house lots will be provided under the village reprovisioning works for re-siting eligible indigenous villagers of Chuk Yuen Village.
- (b) The proposed Hung Shui Kiu New Development Area (HSK NDA) covers a total area of about 790 hectares. We have commenced the planning and engineering feasibility study for the HSK NDA in August 2011. The objective of the study is to formulate land use proposals and an implementation programme. The study will cover various technical assessments, including traffic impact assessment and environmental impact assessment, to confirm the technical feasibility of the land use proposals and necessary transport infrastructure. There is no pre-determined figure on the population to be accommodated at the HSK NDA. The planned population of the NDA will be subject to the findings of the study. The approved project estimate is \$70.4 million. The estimated expenditure for the study in 2012-13 is \$12.59 million.
- (c) The proposed North East New Territories NDAs include Kwu Tung North, Fanling North and Ping Che/Ta Kwu Ling. Based on the Preliminary Outline Development Plans (PODPs) formulated, the three NDAs will cover about 450 hectares, 180 hectares and 175 hectares respectively, and the currently proposed populations are 65 000, 48 000 and 18 000 respectively. The currently proposed land uses will broadly comprise residential, commercial, education, government, special industries (i.e. industries with clean and high-value-added industrial processes), open space, green belt, and other associated facilities. Taking into account the public comments received in the Stage 2 Public Engagement, the proposals in the PODPs are being reviewed and the development and planned population parameters may be subject to change. As regards traffic infrastructure, in addition to the proposed new local roads within the NDAs, we are considering the proposals of widening Fanling Highway (Kwu Tung section) and constructing a new road, Fanling Bypass, to link the NDAs with the existing Fanling Highway. The approved project estimate is \$54.2 million. The estimated expenditure for the above study in 2012-13 is \$7.8 million.

- (d) The proposed area of Lok Ma Chau (LMC) Loop covers a total area of about 87 hectares. Based on the PODP, the LMC Loop is proposed to be developed with higher education as the leading land use, complemented by high-tech research and development as well as cultural and creative industries. Subject to further study, the development can accommodate about 24 000 students and 29 000 employees. We are examining as part of the planning and engineering study on the development of LMC Loop the supporting transport infrastructure required. The approved project estimate is \$33.7 million. The estimated expenditure for the study in 2012-13 is \$9.37 million.

Regarding additional manpower resources, we created five posts in the Civil Engineering and Development Department (CEDD) in 2009 in order to take up the planning and implementation of the Liantang/Heung Yuen Wai Boundary Control Point project, including one engineer to plan and manage the village reprovisioning works mentioned in (a) above. We also created three posts in CEDD, including one senior engineer and two engineers, in 2008 for undertaking the planning and implementation of the North East New Territories NDAs project mentioned in (c) above. For the other items mentioned in (b) and (d) above, existing staff are deployed to take up the projects and there is no separate breakdown of manpower involved.

Signature _____

Name in block letters _____ C K HON

Post Title _____ Director of Civil Engineering and Development

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)147

Question Serial No.

2513

Head: 33 Civil Engineering and Development Department Subhead (No. & title):

Programme: (3) Provision of Land and Infrastructure

Controlling Officer: Director of Civil Engineering and Development

Director of Bureau: Secretary for Development

Question:

Under this Programme, the Civil Engineering and Development Department will commence studies on potential housing/development in the North, Yuen Long and Tuen Mun Districts in 2012-13. What are the details of the studies? What is the duration of the studies and when will the studies complete? What are the expenditure and the estimated manpower of the studies?

Asked by: Hon. WONG Kwok-kin

Reply:

We plan to commence the studies on potential housing/development sites in the North, Yuen Long and Tuen Mun Districts in late 2012 through employment of consultants. The studies for the North and Yuen Long Districts will examine the feasibility of developing degraded rural industrial areas, temporary storage areas, spoiled agricultural land or vacant Government land mainly for housing development purposes. The study for the Tuen Mun District will review the planned uses of vacant sites and sites with temporary uses at the fringe of Tuen Mun New Town and examine the feasibility of using these sites for housing development purpose. The studies concerned will take 18 months to 30 months to complete. The estimated total costs for the studies for the North and Tuen Mun Districts, including consultancy fees and ground investigation, are detailed below –

- (a) Planning and engineering study for Kwu Tung South: \$9.5 million
- (b) Engineering feasibility study for Kong Nga Po: \$14 million
- (c) Planning and engineering study for Sheung Shui Area 30: \$9.5 million
- (d) Planning and engineering study for Tuen Mun Areas 40 and 46: \$17 million

The studies above will be funded under block allocations under Capital Works Reserve Fund subhead 7100CX.

As for the study for Yuen Long District, the estimated cost of the planning and engineering study for housing sites in Yuen Long south is \$48.34 million. Funding approval of the Finance Committee will be sought.

Signature _____

Name in block letters _____ C K HON

Post Title _____ Director of Civil Engineering and Development

Date _____ 1 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)148

Question Serial No.

1369

Head: 42 Electrical and Mechanical Subhead (No. & title):
Services Department

Programme: (2) Mechanical Installations Safety

Controlling Officer: Director of Electrical and Mechanical Services

Director of Bureau: Secretary for Development

Question:

Regarding the indicators under this programme, would the Administration please advise this Committee:

- (a) The number of inspections for Ngong Ping 360 in 2011?
- (b) The reason why the estimated number of inspections for aerial ropeways this year is less than the actual figure in 2011?
- (c) Will the Administration consider increasing the number of inspections for aerial ropeways so as to ensure the normal operation of aerial ropeways in Hong Kong? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. CHAN Wai-yip, Albert

Reply:

- (a) In 2011, 61 inspections were conducted for the ropeway system of Ngong Ping 360.
- (b) The estimated number of inspections to be conducted for aerial ropeways in 2012 (i.e. 85) is more or less the same as the actual figures in the past two years (i.e. 85 and 86 inspections in 2010 and 2011 respectively). It is estimated by reference to the number of inspections in preceding years. The Electrical and Mechanical Services Department (EMSD) considers that the planned number of inspections in 2012 is adequate and should be maintained at a level similar to the past two years.
- (c) Taking into account the recent incidents that occurred at Ngong Ping 360, EMSD will review the findings of the latest investigation upon its completion and will enhance monitoring actions where necessary.

Signature

Name in block letters

CHAN Fan

Post Title

Director of Electrical and Mechanical Services

Date

27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)149

Question Serial No.

3285

Head: 42 Electrical and Mechanical Subhead (No. & title):
Services Department

Programme: (2) Mechanical Installations Safety

Controlling Officer: Director of Electrical and Mechanical Services

Director of Bureau: Secretary for Development

Question:

Given the frequent occurrence of aerial ropeway incidents during last year, please provide the expenditures in connection with the inspection of aerial ropeways according to the table below:

Year	Aerial Ropeways	
	Inspection indicator	Expenditures involved
2010		
2011		
2012		

Asked by: Hon. EU Yuet-mee, Audrey

Reply:

The annual expenditures for enforcing safety of aerial ropeways, including processing of applications for approval of major alteration of aerial ropeways, assessment of competence of operating personnel, inspections and incident investigations, etc., in 2010, 2011 and 2012 are set out in the table below:

Year	Aerial Ropeways	
	Inspection indicator	Expenditures involved
2010	85	\$1.7 million
2011	86	\$2.1 million
2012	85	\$2.1 million

The figure for 2010 is based on the actual expenditure incurred in the financial year 2010-11. The figures for 2011 and 2012 are based on the projected expenditure for 2011-12 and the estimated expenditure for 2012-13 respectively.

Signature _____

Name in block letters _____ CHAN Fan

Post Title _____ Director of Electrical and Mechanical Services

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)150

Question Serial No.

0048

Head: 42 Electrical and Mechanical Subhead (No. & title):
Services Department

Programme: (2) Mechanical Installations Safety

Controlling Officer: Director of Electrical and Mechanical Services

Director of Bureau: Secretary for Development

Question:

In 2012-13, the Electrical and Mechanical Services Department (EMSD) will continue to monitor the aerial ropeways, including the Ngong Ping 360. Under the indicator for inspection of aerial ropeways, the estimated figure for 2012 is similar to that of 2010 and 2011. To ensure the normal operation of Ngong Ping 360 and to reduce the number of incidents, would EMSD consider deploying more resources to strengthen the inspection? If so, what are the details?

Asked by: Hon. IP LAU Suk-ye, Regina

Reply:

The Electrical and Mechanical Services Department (EMSD) has been closely monitoring the operation and maintenance of the aerial ropeways of Ngong Ping 360 and Ocean Park. This includes conducting regular surveillance inspections and ropeway inspections upon completion of major maintenance works, reviewing the performance of the ropeway systems, and maintaining close liaison with the operating companies on necessary improvement measures to enhance the safety and reliability of the ropeway service. Based on previous safety records, EMSD considers that the planned number of inspections in 2012 is adequate and should be maintained at a level similar to the past two years. Taking into account the recent incidents occurred at Ngong Ping 360, EMSD will review the findings of the latest investigation upon its completion and will enhance monitoring actions wherever necessary through redeployment of available resources.

Signature

Name in block letters

CHAN Fan

Post Title

Director of Electrical and Mechanical Services

Date

27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)151

Question Serial No.

3291

Head: 42 Electrical and Mechanical Subhead (No. & title):
Services Department

Programme: (2) Mechanical Installations Safety

Controlling Officer: Director of Electrical and Mechanical Services

Director of Bureau: Secretary for Development

Question:

- (a) Will the Administration increase the number of inspections on the operation and maintenance of aerial ropeways at Ngong Ping 360 and Ocean Park?
- (b) Over the past three years (i.e. 2009-10, 2010-11 and 2011-12), has the Administration initiated prosecution against the companies concerned due to their poor maintenance? If yes, what are the numbers of successful/unsuccessful cases?

Asked by: Hon. IP Wai-ming

Reply:

- (a) Taking into account the recent incidents that occurred at Ngong Ping 360, the Electrical and Mechanical Services Department will review the findings of the latest investigation upon its completion and will enhance monitoring actions where necessary.
- (b) Over the past three years, no prosecution has been brought against the companies concerned regarding maintenance of aerial ropeways.

Signature _____

Name in block letters _____ CHAN Fan

Post Title _____ Director of Electrical and Mechanical Services

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)152

Question Serial No.

0718

Head: 42 Electrical and Mechanical Subhead (No. & title):
Services Department

Programme: (2) Mechanical Installations Safety

Controlling Officer: Director of Electrical and Mechanical Services

Director of Bureau: Secretary for Development

Question:

Would the Government please advise this Committee:

Please show in tabular form the monthly service suspension records of Ngong Ping 360 ropeway last year indicating the number of suspensions and the number of days involved. What is the rationale of the Administration's estimation of five ropeway incidents to be investigated in 2012-13? Does the Electrical and Mechanical Services Department have sufficient professional manpower in investigating and monitoring ropeway safety?

Asked by: Hon. LEUNG LAU Yau-fun, Sophie

Reply:

The service suspension records of Ngong Ping 360 ropeway in 2011 are tabulated below :

Month	Number of Service Suspensions	Number of Days Involved	Duration of Interruptions (minutes)
January	1	1	59
February	1	1	29
March	0	-	-
April	0	-	-
May	1	1	27
June	0	-	-
July	0	-	-
August	0	-	-
September	0	-	-
October	0	-	-
November	0	-	-
December	3	3	88

The number of incidents to be investigated in 2012-13 is estimated by reference to the average number of incidents investigated in preceding years. The Electrical and Mechanical Services Department (EMSD) has a team of professional engineers and inspectors dedicated for monitoring ropeway safety and carrying out related investigation. EMSD reviews its resources from time to time and redeploys sufficient manpower to handle the work relating to ropeway safety, including responding to service exigencies of ropeway systems.

Signature _____

Name in block letters _____ CHAN Fan

Post Title _____ Director of Electrical and Mechanical Services

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)153

Question Serial No.

0336

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Of the residential sites disposed of in the past three years, are there any provisions on the time limit for superstructure development in the land leases? If yes, what are these provisions in general and have they been violated by any developers or land owners over the past three years?

Asked by: Hon. CHAN Kam-lam

Reply:

As a general practice, a Building Covenant (BC) clause is incorporated in the land leases of residential sites. Under the BC clause, the developer is required to complete the construction of the minimum gross floor area specified in the lease conditions and obtain an occupation permit from the Building Authority within the BC period imposed in the lease conditions. In general, the BC period imposed for the development of residential sites depends on the complexity of the proposed development. For those residential sites sold by public auction or tender in the past three years, the BC period ranges from 48 months to 88 months. There is no non-compliance with the BC period in respect of those residential sites sold in the past three years.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)154

Question Serial No.

0340

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Regarding the residential sites currently included in the Application List, will the Government provide the following information?

Site location	Date of site first included in the Application List	Site area	Plot ratio / No. of units to be provided	No. of failed attempts to trigger the site for sale

Asked by: Hon. CHAN Kam-lam

Reply:

There are 47 residential sites in the 2012-13 Application List; 23 of them have been rolled over from the last year's Application List and the other 24 are new sites. Information on the 47 residential sites is provided in the table below:

Item No.	Lot No.	Site location	Date of site first included in the Application List	Approx. site area (hectare)
1.	RBL 1190	8-12 Deep Water Bay Drive, Shouson Hill	2010-11	1.0249
2.	Lot 673 in DD Peng Chau	Tung Wan, Peng Chau (Site A)	1999-00	0.1142
3.	Lot 674 in DD Peng Chau	Tung Wan, Peng Chau (Site B)	2005-06	0.1780
4.	Lot 678 in DD Peng Chau	Peng Chau	2010-11	0.5200
5.	STTL 562	Area 56A, Kau To, Shatin (Site B5)	2008-09	0.4680

Item No.	Lot No.	Site location	Date of site first included in the Application List	Approx. site area (hectare)
6.	STTL 563	Area 56A, Kau To, Shatin (Site B6)	2008-09	0.5950
7.	STTL 565	Area 56A, Kau To, Shatin (Site B1)	2008-09	0.8590
8.	STTL 566	Area 56A, Kau To, Shatin (Site B2)	2008-09	0.8080
9.	STTL 567	Area 56A, Kau To, Shatin (Site B3&4)	2008-09	1.9700
10.	TMTL 430	Area 52, Fu Tei, Tuen Mun	2000-01	0.3173
11.	TMTL 434	Junction of Ka Wo Li Hill Road and Castle Peak Road, Area 55, So Kwun Wat, Tuen Mun	2010-11	0.3457
12.	TMTL 490	Castle Peak Road, Tai Lam Chung, Tuen Mun	2010-11	0.2050
13.	KIL 11227	Junction of Sheung Lok Street and Sheung Shing Street, Ho Man Tin	2011-12	2.4077
14.	KIL 11228	Junction of Fat Kwong Street and Sheung Foo Street, Ho Man Tin	2011-12	0.7714
15.	TKOTL 117	Tseung Kwan O Area 66C2	2011-12	1.2915
16.	TKOTL 118	Tseung Kwan O Area 66D2	2011-12	1.4954
17.	STTL 574	Lok Wo Sha, Ma On Shan, Shatin	2011-12	1.4400
18.	TMTL 495	Kwun Fung Street, Siu Lam, Tuen Mun	2011-12	0.2010
19.	TKOTL 114	Tseung Kwan O Area 66C1	2011-12	0.4352
20.	TKOTL 115	Tseung Kwan O Area 66D1	2011-12	0.5026
21.	IL 9027	Eastern part of ex-North Point Estate, North Point	2011-12	2.3400
22.	TKOTL 95	Tseung Kwan O Area 68A2	2011-12	2.1306

Item No.	Lot No.	Site location	Date of site first included in the Application List	Approx. site area (hectare)
23.	TKOTL 125	Tseung Kwan O Area 68A1	2011-12	1.5969
24.	Lot 750 in DD 332	South Lantau Road, Cheung Sha, Lantau Island	2012-13	0.1440
25.	STTL 579	Area 56A, Kau To, Shatin	2012-13	3.2910
26.	STTL 578	Area 56A, Kau To, Shatin	2012-13	1.7389
27.	KIL 11229	7 Kwun Chung Street, Jordan, Kowloon	2012-13	0.0263
28.	TMTL 435	Area 55, Castle Peak Road, Tuen Mun	2012-13	1.1600
29.	Lot 1949 in DD 221	Sha Kok Mei, Sai Kung	2012-13	1.5600
30.	TMTL 427	Junction of So Kwun Wat Road and Kwun Chui Road, Tuen Mun	2012-13	2.8160
31.	TMTL 498	Junction of Wu On Street and Wu Hong Street, Tuen Mun	2012-13	0.2260
32.	TMTL 497	So Kwun Wat Road, Tuen Mun (opposite to A.D. & F.D. of Pok Oi Hospital Mrs. Cheng Yam On Millennium School)	2012-13	0.3370
33.	NKIL 6516	Kai Tak Area 1H Site 1, Kowloon	2012-13	0.7772
34.	NKIL 6517	Kai Tak Area 1H Site 2, Kowloon	2012-13	0.8586
35.	TPTL 208	Fo Chun Road, Pak Shek Kok, Tai Po	2012-13	1.5000
36.	TPTL 211	Fo Chun Road, Pak Shek Kok, Tai Po	2012-13	1.5000
37.	IL 9048	Schooner Street, Wan Chai	2012-13	0.0270
38.	IL 9049	Sik On Street, Wan Chai	2012-13	0.0249
39.	RBL 1197	Mount Austin Road, The Peak, Hong Kong	2012-13	0.1306

Item No.	Lot No.	Site location	Date of site first included in the Application List	Approx. site area (hectare)
40.	STTL 581	Whitehead, Ma On Shan, Shatin	2012-13	3.8024
41.	TKOTL 93	Tseung Kwan O Area 68B1	2012-13	2.6850
42.	TKOTL 126	Tseung Kwan O Area 68B2	2012-13	2.6843
43.	TKOTL 112	Tseung Kwan O Area 65C1	2012-13	1.4000
44.	TKOTL 124	Tseung Kwan O Area 65C2	2012-13	1.9900
45.	YLTL 528	Tak Yip Street, Tung Tau, Yuen Long	2012-13	0.4400
46.	Lot 1003 in DD 40	Junction of Shun Lung Street and Shun Cheong Street, Sha Tau Kok	2000-01	0.3344
47.	Lot 1004 in DD 40	Che Ping Street, Sha Tau Kok	2012-13	0.0458

Note: The date of first inclusion of a site in the Application List does not imply it has remained in the Application List of each subsequent year.

Among the above 47 residential sites, there was one unsuccessful trigger, in respect of the Kau To site, STTL 567 (Item No. 9), in 2011.

According to Government's estimate, these 47 sites will altogether provide about 13 500 residential units, but the actual flat number that may be produced from each of the sites will depend on the actual design of the proposed development (unless it is subject to flat number restrictions) to be implemented by the developer who has acquired the site from a public auction or tender. For this reason, the number of units to be produced from each of the sites has not been included in the above table.

The draft land sale conditions prepared by the Lands Department cover the development parameters of the sale sites, which include the permissible maximum gross floor area or plot ratio (or equivalent), where applicable, on the basis of which the plot ratios of individual sites may be derived.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)155

Question Serial No.

0861

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

In the past three years, how many cases have there been of agricultural land, land in green belt or open storage areas being converted to residential sites through lease modifications or land exchanges? What are the site area, the plot ratio and the average premium rate per square metre involved?

Asked by: Hon. CHAN Kam-lam

Reply:

In 2009, 2010 and 2011, there were a total of 15 land exchange cases involving the surrender of about 45 hectares (ha) of land which were mainly old scheduled agricultural lots under Block Government Leases and new grant agricultural lots in the New Territories, for regrant of about 57 ha of land (including some of the surrendered land and government land) for mainly residential use. The plot ratios of the developments on the regranted land ranged from 0.29 to 5.86. The land lots involved were located at different locations and the land exchanges were executed at different times. The premium for each of these land exchanges reflected the difference between the land value of the surrendered land under the lease conditions before surrender and the land value of the regranted land under the conditions of exchange, at the time of agreement on the transaction. It would not be meaningful to derive an average premium rate per square metre for these 15 land exchanges.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)156

Question Serial No.

0563

Head: 91 Lands Department

Subhead (No. & title):
000 Operational expenses

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Regarding private recreational leases, will extra resources be allocated in the next financial year to expedite the related review and renewal work? Please advise in detail the specific plans of work, and provide details of the renewal arrangements with lessees holding leases already expired or soon to expire together with the expected dates of completion of renewal arrangements.

Asked by: Hon. CHAN Tanya

Reply:

In 2012-13, the Lands Department (Lands D) will not allocate any extra resources to undertake the work related to private recreational leases (PRLs), and such work will be absorbed by the existing staff of the Department. Lands D, acting in the landlord capacity, will be mainly concerned with the renewal of the expired or soon to be expired PRLs, in accordance with the policy steer of the Home Affairs Bureau (HAB) from the angle of sports development and taking into account the views of other relevant bureaux/departments. HAB will continue liaising with the PRL lessees concerned on the renewal conditions in respect of the opening up arrangements for their sport facilities. As a stop-gap measure, Lands D has issued holding over letters to some of those PRL lessees to allow them to hold over the sites concerned under the terms and conditions set out in the holding over letters, and may, if deemed appropriate, issue similar holding over letters to other PRL lessees in 2012-13.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)157

Question Serial No.

0585

Head: 91 Lands Department

Subhead (No. & title):
000 Operational expenses

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

- (a) In each of the past two years, how many applications for land grant and for building licence regarding small houses in the New Territories have been handled by the Department and how many of them have been approved?
- (b) Please provide a detailed list, broken down by year, of the lease enforcement actions taken by the Department against unauthorised building works (UBWs) of New Territories small houses in the past two years, including the number of inspections conducted, the number of UBWs cases identified, the number of advisory letters or warnings issued to the owners, the total amount of fines imposed and the number of cases involving re-entry of land. How many of the cases involved withdrawal of rates exemption due to UBWs?

Asked by: Hon. CHAN Tanya

Reply:

- (a) The numbers of small house applications processed and approved by the Lands Department (Lands D) in 2010 and 2011 are set out below:

	2010	2011
Number of small house applications processed	2 768	2 416
Number of small house applications approved	1 474	1 041

- (b) Given the large area of land in Hong Kong, it is impracticable for Lands D to patrol every piece of land regularly and Lands D acts upon receipt of complaints or referrals. If unauthorised building works (UBWs) which are in contravention of the Buildings Ordinance, Cap. 123 are found, Lands D would normally refer the cases to the Buildings Department for action. If such UBWs also constitute a breach of the lease, Lands D may, having regard to the circumstances, take the lease enforcement actions as deemed appropriate. Such actions may include issuing advisory/warning letters to the lessees, and registering such letters at the Land Registry, commonly known as “imposing an encumbrance”, etc. As Lands D acts in the landlord capacity in enforcing the lease provisions, the imposition of a fine is not applicable.

The numbers of site inspections, cases involving structures in breach of leases, and advisory/warning letters issued in respect of New Territories exempted houses (including small houses and non small houses) in the past two years are provided in the following table:

	2010	2011
Number of site inspections	1 618	2 219
Number of cases involving structures in breach of leases	934	1 383
Number of advisory / warning letters issued	438	468

According to the records of the Home Affairs Department (HAD), a total of 254 rates exemptions were cancelled by HAD in 2010 and 2011 based on Lands D's reports on breaches of the leases such as oversized dimensions, and enclosed balconies, etc.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)158

Question Serial No.

0586

Head: 91 Lands Department

Subhead (No. & title):
000 Operational expenses

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

How many cases which involve breaches of tree preservation clauses in the land leases have been handled by the Department in each of the past two years? Please provide the number of cases in which prosecutions have been brought and indicate how many of which have been initiated by the Department. What are the relevant details?

Asked by: Hon. CHAN Tanya

Reply:

The Lands Department (Lands D) handled 24 cases involving breaches of tree preservation clause under the land leases in the past two years, 12 each in 2010 and 2011. Lands D required 17 of the lessees concerned (11 in 2010 and six in 2011) to pay premium for granting retrospective approvals to cover the breaches involved. Since Lands D acts in the lessor capacity in enforcing the tree preservation clause under the land leases (which are contracts executed between the Government and the lessees), prosecution is not applicable.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)159

Question Serial No.

0587

Head: 91 Lands Department

Subhead (No. & title):
000 Operational expenses

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

How much has been spent in each of the last two years on conducting inspections on government land to ensure that it is not illegally occupied? How many cases of illegal occupation were found during inspections and what is the number of prosecutions made?

Asked by: Hon. CHAN Tanya

Reply:

In the last two years, the Lands Department (Lands D) conducted about 21 760 (10 840 in 2010 and 10 920 in 2011) inspections to those blackspots and sites which were subjects of complaints and referrals in respect of unlawful occupation of government land, and found 13 383 (7 074 in 2010 and 6 309 in 2011) cases of unlawful occupation in these two years. Pursuant to the provisions of the Land (Miscellaneous Provisions) Ordinance (Cap. 28), Lands D posted notices on the government sites which were found to be unlawfully occupied and the unlawful occupation was subsequently ceased in many of such cases. In those cases where the unlawful occupation persisted, Lands D took further land control action including, among others, demolition of the structures and removal of properties occupying the government land. Where the culprits had been identified, Lands D considered taking prosecution action having regard to the legal advice, and nine prosecutions were instituted in the past two years (seven in 2010 and two in 2011).

Conducting inspections to government sites is part of the government land control work carried out by Lands D. The total staff expenditure involved in carrying out the government land control work was \$69 million in 2010 and \$74 million in 2011. There is no separate breakdown in respect of the expenditure for conducting inspections to government sites.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)160

Question Serial No.

3162

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

- (a) How many private columbaria are currently still in operation despite that their operation are in breach of land lease terms or they are unlawfully occupying government land? In respect of these two modes of operation, please provide the names and addresses of all the columbaria involved respectively.
- (b) How many complaints against suspected cases of unauthorised columbaria were received by the Lands Department in the previous year? Of these, how many have been handled and how many have been identified as confirmed cases of unauthorised columbaria?
- (c) How many inspections were conducted in the previous year? How many columbaria were found to be unauthorised during those self-initiated inspections?
- (d) How many lease enforcement or legal actions were taken in the previous year to rectify the irregularities of the columbaria concerned? What are the details about them?
- (e) Given the growing problem of unauthorised development of private columbaria, will the Government consider allocating additional resources for conducting inspections and taking lease enforcement actions? What are the details? When will all the unauthorised columbaria be expected to be completely banned?

Asked by: Hon. CHAN Tanya

Reply:

The responses to (a) – (e) of the question are as follows:

- (a) There are 43 private columbaria found to have breached the terms of land lease/tenancy/permit and/or have illegally occupied government land for columbarium use (referred hereinafter to as “unauthorised columbaria”). They are included in Part B of the Information on Private Columbaria updated and published by the Development Bureau (DEVB) on 30 December 2011 which has been uploaded to the website of DEVB for public inspection.
- (b) In 2011, the Lands Department (Lands D) received 200 complaints against suspected cases of unauthorised columbaria, involving a total of 40 suspected unauthorised columbaria. In the same year, Lands D handled 183 of these complaints involving 29 suspected columbaria and 11 of them were identified as confirmed cases of unauthorised columbaria. The remaining 17 complaints involving 11 suspected unauthorised columbaria are still under investigation.
- (c) & (d) Given the large area and extensive uses of land in Hong Kong, it is impracticable for Lands D to patrol every piece of land regularly, and Lands D mainly acts on complaints and referrals. If columbarium use constitutes a breach of lease, Lands D may, having regard to the circumstances, take lease enforcement action as appropriate. Such action may include issuing advisory/warning letters to the lessees, etc. If illegal occupation of government land for columbarium use is substantiated, Lands D will post a notice under section 6(1) of the Land (Miscellaneous Provisions) Ordinance (Cap. 28), requiring the cessation of occupation of government land within a specified period. If the illegal occupation persists after expiry of the specified period, Lands D may, after seeking legal advice, take further land control action including prosecution if deemed appropriate.

Lease enforcement and land control actions taken by Lands D against unauthorised columbaria in 2011 are set out in the following table:

Number of site inspections (involving suspected/confirmed unauthorised columbaria)	760
Number of advisory/warning letters issued (involving 17 ^{Note} confirmed unauthorised columbaria and seven suspected unauthorised columbaria, all held under land lease/tenancies/permits)	36
Number of re-entry case in respect of breach of lease	1
Number of prosecution case under Cap. 28 in respect of illegal occupation of government land	1

^{Note} Include advisory/warning letters issued to columbaria listed in Part B of the Information on Private Columbaria published by the DEVB since December 2010.

- (e) In Lands D, actions against unauthorised columbaria will continue to be taken as part of the land control and lease enforcement works in 2011-12. The Food and Health Bureau is separately conducting a public consultation on the proposed licensing scheme for private columbaria to enhance the regulation of private columbaria.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)161

Question Serial No.

3274

Head: 91 Lands Department

Subhead (No. & title):

Programme: (2) Survey and Mapping

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

How many kinds of electronic maps (such as GeoInfo Map and The Hong Kong Satellite Positioning Reference Station System, etc.) are currently provided by the Lands Department? Please provide the relevant names, service providers and average service expenditures per year over the past three years.

Asked by: Hon. CHAN Tanya

Reply:

The GeoInfo Map is an Internet service provided by the Survey and Mapping Office (SMO) of the Lands Department with electronic map functions. It is developed by the in-house staff and there is no service expenditure except for the IT Security Assessment and Audit which is approximately \$0.2 million per year over the past three years. The Hong Kong Satellite Positioning Reference Station System is a system which supplies the satellite positioning reference station data for various land surveying and positioning purposes. Its service provider is Leica Geosystems Ltd. and the average service expenditure is \$1.6 million per year over the past three years. The major kinds of digital map products currently provided by SMO are Digital Topographic Map Database; Digital Land Boundary Database; Geo-Reference Database; GeoCommunity Database; Digital Orthophoto; and Digital Aerial Photo, and they are produced by the in-house staff. Details of the digital map products can be obtained through the following link: http://www.landsd.gov.hk/mapping/en/digital_map/mapprod.htm.

Signature

Name in block letters

Miss Annie TAM

Post Title

Director of Lands

Date

28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

The Chief Executive stated in the Policy Address 2010-11 that “in the next 10 years, on average land needs to be made available annually for some 20 000 private residential flats”. In this regard, how many hectares of residential land were disposed of in 2010 and 2011 and how many residential flats could be produced? Please provide a breakdown of the figures by public auction, tender, private treaty grant and lease modification.

Asked by: Hon. CHEUNG Hok-ming

Reply:

A breakdown of the total area and the estimated number of flats to be produced from residential land disposed of by way of public auction, tender, private treaty grant and lease modification (including land exchange and extension) in 2010 and 2011 is shown below -

Type of disposal	2010		2011	
	Area (hectare)	Estimated no. of flats	Area (hectare)	Estimated no. of flats
Auction	11.66	5 836	10.95	2 899
Tender	-	-	6.84	3 806
Private treaty grant	2.74	1 328	0.37	477
Lease modification, land exchange and extension	4.25	11 284	7.22	6 387
Total	18.65	18 448	25.38	13 569

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)163

Question Serial No.

0072

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

It is estimated that 64.48 hectares (ha) of land will be resumed in 2012 for Public Works Programme projects. The area of land resumed is much larger as compared with the past two years. In this connection, will the Administration provide a list of projects requiring over 0.5 ha of land to be resumed together with the areas involved?

Asked by: Hon. CHEUNG Hok-ming

Reply:

The projects with over 0.5 hectare (ha) of private land to be resumed in 2012 are listed below:

<u>Project title</u>	<u>Approx. area to be resumed (ha)</u>
(i) Liantang/Heung Yuen Wai Boundary Control Point and associated works (connecting road, site formation and civil works)	41.66
(ii) Regulation of Shenzhen River Stage 4 – river channel and ancillary road works	6.40
(iii) Hong Kong – Zhuhai – Macao Bridge Hong Kong Boundary Crossing Facilities	3.06
(iv) Widening of Tolo Highway/Fanling Highway between Island House Interchange and Fanling – Stage 2	1.76

<u>Project title</u>	<u>Approx. area to be resumed</u> (ha)
(v) Northeast New Territories landfill extension	1.19
(vi) Hong Kong – Zhuhai – Macao Bridge Hong Kong Link Road	1.17
(vii) Construction of secondary boundary fence and new sections of primary boundary fence and boundary patrol road – Section 3C from Pak Fu Shan to Lin Ma Hang Village	0.78
(viii) North District sewerage, Stage 2 Phase 1, village sewerage in Kau Lung Hang San Wai and Kau Lung Hang Lo Wai	0.69
(ix) Lam Tsuen Valley sewerage, Package 2C	0.63
(x) Tuen Mun – Chek Lap Kok Link	0.62
(xi) Lam Tsuen Valley sewerage, Package 2D	0.53

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)164

Question Serial No.

0073

Head: 91 Lands Department

Subhead (No. & title):

Programme: (3) Legal Advice

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

It is said that the Department will “expedite the approval of legal title of former owners and preparation of compensation documents” in 2012-13. What are the details of this measure?

Asked by: Hon. CHEUNG Hok-ming

Reply:

To facilitate the process of land resumption, the Legal Advisory and Conveyancing Office (LACO) will continue to explore ways to streamline the procedures for checking the legal title of former owners. In 2012-13, LACO will review the workflow and requirements in the process of title checking of resumed lots and update the internal manual on land acquisition.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head: 91 Lands Department

Subhead (No. & title):

Programme: (3) Legal Advice

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Given that the Department will contract out some of the legal work to private firms and will explore ways to streamline the existing procedures so as to improve efficiency, why is there the need to create three posts in 2012-13?

Asked by: Hon. CHEUNG Hok-ming

Reply:

The need to create three posts in 2012-13 in the Legal Advisory and Conveyancing Office is due to the following reasons:

- (a) to process the conditions of sale for land sale sites, lease modifications/land exchanges and ensure timely completion of the aforesaid transactions as well as early execution of the necessary legal land documents in order to help achieve the objective of providing land for housing and office developments; and
- (b) to process the expected increase in the number of applications for redevelopment of New Territories exempted houses.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)166

Question Serial No.

1646

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Please provide in the table below a breakdown of the following cases for the past three years:

	Application for planning permission made to the Town Planning Board under Section 16 of the Town Planning Ordinance required			Application for planning permission made to the Town Planning Board under Section 16 of the Town Planning Ordinance not required			Total
	Successful	Rejected	Withdrawn	Successful	Rejected	Withdrawn	
Number of cases involving government land leases granted by way of private treaty grant							
Number of cases involving licences granted to indigenous villagers for building small houses on private land							
Number of cases involving land granted by way of land exchange							
Total							

Asked by: Hon. EU Yuet-mee, Audrey

Reply:

For a small house application that requires planning permission from the Town Planning Board (TPB), the TPB permission must be obtained before the small house application is submitted to the Lands Department (Lands D) for consideration and the owner must submit proof of having obtained the permission at the time of application. The breakdown of the number of successful small house applications submitted by indigenous villagers involving government land leases granted by way of (i) private treaty grant, (ii) licences granted for building on private land and (iii) land granted by way of land exchange for the past three years from 2009 to 2011 is set out below-

	Application for planning permission made to the Town Planning Board under Section 16 of the Town Planning Ordinance required	Application for planning permission made to the Town Planning Board under Section 16 of the Town Planning Ordinance not required
Number of cases on applications involving government land leases granted by way of private treaty grant	62	289
Number of cases on applications involving licences granted for building small houses on private land	200	2 851
Number of cases on applications involving land granted by way of land exchange	36	103
Total	298	3 243

The numbers of rejected and withdrawn cases from 2009 to 2011 are 2 579 and 242 respectively. The further breakdown of these rejected and withdrawn cases is not readily available. The total number of successful, rejected and withdrawn small house application cases from 2009 to 2011 is 6 362.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)167

Question Serial No.

1647

Head: 91 Lands Department

Subhead (No. & title):
000 Operational expenses

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

- (a) Please provide a breakdown of the number of small house cases processed in the past three years as well as the number of small house cases of which premium has been paid and alienation restriction removed in each of the three years.
- (b) Please provide in the table below a breakdown of the following cases for the past three years:

	Number of cases in breach of alienation restriction				Number of cases in breach of development conditions				Total
	Complaint cases	Investigation cases	Cases involving re-entry of land	Cases involving fines	Complaint cases	Investigation cases	Cases involving re-entry of land	Cases involving fines	
Cases involving government land leases awarded by way of private treaty grant									
Cases involving licences granted to indigenous villagers for building small houses on private land									

	Number of cases in breach of alienation restriction				Number of cases in breach of development conditions				Total
	Complaint cases	Investigation cases	Cases involving re-entry of land	Cases involving fines	Complaint cases	Investigation cases	Cases involving re-entry of land	Cases involving fines	
Cases involving land granted by way of land exchange									
Total									

Asked by: Hon. EU Yuet-mee, Audrey

Reply:

(a) The number of small house cases processed in the past three years are:

	2009	2010	2011
Number of small house cases processed	2 709	2 768	2 416

The number of small house cases for which premium has been paid and alienation restriction removed in the past three years are:

	2009	2010	2011
Number of small house cases of which premium has been paid and alienation restriction removed	474	454	493

(b) In general, at the time of signing the grant document, the small house applicant is required to expressly warrant that he has never made any arrangements to dispose of his interest of developing a small house or his eligibility to apply for a small house grant (the warranty clause). There is also a clause stipulated in the grant document which generally prohibits alienation before the issue of the Certificate of Compliance (the alienation restriction clause). For the past three years (2009-2011), the Lands Department (Lands D) received four complaints (all in 2011) in connection with suspected breach of the warranty clause, which are still under investigation, but received no complaint involving breach of the alienation restriction clause. During the said three years, Lands D received a total of 3 136 complaints (699 in 2009, 1 043 in 2010 and 1 394 in 2011) in respect of breaches of development conditions, and investigations were conducted by Lands D staff acting in the landlord capacity having regard to the provision of the land leases. No re-entry action was taken in the said three years, and imposition of fines was not applicable.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)168

Question Serial No.

1648

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

- (a) In respect of strengthening land control and lease enforcement work for small house cases, is it necessary for investigation to be conducted by the Lands Department only on the basis of the applications received? What are the detailed procedures for investigating cases of suspected breaches of alienation restriction or development conditions by the Department?
- (b) Over the past three years, how many cases of investigation into suspected breaches of alienation restriction or development conditions has the Department initiated each year? In respect of such cases, please provide a breakdown of the number of successful lease enforcement cases by lease terms enforced (e.g. re-entry of land).

Asked by: Hon. EU Yuet-mee, Audrey

Reply:

- (a) Under the New Territories Small House Policy, a male indigenous villager at least 18 years old who is descended through the male line from a resident in 1898 of a recognised village in the New Territories may apply to the authority for permission to erect for himself during his lifetime a small house on a suitable site within his own village. The Lands Department (Lands D) acts in the landlord capacity when approving any such small house application in the form of a private treaty grant, free building licence or land exchange (small house grant). If a small house application is approved, the small house applicant has to observe the conditions of the small house grant as stated in the relevant land grant document and, if he does not, he is liable to lease enforcement action to be taken by Lands D.

In general, at the time of signing the small house grant document, the applicant is required to expressly warrant that he has never made any arrangements to dispose of his interest of developing a small house or his eligibility to apply for a small house grant (the warranty clause). Lands D, acting as the landlord, will conduct investigation into any complaint about breach of the warranty clause having regard to the small house applicant involved, including interviewing the applicant and checking the land ownership record and encumbrances of the application lot registered at the Land Registry (LR), etc.

There is normally also a clause stipulated in the small house grant which generally prohibits alienation before the issue of the Certificate of Compliance (CC) and sets out the requirements under which alienation may be allowed after the issue of the CC, including the payment of premium if the alienation is made within five years after the issue of the CC in the case of a small house subject to a free building licence (or land exchange) or if the alienation is made at any time after the issue of the CC in the case of a private treaty grant (the alienation restriction clause). If Lands D receives a complaint about breach of the alienation restriction clause, Lands D will conduct a site inspection and check the land ownership record and encumbrances of the lot concerned registered at LR.

As to complaints against breaches of the development conditions of the small house grants and/or unlawful occupation of government land, Lands D normally conducts site inspections to ascertain the position on the ground and takes follow-up action in consultation with legal advisers, as appropriate. If any unauthorised building works which are in contravention of the Buildings Ordinance (Cap. 123) are found at the small houses, Lands D will normally refer the cases to the Buildings Department for action.

- (b) Lands D received in 2011 four complaints in connection with suspected breach of the warranty clause, which are still under investigation, whereas no such complaints were received in the earlier two years. No complaint involving breach of the alienation restriction clause was received in the said three years. Lands D has written to the Law Society of Hong Kong and the Estate Agents Authority suggesting that their members' attention should be drawn to the warranty clause and the alienation restriction clause in handling any small house transactions and related issues.

In the past three years, Lands D received a total of 3 136 complaints (699 in 2009, 1 043 in 2010 and 1 394 in 2011), involving 3 234 cases, in respect of breaches of development conditions of the small house grants and other village houses also falling within the category of the New Territories exempted houses. Investigations were conducted by Lands D staff acting in the landlord capacity into these cases, having regard to the provision of the land leases. In the past three years, a total of 1 397 (491 in 2009, 438 in 2010 and 468 in 2011) advisory/warning letters were issued against such breaches in New Territories exempted houses. No land was re-entered due to such breaches of development conditions.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)169

Question Serial No.

2757

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

During 2012-13, the Lands Department will expedite the processing of special waiver applications in respect of conversion of the entire industrial buildings to other permitted uses and new lease modification applications for redevelopment of industrial buildings as from 1 April 2010 by a dedicated team. Will the Government inform this Committee of :

- (a) the average time taken and expenditure involved at present in the processing of the above applications by the dedicated team; and
- (b) the measures to be taken to expedite the processing of the above applications and their impact on the related expenditure?

Asked by: Hon. LAM Tai-fai

Reply:

The responses to (a) and (b) of the question are set out as follows :

- (a) A dedicated team has been set up in the Lands Department since April 2010 to process applications for special waiver for conversion of the entire industrial buildings to other permitted uses and for lease modification for redevelopment of industrial lots. The team now comprises 12 staff and the staff expenses of the team in the current (2011-12) financial year is estimated to be about \$5.5 million. The time taken to process the applications varies from case to case, depending mainly on the complexity of the cases and also the time taken by the applicants to submit the required information and/or to respond to the requests for clarification.

- (b) The dedicated team will continue to give priority and pay due diligence to the processing of the applications in 2012-13, with the number of staff in the team slightly increased to 13 in 2012-13. The staff expenses of the team will be about \$5.7 million in 2012-13.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)170

Question Serial No.

1978

Head: 91 Lands Department

Subhead (No. & title):

Programme: (2) Survey and Mapping

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

According to the draft Estimates of Expenditure, the percentage of one of the performance measures in respect of survey and mapping, i.e. "setting out land boundaries within 12 weeks from receipt of request", is only 94% in 2011, a drop of 4% from 2010 and a failure to meet the target (100%) for two consecutive years. Would the Administration explain why the performance has declined? Is there any arrangement for improvement?

Asked by: Hon. LAU Sau-shing, Patrick

Reply:

The achieved performance in terms of "setting out land boundaries within 12 weeks from receipt of request" by the Survey and Mapping Office (SMO) of the Lands Department dropped from 98% in 2010 to 94% in 2011. This decrease of 4% was mainly due to a sudden surge of requests received in March 2011 for setting out the locations of small houses to be built. Funding will be allocated to the SMO to enable it to contract out some survey work to handle the requests in 2012 if it is deemed necessary.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)171

Question Serial No.

2223

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Under this Programme, 13 posts are planned to be created in 2012-13 for land administration. Please provide details of the duties under the newly-created posts. As for the Land Sale Programme in 2011-12, what is the estimated number of residential flats to be produced from the 52 residential sites put up for sale by the Government? And what is the estimated number of residential flats to be produced from the 29 sites already sold? Regarding the grant of residential sites by other means such as private treaty, land exchange, lease modification and land extension, how many applications for grant have been approved so far in 2011-12? Regarding the residential sites that have been triggered for sale or put up for tender but have not been successfully sold and cases of application for grant of residential sites through other means such as private treaty, land exchange, lease modification and land extension, how many of them are likely to be sold or disposed of by the end of 2011-12 and what is the estimated number of residential flats to be produced?

Asked by: Hon. LEE Wing-tat

Reply:

Details of the 13 posts to be created in the Lands Administration Office of the Lands Department in 2012-13 are as follows:

Nature of Work	Number and Rank of Posts
To process conditions of sale for land sale sites and lease modifications/land exchanges	1 Land Executive 1 Land Inspector II
To process New Territories exempted houses redevelopment applications	2 Land Executives 2 Land Inspectors I 2 Land Inspectors II
To resume and clear land for implementation of village sewerage scheme in Tai Po	1 Land Inspector I

Nature of Work	Number and Rank of Posts
To assist in the management of roadside non-commercial publicity materials	4 Land Inspectors II

It is estimated that the 52 residential sites in the 2011-12 Land Sale Programme may provide about 16 000 residential units. As at 1 March 2012, 23 residential sites of the 52 sites had been successfully triggered by private developer or initiated by the Government for sale, and all of them had been sold by public auction or tender. Four other residential sites in the 2011-12 Land Sale Programme have been planned for sale by public tender or are being tendered in the remaining period of 2011-12. It is estimated that these 27 sites will produce about 7 900 flats.

In 2011, there were a total of 38 completed private treaty grants, land exchanges, lease modifications and extensions involving residential use and they would altogether produce an estimated 6 864 flats. We are, however, unable to estimate the number of private treaty grants, land exchanges, lease modifications and extensions that may be completed in the remaining period of 2011-12 since the terms and conditions including the premiums for the proposed transactions are subject to negotiation between the applicants and the Government.

The above-mentioned numbers of flat production are the Government's estimates, but the actual flat numbers that may be produced will depend on the design of the proposed developments (unless the developments are subject to flat number requirements specified by the Government) to be implemented by the developers concerned.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 2 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)172

Question Serial No.

2224

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

The Lands Department is responsible for the disposal of government land. Regarding the 25 ex-military sites covering a total area of 139 hectares and handed over to the Hong Kong Government by the British Government before Reunification, what has been done by the Administration to these sites? Have they all been disposed of for development or public works purpose?

Asked by: Hon. LEE Wing-tat

Reply:

About 64.2 hectares (ha) of the 25 ex-military sites handed over to the Hong Kong Government by the British Government before Reunification have since been disposed of by the Lands Department (Lands D), as follows-

- (i) about 25.2 ha by auction or tender for non-industrial purposes and private residential purposes;
- (ii) about 11.9 ha by private treaty grant for schools and electricity sub-stations;
- (iii) about 25.9 ha by government land allocations for sports/recreation grounds, schools, and other government purposes; and
- (iv) about 1.2 ha by Deed of Appropriations for military cemeteries.

The remaining sites are being managed by Lands D or the Government Property Agency.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)173

Question Serial No.

2225

Head: 91 Lands Department

Subhead (No. & title):

Programme: (3) Legal Advice

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

In view of the new requirements to be imposed when legislation is introduced to regulate the sale of first-hand residential properties, has the Administration estimated the manpower needed to cope with the additional checking required in implementing the consent scheme in the future? After contracting out to private firms the processing of applications for approval of Deeds of Mutual Covenant (DMCs), title checking and related legal work for payment of compensation for land resumption, will the Administration be able to allocate more resources to the approval and monitoring work in relation to the consent scheme? In contracting out the work to private firms, is there any mechanism to prevent a conflict of interest between the private firms and the approval of applications by the Administration?

Asked by: Hon LEE Wing-tat

Reply:

The Lands Department (Lands D), mainly through its Legal Advisory and Conveyancing Office (LACO), administers a consent scheme pursuant to the relevant provisions in some of the leases where the consent of the Director of Lands will need to be obtained by the lessees before alienating the units in the developments governed by such leases prior to the issue of the certificates of compliances by Lands D. To further strengthen the regulation of the sale of first-hand residential properties, the Transport and Housing Bureau (THB) has prepared a proposed legislation on regulating such properties and plans to introduce the Bill into the Legislative Council in the first-quarter of 2012. The proposed legislation recommends establishing an enforcement authority under the THB to implement the legislation.

LACO is not only responsible for administering the consent scheme as referred to above but is required to provide legal advice and legal assistance to other aspects of work of Lands D including, among others, the processing of the Deeds of Mutual Covenants (DMCs) in accordance with the conditions of the leases concerned and checking of owners' title in land resumption for payment of compensation. Some of the work related to the processing of DMCs and the checking of owners' title in land resumption for payment of compensation is being contracted out to private firms of solicitors to help LACO cope with the increasing workload and to allocate more resources to deal with other areas of work including, among others, those tasks related to the administration of the consent scheme.

Before assigning a DMC to a private firm of solicitors, LACO will require the firm to confirm in writing that it has no conflict of interest to act for the Government in that assignment. For contracting out the title checking and related legal work in land resumption, an assigned firm will be required to immediately notify LACO in writing if it perceives any potential conflict of interest with the land owner of the lots resumed. Upon receipt of such notice, LACO will exclude the affected lots from the assignment.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)174

Question Serial No.

2089

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Regarding the policy of revitalising industrial buildings, would the Administration inform this Committee of the following :

- (a) In the past three years, how many applications for the conversion of industrial buildings have been received from the owners? How many have been approved so far? On average how long does it take to process an application?
- (b) Although the Administration has launched the revitalisation of industrial buildings scheme, the permitted uses stipulated in the leases of the industrial buildings still need to be complied with by the tenants upon renting the units. It is noted that there are investors who mistakenly believed that the revitalisation amounted to relaxation of user restrictions for the industrial buildings and, after renting the units, converted them to venues for concerts or indoor shooting ranges, etc. Consequently they suffered great losses as they were ordered to reinstate the units to the original conditions for breach of lease terms. How many units are involved in which orders of reinstatement have been made in the past three years? Will the Administration consider allocating funding to promote publicity work so that the public will understand better the relevant policy?

Asked by: Hon. LEUNG Mei-fun, Priscilla

Reply:

- (a) In his Policy Address delivered in October 2009, the Chief Executive announced the implementation, starting from April 2010, of a package of measures to encourage wholesale conversion of existing industrial buildings and the redevelopment of industrial buildings (“the measures”). During the period from 1 April 2010 to 31 January 2012, the Lands Department (Lands D) received 56 applications for special waiver for conversion of the entire industrial buildings to other permitted uses and approved 29 of them. Lands D also received 12 applications for redevelopment of industrial lots and approved 11 of them. The time taken to process the applications varies from case to case, depending mainly on the nature and complexity of each case.
- (b) The implementation of the measures does not affect the obligations of the lessees to comply with the conditions of the leases governing the industrial premises (unless any such conditions are varied or waived by appropriate executed land documents) nor the rights of Lands D, acting in the lessor capacity, to enforce the lease conditions. When a lease breach is ascertained by Lands D, lease enforcement action will be taken. In 2009, 2010 and 2011, there were a total of 510 cases where Lands D issued warning letters to the lessees requiring the uses not conforming with the user restrictions of the leases concerned to be purged. The Government has, through different channels (including, for example, replies to the questions asked by Legislative Council Members, etc.), reminded the lessees of their obligations to comply with the lease conditions and to seek legal and other professional advice when they have doubt about compliance with the leases.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Last year, I queried why the Government projected that expenditure by the Lands Administration Office of the Lands Department for 2011-12 would only rise by 0.5% compared to the original provision for 2010-11, or less than the rate of inflation, given that there is great pressure on the Government to increase the supply of land for the provision of new housing. The Government replied that it would consider redeployment of internal resources to cope with the additional work, if deemed necessary. In fact, spending for 2011-12 exceeded the budget by 3.2%, and spending will climb by a further 4.1% for 2012-13 or 7.5% on the original 2011-12 estimate. Given rising public concern on land administration issues, is this increase sufficient to cope with the increasing workload of the Department?

Asked by: Hon. LI Kwok-po, David

Reply:

The Government is fully committed to making land available for public and private housing developments. A multi-pronged approach overseen by the Development Bureau has been adopted to form new land for development and increase in expenditure has been provided for in departments like the Planning Department, the Civil Engineering and Development Department etc. for the purpose. "Land Administration" works under the Lands Department (Lands D) is mainly concerned with disposal of government land, control and management of unallocated government land, clearance and resumption as well as various land lease matters.

The estimated financial provision of \$1,426.2 million for the Land Administration Programme 2012-13 represents an increase of 4.1% over the corresponding revised financial provision of \$1,369.5 million for 2011-12. Lands D will consider redeployment of internal resources to the Land Administration Programme if it is deemed necessary having regard to the workload of the Lands Administration Office and the service need of the whole Department.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)176

Question Serial No.

2248

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Regarding items requiring special attention in 2012-13, it is stated that the Department will continue to undertake preparatory work on resumption and clearance of land required for proposed new projects such as the Tuen Mun – Chek Lap Kok Link, the Hong Kong – Zhuhai – Macao Bridge (HZMB) Hong Kong Link Road, the HZMB Hong Kong Boundary Crossing Facilities, as well as the Liantang/Heung Yuen Wai Boundary Control Point and its connecting roads. This list is exactly the same as that which appeared in the estimates for 2011-12. Please advise what percentage of the work will be completed for each project by the end of 2011-12, and what percentage remains to be completed in 2012-13?

Asked by: Hon. LI Kwok-po, David

Reply:

It is estimated that about 80% and 10% of the resumption and clearance work for the Tuen Mun – Chek Lap Kok Link, the Hong Kong – Zhuhai – Macao Bridge (HZMB) Hong Kong Link Road and the HZMB Hong Kong Boundary Crossing Facilities will be completed by end 2011-12 and by end 2012-13 respectively. The remaining 10% of the work will be completed in 2013-14.

As for the Liantang/Heung Yuen Wai Boundary Control Point and its connecting roads, it is estimated that about 73% and 22% of the resumption and clearance work will be completed by end 2011-12 and by end 2012-13 respectively. The remaining 5% of the work will be completed in 2013-14.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 29 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)177

Question Serial No.

2249

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

For 2011, the Department projected that 27 hectares (ha) of land would be awarded by private treaty grant and that 11 900 flats would be produced. In the event, only 4.5 ha of land were awarded and only 477 flats were produced. The notes advise that the decrease in land awarded as compared to 2010 was mainly due to completion of divestment of the Housing Authority's retail and carparking facilities in 2010. However, this does not explain why the land awarded fell so far short of the estimate for 2011. Please advise. Furthermore, the projected number of flats to be produced in 2012 is only 10 300, less than the 11 900 projected for 2011. If the flats projected for 2011 were deferred to 2012 as explained in the notes, why is the number of flats to be built in 2012 even less than the number originally projected for 2011?

Asked by: Hon. LI Kwok-po, David

Reply:

In 2011, 4.5 hectares (ha) of land involving 477 flats were granted via private treaty, which fell short of the corresponding figures of 27 ha and 11 900 flats as indicated in the 2011-12 Estimates of Expenditure (2011-12 Estimates). This was mainly due to the deferment of the proposed land grants for a senior citizen housing project, an urban renewal project and four railway related property development projects.

In the 2011-12 Estimates, it was assumed that one of the railway related property development projects would be granted via private treaty in 2011. The project site is now split into two smaller sites, one of which will be granted via private treaty in 2012-13 and the other via Conditions of Exchange in 2012-13. The latter site would not be accounted for under the “private treaty grants” indicator in the 2012-13 Estimates of Expenditure but would be counted towards the “lease modifications, exchanges and extensions” indicator.

Signature	_____
Name in block letters	Miss Annie TAM
Post Title	Director of Lands
Date	28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)178

Question Serial No.

2250

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Please advise the total number of short term tenancies (STTs) for temporary use of government land currently administered by the Department and, of these, how many are renewed on an annual basis; how many on a bi-annual basis; how many on a tri-annual basis and how many are on tenancies exceeding three years? For STTs assessed at market rent, what percentage of those that were due for renewal in 2011-12 were subject to review following objection to the new rent by the tenant?

Asked by: Hon. LI Kwok-po, David

Reply:

The short term tenancies (STTs) for temporary use of government land administered by the Lands Department (Lands D) are normally granted for a fixed term and may be renewed thereafter on a periodical basis until terminated by either the Government or the tenants. As at 31 December 2011, there were a total of 4 986 STTs. Of these, 2 605 provide for fixed terms for one year or less; 438 for more than one year up to two years; 934 for more than two years up to three years; and 1 009 for more than three years. If a tenant does not agree to the rent assessed by Lands D, the tenant may submit an appeal to Lands D for consideration. There is no readily available information on the percentage of those STTs assessed at market rent that were due for renewal in 2011-12 and were subject to review following the submission of appeals lodged by the tenants.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Please advise the total number of renewable waivers for change of land use that are currently administered by the Department. Of these, how many were renewed in 2011-12 and of those renewed, how many were subject to review following objection by the non-government party? In how many cases were the parties unable to come to agreement before the waiver period expired, and does the Government allow the continued occupation of land with no new waiver agreement in place?

Asked by: Hon. LI Kwok-po, David

Reply:

There are about 3 500 waivers being administered by the Lands Department (Lands D), and about 1 200 of them are related to change of land use. Waivers are normally granted for a term of one to three years and thereafter quarterly until terminated by either Lands D acting as the lessor or the lessees concerned. As a general practice, waiver fees are reviewed by Lands D every three years and the lessees are notified of the new fees well in advance of the scheduled effective dates. Any lessees who do not agree with the new waiver fees may submit appeals to Lands D for consideration. Most of the appeals will be decided upon before the scheduled effective dates of the new waiver fees. In case a decision on an appeal is still pending, the lessee may be allowed to hold over on the old fee after the effective date of the new waiver fee, if the lessee agrees to pay to Lands D the difference between the old and new fees upon appeal plus interest for the holding over period after his appeal has been decided upon. If the lessee chooses to pay the new waiver fee as assessed by Lands D pending settlement of his appeal and if the new fee decided upon appeal is lower than the assessed fee, the difference in payment will be refunded to the lessee without interest by offsetting the next waiver fee payment(s) to be made by the lessee.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)180

Question Serial No.

2252

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Regarding extension of covenants under leases, please advise the following for 2011, and the projection for 2012:

- (a) the number of applications made and granted (stated separately) for extension of time limits for completion of residential gross floor area (GFA) and commercial GFA;
- (b) the number of flats represented by applications made and granted (stated separately) for extension of time limits for completion of residential GFA;
- (c) the total amount of the penalties levied for extension of covenants for completion of residential GFA and commercial GFA (stated separately);
- (d) the basis for calculating such penalties;
- (e) the estimated change in market value of the residential GFA and commercial GFA (stated separately) affected by the extensions; and
- (f) whether any extensions were granted without penalty in 2011 and the reasons for that.

Asked by: Hon. LI Kwok-po, David

Reply:

The responses to (a) - (f) of the question are as follows:

- (a) In 2011, a total of 11 applications were received and approved by the Lands Department (Lands D) for extending the Building Covenant (BC) periods for residential or commercial/residential developments. Another eight applications were received and approved by Lands D for extending the BC periods for commercial developments. Applications for extending the BC periods are submitted by the developers who estimate that they cannot comply with the BC requirements as stipulated in the leases. Lands D is not in a position to estimate the number of applications to be received or approved in 2012.
- (b) The 11 applications received and approved by Lands D in 2011 as referred to in (a) above involve an estimated number of 1 064 flats.
- (c) The developers involved in the said 11 applications and those involved in the said eight applications were required to pay a total premium of about \$3.1 million and about \$5.8 million respectively for extending the BC periods concerned.
- (d) The premium for extending the BC period under a particular lease is assessed with reference to the current land value of the lot involved at the date of the expiry of the BC.
- (e) Lands D is not in a position to comment on the estimated change in market value of the residential and commercial gross floor area that might be affected by the BC extensions.
- (f) There were two cases of extension of BC period without premium in 2011. One such extension was in respect of a residential site granted by private treaty pending modification of lease conditions for the type of development involved, and the other was for commercial development on part of a site pending amendment of the master plan in the lease to comply with the revised statutory planning requirements.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)181

Question Serial No.

2253

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Regarding processing backlog of applications for land grants under the small house policy, please advise how many staff members within the Lands Department work full time in processing such applications, and the number of staff that devote part of their time to handling such applications. What percentage of the establishment at each grade do these persons represent in each of the District Lands Offices for Sai Kung, Yuen Long, North, Tai Po, Tuen Mun and Islands?

Asked by: Hon. LI Kwok-po, David

Reply:

A total of 109 staff of Land Executive and Land Inspector grades work full time in processing small house applications while a total of 13 staff of these grades allocate part of their time to handle such applications.

The percentage of the establishment at each grade in each of the District Lands Offices (DLOs) for Sai Kung, Yuen Long, North, Tai Po, Tuen Mun and Islands is set out below:

Grade	DLO/ Sai Kung	DLO/ Yuen Long	DLO/ North	DLO/ Tai Po	DLO/ Tuen Mun	DLO/ Islands
Land Executive Grade	19.4%	32%	10%	29.6%	10%	9.4%
Land Inspector Grade	16.4%	30.6%	9.7%	22.5%	7.3%	7.4%

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)182

Question Serial No.

2254

Head: 91 Lands Department

Subhead (No. & title):

Programme: (3) Legal Advice

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

The Legal Advisory and Conveyancing Office (LACO) approved a total of 16 Deeds of Mutual Covenant (DMCs) for residential developments in 2011. Please advise:

- (a) Why the number approved fell significantly short of the target for the number of DMCs to be approved in 2011 of 25 given in the 2011 estimates?
- (b) Whether LACO still outsourced the approval of DMCs, even though the number approved was just 34% of the total number approved the previous year and, if so, how many were outsourced in 2011?
- (c) What criteria LACO will use to determine whether approval of a particular DMC is outsourced or not?
- (d) Whether any sub-DMCs approved in 2011 involved older DMCs that are not compliant with current LACO guidelines and, if so, whether LACO has any procedures to protect owners under such sub-DMCs from the potentially unfair terms in older DMCs?

Asked by: Hon. LI Kwok-po, David

Reply:

The responses to (a) – (d) of the question are set out as follows:

- (a) Some of the Deeds of Mutual Covenant (DMCs) received in 2011 involved large developments with complicated or contentious issues, which required a longer time to settle on the part of the parties. As a result, the Legal Advisory and Conveyancing Office (LACO) of the Lands Department (Lands D) approved the DMCs for 16 residential developments, instead of 25 such DMCs as indicated in the 2011 estimates. LACO estimates that it will approve 24 such DMCs in 2012.
- (b) Of the 16 residential DMCs approved in 2011, four were completed by private firms engaged by LACO. Such contracting out arrangement was required to help LACO cope with an increasing workload in providing legal advice and legal assistance to other aspects of the work of Lands D.
- (c) LACO usually selects DMCs of a simpler nature for contracting out. These tend to be for smaller developments with no Government, Institution and Community facilities and involve no apparent contentious issues.
- (d) One sub-DMC approved in 2011 involved a principal DMC which had been approved some years ago. As a general practice, LACO, in approving the provisions in the sub-DMC, seeks to ensure that the current DMC guidelines are to be followed insofar as the provisions do not contradict the principal DMC.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)183

Question Serial No.

2255

Head: 91 Lands Department

Subhead (No. & title):

Programme: (3) Legal Advice

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Regarding "Government, Institution and Community" non-domestic properties in private developments managed by the Government Property Agency:

- (a) How many sub-Deeds of Mutual Covenant (sub-DMCs) for government accommodation within private developments were (i) under negotiation and (ii) concluded during 2011-12?
- (b) What is the average length of time for concluding a sub-DMC for government accommodation within private developments?
- (c) Whether any sub-DMC for government accommodation within private developments has been under negotiation for more than twice the average time, and what steps are being taken to prevent such delays in future?

Asked by: Hon. LI Kwok-po, David

Reply:

The responses to (a) - (c) of the question are set out as follows:

- (a) In 2011, the Legal Advisory and Conveyancing Office (LACO) of the Lands Department approved three sub-Deeds of Mutual Covenant (sub-DMCs) containing government accommodation. There was one pending sub-DMC in 2011.
- (b) The processing time of the sub-DMCs with government accommodation varies from case to case, depending on the complexity of the developments involved. On average, it takes about five to six months to conclude one such sub-DMC.

- (c) The processing of the pending sub-DMC as referred to in (a) above has taken more than twice the average time as referred to in (b) above mainly because of the differences between the lessee and the Government on the number of undivided shares to be allocated to the government accommodation. Now that the major differences have been resolved, LACO will actively liaise with the lessee with a view to concluding the sub-DMC as soon as practicable.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)184

Question Serial No.

0383

Head: 91 Lands Department

Subhead (No. & title):
000 Operational expenses

Programme:

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

The Lands Department has stated that the number of non-directorate posts will be increased by 23 to 3 890 posts as at 31 March 2013. Please inform this Committee of the nature of work, ranks and salaries of these new posts.

Asked by: Hon. SHEK Lai-him, Abraham

Reply:

Details of the 23 posts to be created in 2012-13 are as follows:

<u>Nature of Work</u>	<u>Number and Rank of Posts</u>	<u>Annual Salary Provision Per Post</u>
To process conditions of sale for land sale sites and lease modifications / land exchanges	1 Solicitor	\$783,600
	1 Land Executive	\$429,420
	1 Land Inspector II	\$214,740
	1 Survey Officer (Land)	\$206,850
To process New Territories exempted houses redevelopment applications	1 Solicitor	\$783,600
	1 Land Surveyor	\$570,540
	1 Land Conveyancing Officer I	\$565,620
	1 Senior Survey Officer (Land)	\$449,580
	2 Survey Officers (Land)	\$206,850
	2 Land Executives	\$429,420
	2 Land Inspectors I	\$340,560
	2 Land Inspectors II	\$214,740

<u>Nature of Work</u>	<u>Number and Rank of Posts</u>	<u>Annual Salary Provision Per Post</u>
To resume and clear land for implementation of village sewerage scheme in Tai Po	1 Land Inspector I	\$340,560
	1 Technical Officer (Cartographic)	\$206,850
	1 Survey Officer (Land)	\$206,850
To assist in the management of roadside non-commercial publicity materials	4 Land Inspectors II	\$214,740

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)185

Question Serial No.

0397

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

In the Matters Requiring Special Attention in 2012-13, the Administration has mentioned that it will continue to explore measures to streamline and expedite the processing of lease modifications, land exchanges and premium assessments and to expedite the processing of special waiver applications in respect of conversion of the entire industrial buildings to other permitted uses and new lease modification applications for redevelopment of industrial buildings as from 1 April 2010 by a dedicated team set up in the Headquarters. After the cessation of the operation of the Development Opportunities Office, what kind of measures will the Administration adopt to attain the aforementioned goals? Will the Administration allocate extra manpower and resources so as to attain these goals?

Asked by: Hon. SHEK Lai-him, Abraham

Reply:

As mentioned in the Matters Requiring Special Attention in 2012-13, the Lands Department (Lands D) will continue to explore measures to streamline and expedite the processing of lease modifications, land exchanges and premium assessments. This would include further rationalisation of the workflow of work procedures. A Redevelopment and Conversion of Industrial Buildings Team has already been set up in Lands D Headquarters since 1 April 2010, and will continue to process centrally applications for special waiver for conversion of the entire industrial buildings to other permitted uses and for redevelopment of industrial lots in non-industrial zones. All these duties will be undertaken by staff in Lands D and will not be affected by the cessation of the operation of the Development Opportunities Office in the Development Bureau.

Signature

Name in block letters

Miss Annie TAM

Post Title

Director of Lands

Date

27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)186

Question Serial No.

2717

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

- (a) Regarding short term tenancies, why is it that the estimated area of land (in hectares) to be let by direct grant in 2012 decreases drastically when compared with the figures in 2010 and 2011?
- (b) Normally, what are the land uses and terms of tenancy for these short term tenancies?

Asked by: Hon. SHEK Lai-him, Abraham

Reply:

- (a) The total area of land to be let by direct grant of short term tenancies (STTs) is estimated to be around 51 hectares in 2012, based on the information on the demand now made available to the Lands Department. For example, it is estimated that less STT land will be required for the purpose of providing works sites and works areas in connection with the railway projects when compared with 2010 and 2011.
- (b) A STT may be granted directly where the land is of no general commercial interest and there is only one interested party. Examples of uses include works areas required for public projects or by utility companies, and sites for non-profit-making activities by charitable/non-profit-making organisations for which policy support by the relevant policy bureau has been given. The fixed terms of direct grant STTs vary from a few months to three years. Such STTs may be renewed thereafter on a periodic basis.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)187

Question Serial No.

0473

Head: 91 Lands Department

Subhead (No. & title):
000 Operational expenses

Programme:

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Regarding the employment of non-civil service contract (NCSC) staff, please provide the following information:

	2012-13	2011-12	2010-11
Number of NCSC staff	()	()	()
Details of the positions held by NCSC staff			
Total expenditure on salaries for NCSC staff	()	()	()
Monthly salary range of NCSC staff			
• \$30,001 or above	()	()	()
• \$16,001 to \$30,000	()	()	()
• \$8,001 to \$16,000	()	()	()
• \$6,501 to \$8,000	()	()	()
• \$5,001 to \$6,500	()	()	()
• \$5,000 or below	()	()	()
• number of staff with monthly salary below \$5,824	()	()	()
• number of staff with monthly salary between \$5,824 and \$6,500	()	()	()
Length of service of NCSC staff			
• 5 years or above	()	()	()
• 3 to 5 years	()	()	()
• 1 to 3 years	()	()	()
• less than 1 year	()	()	()
Number of NCSC staff successfully appointed as civil servants	()	()	()
Number of NCSC staff failed to be appointed as civil servants	()	()	()
Percentage of NCSC staff against the total staff in the Department	()	()	()

	2012-13	2011-12	2010-11
Percentage of staff costs for NCSC staff against the total staff costs in the Department	()	()	()
Number of NCSC staff with paid meal break	()	()	()
Number of NCSC staff without paid meal break	()	()	()
Number of NCSC staff working 5 days per week	()	()	()
Number of NCSC staff working 6 days per week	()	()	()

Figures in () denote year-on-year changes

Asked by: Hon. WONG Kwok-hing

Reply:

Information on the employment of full-time non-civil service contract (NCSC) staff as at 31 March 2011 and 31 December 2011 is provided below. As the need for and number of NCSC staff fluctuate with changing service needs of the Department, we are unable to provide the same information for 2012-13. Moreover, as we have not reached the end of the current financial year, we could not provide the figure for 2011-12 as at 31 March 2012.

(a) Number and job nature of NCSC staff

Job nature	2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
	Number of NCSC staff	
Professional	66 (-1%)	67
Technical and inspectorate	97 (-11%)	109
General administration	72 (-8%)	78
Total:	235 (-7%)	254

(b) Total expenditure on salaries for NCSC staff

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
\$48.1 million (N/A)	\$68.3 million

(c) Salaries and length of service of NCSC staff

Monthly salary	2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
	Number of NCSC staff	
\$30,001 or above	71 (-3%)	73
\$16,001 to \$30,000	26 (+30%)	20
\$8,001 to \$16,000	138 (-14%)	161
\$6,501 to \$8,000	0	0
\$5,001 to \$6,500	0	0
\$5,000 or less	0	0
Less than \$5,824	0	0
\$5,824 to \$6,500	0	0
Total:	235 (-7%)	254

Length of service	2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
	Number of NCSC staff	
5 years or above	3 (-50%)	6
3 years to less than 5 years	39 (+117%)	18
1 year to less than 3 years	98 (-34%)	149
Less than 1 year	95 (+17%)	81
Total:	235 (-7%)	254

(d) Number of NCSC staff appointed as civil servants

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
24 (+140%)	10

(e) Number of NCSC staff failed to be appointed as civil servants

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
12 (-80%)	61

(f) Percentage of NCSC staff against the total staff in the Department

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
6% (0%)	6%

(g) Percentage of staff costs for NCSC staff against the total staff costs in the Department

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
4.2% (-0.6%)	4.8%

(h) Paid meal break for NCSC staff

Meal break	2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
	Number of NCSC staff	
Paid meal break	229 (-7%)	247
Unpaid meal break	6 (-14%)	7
Total:	235 (-7%)	254

(i) Working days of NCSC staff

Working days	2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
	Number of NCSC staff	
5 working days per week	235 (-7%)	254
6 working days per week	0	0
Total:	235 (-7%)	254

Figures in () denote percentage changes

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)188

Question Serial No.

0498

Head: 91 Lands Department

Subhead (No. & title):
000 Operational expenses

Programme:

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

On engaging agency workers, please provide the following information:

	2012-13	2011-12	2010-11
Number of contracts with employment agencies	()	()	()
Contract sum paid to each employment agency	()	()	()
Total amount of commission paid to each employment agency	()	()	()
Duration of service for each employment agency	()	()	()
Number of agency workers	()	()	()
Details of the positions held by agency workers			
Monthly salary range of agency workers			
• \$30,001 or above	()	()	()
• \$16,001 to \$30,000	()	()	()
• \$8,001 to \$16,000	()	()	()
• \$6,501 to \$8,000	()	()	()
• \$5,001 to \$6,500	()	()	()
• \$5,000 or below	()	()	()
• number of workers with monthly salary below \$5,824	()	()	()
• number of workers with monthly salary between \$5,824 and \$6,500	()	()	()
Length of service of agency workers			
• 5 years or longer	()	()	()
• 3 to 5 years	()	()	()
• 1 to 3 years	()	()	()
• less than 1 year	()	()	()
Percentage of agency workers against the total staff in the Department	()	()	()

	2012-13	2011-12	2010-11
Percentage of expenditure for employment agencies against the total staff costs in the Department	()	()	()
Number of workers with paid meal break	()	()	()
Number of workers without paid meal break	()	()	()
Number of workers working 5 days per week	()	()	()
Number of workers working 6 days per week	()	()	()

() denotes percentage of increase or decrease per year

Asked by: Hon. WONG Kwok-hing

Reply:

The information in respect of engagement of agency workers for 2010-11 and 2011-12, excluding services provided under term contracts centrally administered by the Office of the Government Chief Information Officer, is appended below. The need for and the number of agency workers vary over time with the changing service needs of the Department. Therefore, the Lands Department (Lands D) is not in a position to provide information for 2012-13.

(a) Number of contracts with employment agencies (EAs)

2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
14 (-18%)	17

(b) Contract sums and duration of services

Contract sums	2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
	Number of contracts	
Less than \$0.5 million	9 (-25%)	12
\$0.5 million to \$1 million	5 (+25%)	4
Over \$1 million	0 (-100%)	1
Total:	14 (-18%)	17

Duration of services	2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
	Number of contracts	
6 months or less	0 (0%)	0
Over 6 months to 1 year	14 (-7%)	15
Over 1 year to 2 years	0 (-100%)	2
Over 2 years	0 (0%)	0
Total:	14 (-18%)	17

(c) Commission paid to EAs

In procuring employment agency service, Lands D complies with the relevant Stores and Procurement Regulations, Financial Circulars and guidelines issued by the Civil Service Bureau. These regulations and guidelines do not require the departments to specify the amount or the rate of commission payable to EAs. Lands D does not have information on the commission paid to EAs.

(d) Number and job categories of workers

	2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
Number of workers	65 (-14%)	76

Job categories of workers ^{Note}	2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
	Number of workers	
Backend office support	21 (-30%)	30
Technical services	44 (-4%)	46
Total:	65 (-14%)	76

Note: Agency workers are generally referred to as temporary staff and are not assigned any specific post titles. Information of the workers by two broad job categories is provided.

(e) Monthly salary range of agency workers

For contracts with quotations invited before May 2011, Lands D specified in the contracts that the EAs must, for the whole duration of the concerned service contracts, pay their agency workers wages no less than the average monthly wage of miscellaneous non-production workers in all selected industries published in the latest Census and Statistics Department's Quarterly Report of Wage and Payroll Statistics (the Quarterly Report) at the time when tenders are invited. Since May 2011, Lands D has specified in the contracts that the EAs must pay their agency workers wages not lower than the average monthly wages for "General Worker for all selected industries" in the Quarterly Report for December 2010. As at 30 September 2011, Lands D engaged 65 agency workers.

(f) Length of service of agency workers

Lands D and its EAs enter into a service contract under which the EAs will supply manpower as and when Lands D requires it. The agency workers supplied by the EAs to Lands D are the employees of the EAs. Lands D does not have information on the years of service of agency workers.

(g) Percentage of workers against the total staff in the Department

2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
1.6% (-0.3%)	1.9%

(h) Percentage of expenditure for EAs against the total staff costs in the Department

2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
0.3% (-0.2%)	0.5%

(i) Paid meal break for workers

The agency workers are employed by the EAs, and whether the meal break is paid or not is governed by the employment contract between the EAs and the agency workers. Lands D does not have such contractual information between the two parties.

(j) Working days of workers

Working days	2011-12 (as at 30.9.2011)	2010-11 (as at 31.3.2011)
	Number of workers	
5 working days per week	65 (-14%)	76
6 working days per week	0	0
Total:	65 (-14%)	76

Figures in () denote percentage changes

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)189

Question Serial No.

2944

Head: 91 Lands Department

Subhead (No. & title):
000 Operational expenses

Programme:

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

On engaging “outsourced workers”, please provide the following information:

	2012-13	2011-12	2010-11
Number of outsourced service contracts	()	()	()
Total expenditure for outsourced service providers	()	()	()
Duration of service for each outsourced service provider	()	()	()
Number of workers engaged through outsourced service providers	()	()	()
Details of the positions held by outsourced workers (e.g. customer service, property management, security, cleansing and information technology)			
Monthly salary range of outsourced workers			
• \$30,001 or above	()	()	()
• \$16,001 - \$30,000	()	()	()
• \$8,001 - \$16,000	()	()	()
• \$6,501 - \$8,000	()	()	()
• \$5,001 - \$6,500	()	()	()
• \$5,000 or below	()	()	()
• number of workers with salary below \$5,824	()	()	()
• number of workers with salary between \$5,824 and \$6,500	()	()	()

	2012-13	2011-12	2010-11
Length of service of outsourced workers			
• 5 years or above	()	()	()
• 3 - 5 years	()	()	()
• 1 - 3 years	()	()	()
• less than 1 year	()	()	()
Percentage of outsourced workers against the total staff in the Department	()	()	()
Percentage of expenditure for outsourced service providers against the total staff costs in the Department	()	()	()
Number of workers with paid meal break	()	()	()
Number of workers without paid meal break	()	()	()
Number of workers working 5 days per week	()	()	()
Number of workers working 6 days per week	()	()	()

Figures in () denote year-on-year changes

Asked by: Hon. WONG Kwok-hing

Reply:

The Lands Department (Lands D) uses outsourced services in slope maintenance, land and property management, survey and mapping, information technology, office cleansing and support services, etc. The requested information for 2010-11 and 2011-12 is provided below. The need for outsourced services and thus the number of outsourced workers engaged by the contractors for providing such outsourced services varies with changing service needs. Lands D is not in a position to provide the information for 2012-13.

(a) Number of outsourced service contracts

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
62 (+11%)	56

(b) Total expenditure for outsourced service providers

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
\$101.2 million (N/A)	\$142.2 million

(c) Duration of outsourced service contracts

Duration of service	2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
	Number of contracts	
6 months or less	14 (-44%)	25
Over 6 months to 1 year	16 (+78%)	9
Over 1 year to 2 years	27 (+200%)	9
Over 2 years	5 (-62%)	13
Total:	62 (+11%)	56

(d) Estimated total number of workers engaged through outsourced service providers

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
732 (+1%)	727

(e) Work nature of outsourced workers

Nature of service contracts	2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
	Estimated number of workers	
Slope maintenance	223 (-4%)	233
Land and property management	397 (+14%)	349
Survey and mapping	21 (-19%)	26
Information technology	55 (-17%)	66
Office cleansing and support services	36 (-32%)	53
Total:	732 (+1%)	727

(f) Salaries and length of service of outsourced workers

The outsourced service contracts did not contain information about the wages of outsourced workers except for those involving the supply of security guards and cleansing workers. For the latter two types of contracts, the contractors are required to pay their non-skilled workers at not less than the statutory minimum wage rate plus one paid rest day for every period of seven days.

Lands D does not have information on the years of service of outsourced workers who are employees of the contractors.

(g) Percentage of workers against the total staff in the Department

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
17.8% (+0.1%)	17.7%

(h) Percentage of expenditure for outsourced service providers against the total staff costs in the Department

2011-12 (as at 31.12.2011)	2010-11 (as at 31.3.2011)
8.9% (-1.1%)	10%

(i) Paid meal break for outsourced workers

The outsourced workers are employed by the contractors, and whether the meal break is paid or not is governed by the employment contracts between the contractors and outsourced workers. Lands D does not have such contractual information between the two parties.

(j) Working days of outsourced workers

Lands D does not have information on the working days of outsourced workers who are the employees of the contractors and are under the deployment of the latter.

Note: Figures in () denote percentage changes

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)190

Question Serial No.

2964

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

It is estimated that 64.48 hectares (ha) of land will be resumed in 2012 for Public Works Programme projects, while the actual area of land resumed in 2011 was 2.33 ha. Why is there such a substantial increase?

Asked by: Hon. WONG Kwok-hing

Reply:

The increase is due to the deferment of 28 projects from 2011 to 2012 and the proposed implementation of 21 new projects which will require extensive land resumption in 2012.

Signature

Name in block letters

Post Title

Date

Miss Annie TAM

Director of Lands

27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)191

Question Serial No.

0332

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

It has been pointed out in the Budget that "From our rough estimates, the land use studies and reviews being conducted by the Planning Department cover 2 500 hectares of land, equivalent to one-tenth of the developed land in Hong Kong." Please provide details on the location of the 2 500 hectares of land involved.

Asked by: Hon. CHAN Kam-lam

Reply:

The breakdown of the approximately 2 500 hectares (ha) of land covered in Planning Department's land use studies and reviews is as follows :

Studies / Land Use Reviews		Land involved in Studies / Land Use Reviews (approximately) (ha)
1.	North East New Territories New Development Areas (NDAs) (including Kwu Tung North, Fanling North and Peng Che/Ta Kwu Ling NDAs)	805
2.	Hung Shui Kiu NDA	790
3.	Rural workshop and temporary storage areas and abandoned agricultural land in North District and Yuen Long	275
4.	Tung Chung Remaining Area	246

Studies / Land Use Reviews		Land involved in Studies / Land Use Reviews (approximately) (ha)
5.	West Rail Kam Sheung Road Station and Pat Heung Maintenance Depot sites and adjoining areas	137.7
6.	Industrial land	60
7.	Green Belt areas which are devegetated, deserted or formed	50
8.	Government, Institution or Community sites	15.5
9.	Various quarries	168
	Total	2 547.2

Signature _____

Name in block letters Jimmy C. F. LEUNG

Post Title Director of Planning

Date 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head: 118 Planning Department

Subhead (No. & title):

Programme: (4) Technical Services

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

When is the Feasibility Study on Urban Climatic Map and Standards for Wind Environment scheduled for completion and publication; and what is the total estimated expenditure for the Study?

Asked by: Hon. CHAN Kam-lam

Reply:

The stakeholders engagement on the recommendations of the Urban Climatic Map and Standards for Wind Environment Feasibility Study has been completed in February 2012. The Study will be finalised taking into account the public comments received and is scheduled for completion in the second half of this year. The estimated total expenditure for the Study is \$9.8 million.

Signature

Name in block letters

Post Title

Date

Jimmy C. F. LEUNG

Director of Planning

27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)193

Question Serial No.

1571

Head: 118 Planning Department

Subhead (No. & title):

Programme:

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

It has been pointed out in the Budget that “from our rough estimates, the land use studies and reviews being conducted by the Planning Department cover 2 500 hectares of land, equivalent to one-tenth of the developed land in Hong Kong.” How much resources has the Planning Department earmarked for conducting these studies and reviews in 2012-13?

Asked by: Hon. CHAN Kam-lam

Reply:

A supernumerary Chief Town Planner (D1) post and 13 time-limited non-directorate grade posts will be created in 2012-13 for five years in the Planning Department (PlanD) to work on increasing housing and office land supply. The additional staff resources will be deployed to help manage/conduct the land use studies and reviews covering the 2 500 ha of land as well as to arrange for preparation or amendment of statutory plans to facilitate development of the land. The estimated expenditure for the land use studies and reviews are as follows:

Land Use Studies / Reviews		Responsible Departments	Estimated Expenditure in 2012-13 (\$M)
1.	North East New Territories (NENT) New Development Areas (NDAs)	PlanD CEDD	7.8
2.	Hung Shui Kiu NDA	PlanD CEDD	12.59

Land Use Studies / Reviews		Responsible Departments	Estimated Expenditure in 2012-13 (\$M)
3.	Tung Chung Remaining Area	PlanD CEDD	12.64
4.	West Rail Kam Sheung Road Station and Pat Heung Maintenance Depot sites and adjoining areas	PlanD In-house	N.A.
5.	Rural workshop and temporary storage areas and abandoned agricultural land in North District and Yuen Long	PlanD CEDD	4.7
6.	Industrial land	PlanD In-house	N.A.
7.	Green Belt areas which are devegetated, deserted or formed	PlanD In-house	N.A.
8.	Government, Institution or Community sites	PlanD In-house	N.A.
9.	Anderson Road Quarry	PlanD	6.58
10.	Ex-Lamma Quarry	PlanD CEDD	5
11.	Ex-Cha Kwo Ling Kaolin Mine	PlanD	0.78
12.	Lam Tei Quarry (to be commenced in 2014)	PlanD CEDD	Not yet available

Signature _____

Name in block letters Jimmy C. F. LEUNG

Post Title Director of Planning

Date 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)194

Question Serial No.

0083

Head: 118 Planning Department

Subhead (No. & title):

Programme: (4) Technical Services

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

When is the Feasibility Study on Urban Climatic Map and Standards for Wind Environment scheduled for completion and publication; and what is the total estimated expenditure for the Study?

Asked by: Hon. CHEUNG Hok-ming

Reply:

The stakeholders engagement on the recommendations of the Urban Climatic Map and Standards for Wind Environment Feasibility Study has been completed in February 2012. The Study will be finalised taking into account the public comments received and is scheduled for completion in the second half of this year. The estimated total expenditure for the Study is \$9.8 million.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)195

Question Serial No.

0407

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

At present, what are the area of land zoned "Agriculture", "Green Belt" and "Open Storage" and their percentage in the total land area of Hong Kong respectively? Will the land use reviews to be conducted in 2012-13 include a review of changing the land use under these three categories to increase housing land supply? If yes, what are the details?

Asked by: Hon. CHEUNG Hok-ming

Reply:

About 3 281 ha, 15 288 ha and 471 ha of land are zoned "Agriculture" ("AGR"), "Green Belt" ("GB") and "Open Storage" ("OS") respectively on the Outline Zoning Plans. They constitute about 3%, 13.8% and 0.4% of the total land area of Hong Kong respectively. Planning Department (PlanD) has commenced in 2011-12 a review of "GB" zones which are devegetated, deserted or formed, and are thus no longer performing their original functions, with the objective of identifying their potential for housing development. Initially, about 50 ha of "GB" zones mainly on government land have been identified suitable for housing development. The review of the remaining "GB" zones is anticipated to be completed within 2012-13. To create a land reserve to meet different development needs, PlanD is undertaking or will undertake planning studies on the North East New Territories New Development Areas (NDAs) and Hung Shui Kiu NDA, and review of rural workshop and temporary storage areas and abandoned agricultural land in the North District and Yuen Long which cover a total land area of about 1 870 ha. The "AGR", "GB" and "OS" zones in these areas will be examined in the studies/reviews.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)196

Question Serial No.

0713

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

At present, what are the respective areas of land zoned “Residential (Group E)” and “Residential (Group D)”? Will the land use reviews to be conducted in 2012-13 consider raising the plot ratio of the land under these two categories in order to increase housing land supply? If yes, what are the details?

Asked by: Hon. CHEUNG Hok-ming

Reply:

About 466 ha and 75 ha of land are zoned “Residential (Group D)” (“R(D)”) and “Residential (Group E)” (“R(E)”) respectively on the Outline Zoning Plans (OZPs). They constitute about 0.4% and 0.07% of the total land area of Hong Kong respectively.

The “R(D)” zone on OZPs is intended primarily for improvement and upgrading of existing temporary structures in the rural areas, and redevelopment for low-rise, low-density residential developments on sites zoned “R(D)” is subject to the approval of the Town Planning Board (TPB). A review of the rural workshop and temporary storage areas and abandoned agricultural land in North District and Yuen Long will commence in 2012-13 to examine their feasibility for housing and other developments as well as the appropriate development intensity.

The “R(E)” zone is intended primarily for phasing out existing industrial uses through redevelopment and addressing interface problems for residential use on application to the TPB. The development intensity for “R(E)” zones is determined on a case-by-case basis, taking into consideration such factors as site characteristics, traffic and infrastructure, surrounding environment, etc.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)197

Question Serial No.

2042

Head: 118 Planning Department

Subhead (No. & title):
000 Operational expenses

Programme:

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

The Department is expected to have a net increase of 15 posts in 2012-13. What are the reasons and the expenditure involved?

Asked by: Hon. CHEUNG Hok-ming

Reply:

The 15 posts are for providing professional and technical support to the new Housing and Office Land Supply Section and for strengthening media relations support for the Department and the Town Planning Board. The Notional Annual Mid-point Salary (NAMS) for these posts is \$9,172,080.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)198

Question Serial No.

1325

Head: 118 Planning Department

Subhead (No. & title):

Programme: (1) Territorial Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

Under this programme area, the Planning Department will manage and complete the planning study on Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas in 2012–13. What are the details of the study? What is the amount of expenditure and manpower to be involved? When will the study be completed? Will its findings be published?

Asked by: Hon. IP Wai-ming

Reply:

The Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas commenced in April 2009. The Study aims to formulate an Integrated Area Improvement Plan, setting out comprehensive improvement proposals to enhance the physical environment of Sha Tau Kok Town and its surrounding areas. The Study covers the Sha Tau Kok Town, and the coastal areas and outer islands of the North East New Territories that are outside the Country Park. The consultancy fee of the Study is \$3.90 million. The management of the Study is undertaken by the existing staff.

The Stage 2 Community Engagement exercise of the Study commenced on 16 January 2012 for two months. The study is expected to be completed in the third quarter of 2012, and the findings will be promulgated to the public.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)199

Question Serial No.

1326

Head: 118 Planning Department

Subhead (No. & title):

Programme: (1) Territorial Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

Under this programme area, the Planning Department will manage and complete the Cross-boundary Travel Survey 2011 in 2012-13. What are the details of the Survey? What is the amount of expenditure and manpower to be involved? When will the Survey be completed? Will its findings be published?

Asked by: Hon. IP Wai-ming

Reply:

The Cross-boundary Travel Survey 2011 aims to collect data on the characteristics of cross-boundary trips (such as origins, destinations and purposes) and the socio-economic characteristics of the trip makers. Results of the Survey will serve as reference materials for various planning studies, especially those with a cross-boundary dimension.

The fieldwork of the Survey was carried out in October/November 2011. The collected data are being processed and the results will be released for public information in September 2012.

The estimated total cost of the Cross-boundary Travel Survey 2011 is \$4.15 million, comprising \$2.16 million to be spent in 2012-13. The management of the Survey is undertaken by the existing staff.

Signature

Name in block letters

Jimmy C. F. LEUNG

Post Title

Director of Planning

Date

27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)200

Question Serial No.

2759

Head: 118 Planning Department

Subhead (No. & title):

Programme: (1) Territorial Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

The Planning Department will manage and complete the planning study on Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas in 2012–13. Will the Administration inform this Committee of the objective, scope and progress of the study as well as the amount of expenditure to be involved?

Asked by: Hon. LAM Tai-fai

Reply:

The Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas commenced in April 2009. The Study aims to formulate an Integrated Area Improvement Plan, setting out comprehensive improvement proposals to enhance the physical environment of Sha Tau Kok Town and its surrounding areas. The Study covers the Sha Tau Kok Town, and the coastal areas and outer islands of the North East New Territories that are outside the Country Park.

A two-month Stage 2 Community Engagement exercise of the Study has been launched since 16 January 2012. The Study is expected to be completed in the third quarter of 2012. The consultancy fee of the Study is \$3.90 million.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)201

Question Serial No.

2765

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

The Planning Department has estimated that the number of judicial reviews handled will rise from 0 in 2010 to nine in 2012. What are the reasons and the amount of expenditure involved?

Asked by: Hon. LAM Tai-fai

Reply:

To implement the policy initiative in the Chief Executive's 2007-08 Policy Address, the Planning Department (PlanD) is progressively reviewing Outline Zoning Plans (OZPs) in order to stipulate development restrictions on plot ratio, site coverage and/or building height, etc. where justified to improve the living environment. Up to end January 2012, 33 OZPs had been reviewed. Amendments to these OZPs were gazetted under the Town Planning Ordinance (TPO) and representations and comments were received by the Town Planning Board (TPB).

Subsequent to the hearings of the representations of some OZPs in 2011, some representers have filed judicial reviews (JRs) to the Court against the decisions of the TPB not to uphold/fully uphold their representations. By end August 2011, a total of 11 JRs had been received. Two had been heard and nine JRs were expected to be handled in 2012-13.

Work related to the JRs is absorbed by existing staff in addition to their other duties. There is no breakdown on the amount of expenditure or manpower spent on work solely related to the JRs.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)202

Question Serial No.

2771

Head: 118 Planning Department

Subhead (No. & title):

Programme: (1) Territorial Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

The Planning Department will manage and complete the Cross-boundary Travel Survey 2011 in 2012-13. Will the Administration inform this Committee of how the Survey will be conducted and when it will be completed as well as the amount of expenditure required?

Asked by: Hon. LAM Tai-fai

Reply:

The Cross-boundary Travel Survey 2011 was conducted by interviewing cross-boundary passengers and drivers at the boundary control points to collect information on cross-boundary travel (such as trip purposes, origins and destinations) and the socio-economic characteristics of the trip makers. Results of the Survey will serve as reference materials for various planning studies, especially those with a cross-boundary dimension. The Survey will be completed in September 2012.

The estimated total cost of the Cross-boundary Travel Survey 2011 is \$4.15 million, comprising \$2.16 million to be spent in 2012-13.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)203

Question Serial No.

1133

Head: 118 Planning Department

Subhead (No. & title):

Programme: (1) Territorial Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

The Planning Department will manage and complete the Cross-boundary Travel Survey 2011 in 2012-13. Please inform this Committee of the details, progress, dates of completion and publication of the Survey as well as the resources to be involved.

Asked by: Hon. LAU Kin-yee, Miriam

Reply:

The Cross-boundary Travel Survey 2011 aims to collect data on the characteristics of cross-boundary trips (such as origins, destinations and purposes) and the socio-economic characteristics of the trip makers. Results of the Survey will serve as reference materials for various planning studies, especially those with a cross-boundary dimension.

The fieldwork of the Survey was carried out in October/November 2011. The collected data are being processed and the results will be released for public information in September 2012.

The estimated total cost of the Cross-boundary Travel Survey 2011 is \$4.15 million, comprising \$2.16 million to be spent in 2012-13. The management of the Survey is undertaken by the existing staff.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)204

Question Serial No.

1264

Head: 118 Planning Department

Subhead (No. & title):

Programme: (3) Town Planning Information Services

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

Provision for 2012–13 is \$8.1 million (49.1%) higher than the revised estimate for 2011–12. This is mainly due to the additional provision for operating the permanent Hong Kong Planning and Infrastructure Exhibition Gallery. Please give a breakdown of the additional provision. What is the number of attendance since the temporary Hong Kong Planning and Infrastructure Exhibition Gallery was relocated to the Murray Road Multi-storey Car Park Building in Central in 2009?

Asked by: Hon. LAU Kin-yee, Miriam

Reply:

Of the increase in provision (\$8.1 million) for 2012-13 for Programme (3), about \$7.1 million is required to cover the increase in estimated expenditure of the full-fledged permanent Hong Kong Planning and Infrastructure Exhibition Gallery at the City Hall Annex Building, rising from \$2 million in 2011-12 to \$9.1 million in 2012-13. The provision of \$9.1 million to operate the permanent Gallery includes the provision cost of management and supporting services (\$4.3 million), maintenance cost of hardware and software (\$1.3 million) as well as its running cost (\$3.5 million).

The numbers of visitors to the Interim Gallery at the ground floor of the Murray Road Multi-storey Car Park Building from 2009 to 2011 are as below:

Year	Number of Visitors
June – Dec 2009	27 400*
2010	57 224
2011	57 910

* The Interim Gallery was opened in June 2009.

Signature

Name in block letters

Jimmy C. F. LEUNG

Post Title

Director of Planning

Date

27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)205

Question Serial No.

1977

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

Under the 2012-13 Budget, the provision for district planning is only \$19.1 million (6.2%) higher than the revised estimate for 2011-12. This is mainly due to the increase in salary provision arising from the net increase of 12 new posts. It is reported that the present progress in formulating statutory plans for “enclaves” is slow, would the Administration advise us on the current plan-making progress? How many plans have been formulated so far? How will the process be expedited?

Asked by: Hon. LAU Sau-shing, Patrick

Reply:

There are currently 77 country park enclaves, of which 23 have already been covered by Outline Zoning Plans (OZPs) under the Town Planning Ordinance (TPO) (Cap. 131). The Government is committed to incorporating the remaining 54 enclaves (about 1 355 ha) into Country Parks or Development Permission Area (DPA) plans. The Planning Department (PlanD) will prepare DPA plans for about half of the remaining 54 enclaves.

So far, 12 DPA plans covering 17 enclaves have been prepared. Another ten DPA plans are at various stages of preparation. Under the TPO, DPA plans are effective for three years save for those which the Chief Executive in Council has extended for one additional year. Detailed land uses will be worked out in the meantime for inclusion in the OZP which we plan to prepare by 2016-17.

In 2011-12, \$3.955 million was allocated for PlanD to create ten posts for five years for preparing statutory town plans for such purpose. The net increase of 12 new posts in 2012-13 is not related to this task.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)206

Question Serial No.

2226

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

In 2011, the Planning Department prepared nine development permission area (DPA) plans for rural areas previously not covered by any statutory plans. How many more need to be prepared? Of them, how many are to be completed in 2012-13? With the existing manpower, how many years will it take to complete all the DPA plans? In 2012-13, will there be any increase in manpower and resources to proceed with this task? How many recognised villages are there in rural areas not yet covered by any statutory plans?

Asked by: Hon. LEE Wing-tat

Reply:

The Planning Department (PlanD) has been preparing Development Permission Area (DPA) plans to bring about half of the remaining 54 country park enclaves including recognised villages within the designated DPA under statutory planning control. There are 48 recognised villages in these country park enclaves.

So far, 17 enclaves have been covered by 12 DPA plans published since August 2010 and another ten DPA plans are at various stages of preparation. Under the provision of the Town Planning Ordinance (Cap. 131), DPA plans are effective for three years save for those which the Chief Executive in Council has extended for one additional year. It is our plan to prepare Outline Zoning Plans to replace the DPA plans concerned by 2016-17.

In 2011-12, \$3.955 million was allocated for PlanD to create ten posts for five years for preparing statutory town plans for such purpose. There is no further increase in manpower and resources for this task in 2012-13.

There are 37 recognised villages in other rural areas that are not yet covered by statutory plans. PlanD will take steps to prepare plans for these areas having regard to priorities, development pressure and resources of the Department.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)207

Question Serial No.

2227

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

One of the Matters Requiring Special Attention of the Planning Department in 2012-13 is to prepare development permission area (DPA) plans for those country park enclaves considered suitable for determining their proper uses through statutory planning. How many country parks and country park enclaves will be covered and what is the land area involved? How many DPA plans need to be prepared? Of them, how many have already been completed and how many are to be prepared in 2012-13? With the existing manpower, how many years will it take to complete all the DPA plans? In 2012-13, will there be any increase in manpower and resources to proceed with this task?

Asked by: Hon. LEE Wing-tat

Reply:

There are currently 77 country park enclaves, of which 23 have already been covered by Outline Zoning Plans (OZPs) under the Town Planning Ordinance (Cap. 131) (TPO). The Government is committed to incorporating the remaining 54 enclaves (about 1 355 ha) into Country Parks or Development Permission Area (DPA) plans. The Planning Department (PlanD) will prepare DPA plans for about half of these 54 enclaves.

So far, 12 DPA plans covering 17 enclaves (about 540 ha) have been prepared. Another ten DPA plans are at various stages of preparation. Under the provision of the TPO, DPA plans are effective for three years save for those which the Chief Executive in Council has extended for one additional year. It is our plan to prepare an OZP to replace the DPA plans concerned by 2016-17.

In 2011-12, \$3.955 million was allocated for PlanD to create ten posts for five years for preparing statutory town plans for such purpose. There is no further increase in manpower and resources for this task in 2012-13.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 29.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)208

Question Serial No.

2228

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

Under Matters Requiring Special Attention in 2012-13, the Planning Department will, among other things, take enforcement action against unauthorised developments in the rural New Territories. What are the manpower and resources allocated for this task? Whether the manpower and resources concerned are expected to increase in 2012-13? To combat the spread of "destroy first and build later" cases, has the administration examined means of handling those unauthorised developments prior to their obtaining planning permission from the Town Planning Board?

Asked by: Hon. LEE Wing-tat

Reply:

Planning enforcement against unauthorised developments (UDs) in the rural New Territories are undertaken by 63 staff of the Department. As the work is undertaken as part of the normal duties of the staff, we are unable to provide a breakdown on the expenditure or resources solely for this area of work. There is no increase in the manpower and resources for planning enforcement in 2012-13.

In June 2011, the Town Planning Board considered the "destroy first, build later" approach taken by some applicants and decided to adopt measures to deter such activities. The Board will defer decision on an application in order to investigate a case of UD where there is prima facie evidence to suggest that the UD on the application site is of such a nature that will constitute an abuse of the application process, so as to determine whether the application may be rejected for such reason. If the application site is subject to enforcement action and a reinstatement notice has been served, the Board will take into account the expected state of the site in compliance with the reinstatement notice in considering whether there are sufficient merits or planning gains to justify the application.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)209

Question Serial No.

2229

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

In 2010 and 2011, the actual numbers of warning letters/compliance reminders and enforcement/stop/reinstatement notices issued were 5 995 and 5 947 respectively. Please provide a breakdown of these four items and the types of unauthorised developments involved. In 2010 and 2011, the actual numbers of unauthorised developments discontinued/regularised were 311 and 280 respectively. Please provide a breakdown and the types of unauthorised developments involved.

Asked by: Hon. LEE Wing-tat

Reply:

The breakdown of the number of warning letters/compliance reminders, enforcement notices, stop notices and reinstatement notices served in 2010 and 2011 is as follows:

Year	Warning Letters/Compliance Reminders	Enforcement Notices	Stop Notices	Reinstatement Notices	Total
2010	3 625	2 071	-	299	5 995
2011	3 580	1 997	13	357	5 947

The types of unauthorised developments related to the warning letters/compliance reminders, enforcement notices, stop notices and reinstatement notices served in 2010 and 2011 are as follows:

Year	No. of Warning Letters/Compliance Reminders, Enforcement Notices, Stop Notices and Reinstatement Notices for Unauthorised Development Cases by Type of Uses						
	Storage	Filling of Pond/Land	Container-related uses	Vehicle Park	Workshop	Others	Total
2010	2 605	896	744	595	319	836	5 995
2011	2 047	1 770	438	514	369	809	5 947

The numbers of unauthorised developments discontinued or regularised in 2010 and 2011 are as follows:

Year	No. of Discontinued Cases	No. of Regularised Cases	Total
2010	236	75	311
2011	200	80	280

The types of unauthorised developments discontinued or regularised in 2010 and 2011 are as follows:

Year	No. of Unauthorised Developments Discontinued or Regularised by Type of Uses						
	Storage	Filling of Pond/Land	Container-related uses	Vehicle Park	Workshop	Others	Total
2010	144	44	19	41	15	48	311
2011	115	55	17	34	27	32	280

Signature _____

Name in block letters Jimmy C. F. LEUNG

Post Title Director of Planning

Date 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)210

Question Serial No.

2585

Head: 118 Planning Department

Subhead (No. & title):

Programme: (1) Territorial Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

In Matters Requiring Special Attention in 2012-13, the Planning Department will “continue with research on development issues with a cross-boundary dimension”.

Please list the research on development issues with a cross-boundary dimension to be conducted in 2012-13, the responsible units and the provision involved.

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

The requested information on the studies/surveys with a cross-boundary dimension to be conducted by the Planning Department in 2012-13 are set out below:

Study/Survey	Responsible Unit	Estimated cost
Cross-boundary Travel Survey 2011	Planning Department	The estimated total cost is \$4.15 million, comprising \$2.16 million to be spent in 2012-13.
Planning and Engineering Study on Development of Lok Ma Chau Loop – Investigation	The Study is jointly carried out by the Civil Engineering and Development Department and the Planning Department of HKSAR and the relevant Shenzhen authority	The cost borne by HK is \$33.7 million, comprising an estimated expenditure of \$9.37 million for 2012-13.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)211

Question Serial No.

2587

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

It is mentioned in paragraph 68 of the Budget Speech that “from our rough estimates, the land use studies and reviews being conducted by the Planning Department cover 2 500 hectares of land.”

Please list in details all land use studies covering these 2 500 hectares of land, the commencement and completion dates, and the cost involved.

Asked by: Hon. LEONG Kah-kit, Alan

Reply:

The details including the programme and estimated expenditure of the Planning Department's land use studies and reviews are as follows:

Land Use Studies / Reviews		Land involved (approximate) (ha)	Responsible Departments	Study Programme	Estimated Expenditure (\$M)
1.	North East New Territories (NENT) New Development Areas (NDAs)	805	PlanD CEDD	Commenced in June 2008 for completion in 2013	54.2 (Approved project estimate) (APE)
2.	Hung Shui Kiu NDA	790	PlanD CEDD	Commenced in Aug 2011 for completion in 2014	70.4 (APE)

Land Use Studies / Reviews		Land involved (approximate) (ha)	Responsible Departments	Study Programme	Estimated Expenditure (\$M)
3.	Tung Chung Remaining Area	246	PlanD CEDD	Commenced in Jan 2012 for completion in 2014	44 (APE)
4.	West Rail Kam Sheung Road Station and Pat Heung Maintenance Depot sites and adjoining areas	137.7	PlanD In-house	Commenced in 2011 for completion in 2012	N.A.
5.	Rural workshop and temporary storage areas and abandoned agricultural land in North District and Yuen Long	275	PlanD CEDD	To commence in end 2012 for completion in 2014 or 2015	71.84
6.	Industrial land	60	PlanD In-house	Commenced in 2008 and completed in 2010 (Rezoning of sites in progress)	N.A.
7.	Green Belt areas which are devegetated, deserted or formed	50	PlanD In-house	Commenced in July 2011. Phase 1 for completion in March 2012. Phase 2 for completion in late 2012	N.A.
8.	Government, Institution or Community sites	15.5	PlanD In-house	Commenced in Sept 2011 for completion in 2012	N.A.

Land Use Studies / Reviews		Land involved (approximate) (ha)	Responsible Departments	Study Programme	Estimated Expenditure (\$M)
9.	Anderson Road Quarry	86	PlanD	Commenced in Jan 2011 for completion in 2012	9.6
10.	Ex-Lamma Quarry	34	PlanD CEDD	Commenced in Jan 2012 for completion in 2014	19.5
11.	Ex-Cha Kwo Ling Kaolin Mine	18	PlanD	Commenced in July 2011 for completion in 2012	1.43
12.	Lam Tei Quarry	30	PlanD CEDD	To commence in 2014	Not yet available
Total		2 547.2			

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 28.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)212

Question Serial No.

0390

Head: 118 Planning Department

Subhead (No. & title):

Programme:

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

The Planning Department has stated that the number of non-directorate posts will be increased by 14 to 778 posts as at 31 March 2013. Please inform this Committee of the nature of work, ranks and salaries of these new posts.

Asked by: Hon. SHEK Lai-him, Abraham

Reply:

The 14 posts are –

No. of Posts	Rank	Salary range	Nature of Work
3	Senior Town Planner	\$82,975 - \$95,595	To provide professional and technical support to the Housing and Office Land Supply Section to be established in April 2012. The section is responsible for undertaking tasks related to increasing land resources for housing and office use, including undertaking land use zoning review and planning and engineering studies for potential sites, monitoring timely delivery of sites, carrying out statutory planning work, etc.
6	Town Planner	\$47,135 - \$80,080	
2	Survey Officer (Planning)	\$15,900 - \$31,210	
2	Technical Officer (Cartographic)	\$15,900 - \$31,210	

No. of Posts	Rank	Salary range	Nature of Work
1	Assistant Information Officer	\$21,175 - \$39,220	To strengthen media relations support for the Planning Department and the Town Planning Board, including logistics support for media briefings, news conferences and interviews, liaison with the media, etc.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)213

Question Serial No.

0398

Head: 118 Planning Department

Subhead (No. & title):

Programme: (3) Town Planning Information Services

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

The Administration has indicated that provision for 2012-13 is \$8.1 million (49.1%) higher than the revised estimate for 2011-12 due to the additional provision for operating the permanent Hong Kong Planning and Infrastructure Exhibition Gallery and increase in operating expenses. Please provide the scale, target and the details of services that would be provided by this Gallery. What kind of measures have the Administration adopted in promoting the usage of this Gallery? Does the Gallery collaborate with the Education Bureau as well as cooperate with local schools, offering school tours as an option to enhance students' liberal studies?

Asked by: Hon. SHEK Lai-him, Abraham

Reply:

The Hong Kong Planning and Infrastructure Exhibition Gallery (the Gallery) occupies all five floors of the City Hall Annex Building. It has a total floor area of about 3 265m² which is considerably larger than that of the Interim Gallery of about 460m². The Gallery will commence operation in the latter half of 2012 upon completion of the conversion work.

The Gallery will showcase Hong Kong's major planning proposals and infrastructure projects. It will also provide a multi-purpose hall for the Government to hold exhibitions, meetings and public engagement forums on planning and infrastructure development projects as well as a resource centre to disseminate information on planning and infrastructure.

The Gallery will be open to the public daily round the year (except non-public holidays Tuesdays and the first two days of the Chinese New Year). In addition to showing the exhibits, the Gallery will provide guided tours on a regular basis for both local and overseas visitors. Regular events such as workshops and quiz competitions will be organised to publicise the Gallery.

To promote the usage of the Gallery, we will disseminate information on services and events of the Gallery through a dedicated website. To commemorate the opening of the Gallery, a comprehensive promotional programme will be launched, which will include drawing competition, crossover with local artist(s), guided tours, media interviews/features, online promotions and an opening ceremony.

The Planning Department, with the assistance of the Education Bureau, has been implementing a school outreach programme annually since 1996-97. School tours to the Gallery will be offered to enhance students' liberal studies.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 27.2.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)214

Question Serial No.

1988

Head: 703 - Buildings

Subhead (No. & title):
3055RE A permanent planning and
infrastructure exhibition gallery at City
Hall Annex

Programme:

Controlling Officer: Director of Architectural Services

Director of Bureau: Secretary for Development

Question :

- (a) According to the Administration, the approved project estimate for the permanent planning and infrastructure exhibition gallery at City Hall Annex is \$253.7 million and the actual expenditure as at 31 March 2011 is \$78.24 million. Yet the estimated expenditure for 2012-13 is only \$30 million. What is the timetable for drawing down the remaining provision of \$65 million or so? How can the works be expedited to offer public access to the exhibition that would facilitate public understanding of the planning development in Hong Kong?
- (b) Please set out in detail the distribution of resources allocated for various facilities currently planned for installation at the exhibition gallery.

Asked by : Hon. LAU Sau-shing, Patrick

Reply :

- (a) The works for the Permanent Planning and Infrastructure Exhibition Gallery at City Hall Annex (the Project) commenced in July 2008 and are scheduled to complete in June 2012. The approved project estimate is \$253.7 million. The actual expenditure as at 31 March 2011 is \$78.24 million, and the revised estimate for 2011-12 is \$80 million. The estimated expenditure of \$30 million for 2012-13 is mainly for the exhibition works and finishing works. The remaining estimated expenditure will be incurred in 2013-14 and beyond for the procurement of furniture and equipment and settlement of final account. We will closely monitor the project progress and ensure that the works will be completed on time.

- (b) The Project includes refurbishment of the City Hall Annex and upgrading of the existing gallery to provide a main foyer, a multi-purpose hall, meeting rooms, exhibition areas, a resource centre and other supporting facilities. In addition, a temporary gallery has been provided to maintain continuous service to the public when the gallery was closed for upgrading works. Under the relevant contract, the overall expenditure is broken down by types of works (e.g. piling, building services, building works). As such, breakdown by facilities is not available.

Signature _____

Name in block letters _____ K K LEUNG

Post Title _____ Director of Architectural Services

Date _____ 27 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)215

Question Serial No.

1997

Head: 707 - New Towns and Urban Area Development
Hong Kong Island and Islands Development—Infrastructure—
Civil Engineering—Land development

Subhead (No. & title):
7677CL - Wan Chai development phase 2, engineering works

Programme:

Controlling Officer: Director of Civil Engineering and Development

Director of Bureau: Secretary for Development

Question:

- (a) The Administration stated that the approved project estimate of “Wan Chai development phase 2, engineering works” is \$4,642.7 million, whereas the actual expenditure is only \$709.831 million up to 31 March 2011 and the estimated expenditure for 2012-13 is only \$480 million. What is the time table for using the remaining \$3,452.8 million? How can the progress of works be expedited for the early construction of a quality waterfront?
- (b) Please specify the particulars of the detailed allocation of the resources involved in various facilities included in the works.

Asked by: Hon. LAU Sau-shing, Patrick

Reply:

The construction of the project commenced in December 2009 and is scheduled to complete in 2017. We expect to spend \$654 million in 2011-12 and another \$480 million in 2012-13. Whilst the works concerned are very complicated, involving substantial reprovisioning of existing facilities on the waterfront, the current progress of construction is considered satisfactory. According to the current programme, the remaining expenditure will be incurred from 2013-14 to 2018-19.

As there are a substantial number of facilities involved in the project and the sequencing of works is complicated, it is not practicable to provide a detailed list of resources involved. The estimated costs of some major works items were provided in PWSC Paper No. PWSC(2009-10)53 when funding for the project was secured.

Signature

Name in block letters

C K HON

Post Title

Director of Civil Engineering and Development

Date

28 February 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)216

Question Serial No.

3498

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Since the implementation of the pilot mediation scheme for compulsory sale for redevelopment, how many mediation cases have been received and how many of them have been successfully mediated? How much resources will the Government allocate to continue to implement the scheme in the coming year? And when will the Government review the effectiveness of the scheme? What are the details?

Asked by: Hon. CHAN Tanya

Reply:

Over the 12-month period since the launch of the Pilot Mediation Scheme for compulsory sale for redevelopment on 27 January 2011, the scheme received 31 requests for mediation. Among the 31 cases, mediation was successfully conducted in two and the parties involved had entered into settlement agreement. The parties involved in another 15 cases had approached the service provider for an introduction to the scheme and they had subsequently resolved their differences themselves afterwards.

For 2012-13, we have budgeted \$1.13 million for the Pilot Mediation Scheme and have set aside \$0.5 million to support eligible elderly minority owners who apply for assistance for payment of the mediator fees.

Given the relatively short time over which mediation has been adopted as an alternative mechanism to settle disputes in compulsory sale cases, we have decided to extend the scheme for another year to provide the necessary support to minority owners. We will continue to monitor the implementation of the scheme and will review its progress by the end of its second year of operation.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 13 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)217

Question Serial No.

3499

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

What are the specific details of and the timetable for the review on the New Territories Small House Policy?

Asked by: Hon. CHAN Tanya

Reply:

The existing Small House Policy has been in operation for a long period of time. Any major change would entail complex legal, land use and planning issues that require careful examination. Due to the complexity of the issues involved, we are unable to give a definite timetable for completing the review.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 13 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)218

Question Serial No.

3352

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Please advise on the number of households living in sub-divided flats at present, the distribution of such flats by district, the average household incomes and the average rents of such flats.

Asked by: Hon. CHEUNG Kwok-che

Reply:

We do not have information on the number of sub-divided flats in Hong Kong or the other requested information concerning those residing in such flats.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 13 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)219

Question Serial No.

3353

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

Will the Government explore the possibility of conversion of industrial buildings for public housing development to cope with the heavy demand for public housing?

Asked by: Hon. CHEUNG Kwok-che

Reply:

Only buildings located on sites which zoning permits residential use can be used for residential purpose. Therefore, only industrial buildings located on sites which zoning permits residential use can be considered for conversion to residential use. Land use zoning aside, one should note that residential buildings are subject to more stringent requirements under the statutory building control regime in terms of, for example, plot ratio and site coverage. Therefore, whether it is technically and financially feasible to convert an industrial building on residential zoning for private or public housing purpose has to be considered on a case by case basis. By way of illustration, in order to comply with the statutory requirements in terms of plot ratio and site coverage, parts of the industrial building might have to be demolished in converting it for residential use, and that may render the conversion option unviable in terms of technical and financial considerations. Therefore, in some if not most cases, redevelopment would be a more viable option than conversion.

Signature

Name in block letters

Thomas Chow

Post Title

Permanent Secretary for Development
(Planning and Lands)

Date

13 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)220

Question Serial No.

3379

Head: 138 Government Secretariat: Subhead (No. & title):
Development Bureau 000 Operational expenses
(Planning and Lands Branch)

Programme: (2) Buildings, Lands and Planning

Controlling Officer: Permanent Secretary for Development
(Planning and Lands)

Director of Bureau: Secretary for Development

Question:

- (a) Please advise on the number of the tenants or owners affected by the redevelopment projects of the Urban Renewal Authority who applied for rehousing in public rental housing (PRH) and interim housing units in the past five years.
- (b) Will priority be given in the allocation of PRH and interim housing units to the tenants or owners affected by the redevelopment projects who have been registered at the time of the freezing survey and who have lost their homes? If yes, what are the details? If not, what are the reasons?
- (c) Will the Administration consider assisting the tenants or owners affected by the redevelopment projects who have been registered at the time of the freezing survey by extending the rehousing arrangement? If yes, what are the details? If not, what are the reasons?

Asked by: Hon. CHEUNG Kwok-che

Reply:

(a) The information requested is set out below -

Financial Year	Number of Residents Rehoused to Public Rental Housing (PRH) Units ¹	Number of Residents Rehoused to Interim Housing Units ²	Total
2007-2008	76	0	76
2008-2009	81	0	81
2009-2010	133	0	133
2010-2011	260	1	261
2011-2012	153	3	156
Total	703	4	707

Note: 1 The PRH units are provided by the Hong Kong Housing Authority (HKHA) and the Hong Kong Housing Society (HKHS)

2 The interim housing units are provided by the HKHA

(b) According to the established policy of the Urban Renewal Authority (URA), domestic owners and tenants affected by its projects are eligible for compensation/rehousing.

For eligible domestic tenants affected by the URA projects who are registered at the URA freezing surveys, they will be offered PRH units provided by the HKHA or the HKHS. The prevailing eligibility criteria for PRH of the HKHA and the HKHS will apply. The URA will reserve sufficient numbers of PRH units with the HKHA and the HKHS mainly in the urban areas for rehousing the affected domestic tenants.

Households who do not meet the prevailing PRH eligibility criteria may be re-housed on compassionate grounds if they will otherwise face genuine hardship arising from factors such as ill health, disability or special family circumstances.

For eligible domestic owner-occupiers affected by the URA projects, while they will not be offered PRH, they will receive compensation and ex-gratia payments which broadly follow the Government's package as approved by the Legislative Council. The offer comprises the market value of the property of the owner plus a Home Purchase Allowance (HPA). The HPA is the difference between the market value of the property being acquired and the value of a notional 7-year old replacement flat of a similar size and in a similar locality to the property being acquired. After the promulgation of the new Urban Renewal Strategy on 24 February 2011, eligible domestic owner-occupiers affected by the URA's redevelopment projects that commenced thereafter can join the "Flat-for-Flat" (FFF) Scheme and opt for a flat in the in-situ redevelopment or in the Kai Tak FFF Development.

- (c) The URA has all along been rehousing affected domestic tenants to PRH units in the same district. Should this prove infeasible in some cases, the URA will ask the affected domestic tenants to opt for PRH units in nearby districts.

Signature _____

Name in block letters _____ Thomas Chow

Post Title _____ Permanent Secretary for Development
(Planning and Lands)

Date _____ 13 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)221

Question Serial No.

3486

Head: 42 Electrical and Mechanical Subhead (No. & title):
Services Department

Programme: (2) Mechanical Installations Safety

Controlling Officer: Director of Electrical and Mechanical Services

Director of Bureau: Secretary for Development

Question:

- (a) How many incidents relating to the mechanical installations of Ngong Ping 360 have been reported to the Government since the opening of Ngong Ping 360? Please provide the monthly incident data and details. Among these incidents, how many were considered by the Department as serious incidents? What are the number of service interruptions at Ngong Ping 360 last year? Please provide the dates and reasons of every service interruption in the past.
- (b) What is the existing reporting mechanism for the incidents involving mechanical installation of Ngong Ping 360? Does the Government have any plan to review the mechanism and enhance public announcement of incident details in order to improve transparency? If yes, please provide the details such as the work schedule. If no, please explain the reasons.
- (c) In view of the rising trend of the number of incidents at Ngong Ping 360, would the Department provide additional resources and increase the number of inspections for the system? If yes, what are the details? If not, what are the reasons?

Asked by: Hon. CHAN Tanya

Reply:

- (a) Since Ngong Ping 360 commenced service in September 2006, the Electrical and Mechanical Services Department (EMSD) has received 23 reports of incidents, 16 of which were related to mechanical problems in Ngong Ping 360. One of these 23 incidents, in which a cabin plunged to the ground on 11 June 2007 due to negligence during annual examination, was considered as an incident related to the safety of Ngong Ping 360. For the others, they were service interruptions caused by

equipment failure, functioning of fault alarm or operation problems. In 2011, four service interruptions of Ngong Ping 360 were reported. The reported incidents/service interruptions of Ngong Ping 360 up to 31 January 2012 are tabulated below.

Date	Incidents/Service interruptions reported
2006	
30 September	An incorrect plug was used at Tung Chung Terminal, leading to improper functioning of the system.
8 October#	Inadequate clearance between the hauling rope and the shaft of the rope catcher at the tower, ground fault alarm activated.
15 October	Delay in pre-operational arrangement.
15 October	Inadequate cabin separation at Nei Lak Shan Angle Station.
27 October#	Fault occurred at a conveyor inside the Cabin Storage Area.
2007	
1 January#	A friction tire in Ngong Ping Terminal deflated.
3 January#	Fault occurred at a speed encoder in Airport Island Angle Station.
17 January	Not taking required procedures corresponding to humid weather.
9 April#	Insufficient tension in a friction belt in Airport Island Angle Station.
11 May#	Fault occurred at a damping roller in Tung Chung Terminal during operation.
11 June	During the annual examination, a cabin plunged to the ground due to negligence in the process.
2008	
19 March#	One of the friction belts in Ngong Ping Terminal dislodged.
29 March#	One of the friction belts in Ngong Ping Terminal dislodged.
11 April#	One of the friction belts in Nei Lak Shan Angle Station dislodged.
15 May#	Fault occurred at a speed encoder assembly in Nei Lak Shan Angle Station.
26 June#	Fault occurred at an electronic measurement device assembly in Nei Lak Shan Angle Station.
2009	
12 May	Ropes were overlapped, causing delay in the pre-operation preparation work.
9 October#	Repaired an overheated pulley assembly at Airport Island Angle Station.
2011	
2 January	Delay in the pre-operational works, adjustment of the transmission belt tension required at the Ngong Ping Terminal.
8 December#	Partial wear on the haul rope sheave lining in the Ngong Ping Terminal.
18 December#	Fault occurred at a roller bearing of the cabin transportation system in Tung Chung Terminal.
22 December#	Fault occurred at the cabin spacer of the Ngong Ping Terminal.

2012	
25 January#	Noise originated from the bearing of a haul rope sheave at the Airport Island Angle Station, requiring a detailed checking and repair.

denotes service interruptions related to mechanical problems.

(b) Before Ngong Ping 360 commenced service in September 2006, EMSD had established with the Ngong Ping 360 Limited (the Company) a reporting mechanism to monitor the operation and maintenance of the ropeway. Accordingly, the Company is required to inform EMSD verbally of the following incidents within 30 minutes of occurrence, followed by written report within 24 hours :

- (i) Death or injury within the ropeway area;
- (ii) Failure of major components;
- (iii) Fire or landslide; and
- (iv) Any prolonged stoppage for more than 30 minutes.

According to the current notification mechanism, the Company will inform the public through electronic media if its cable car service is expected to be delayed or suspended for 30 minutes or more.

In the light of the incident that occurred on 25 January 2012, relevant government departments have been supervising and assisting the Company in conducting a comprehensive review on its contingency measures, communication mechanism, rescue plan and transportation arrangements. Such work is targeted for completion before the resumption of operation of the ropeway.

(c) Taking into account the recent incidents occurred at Ngong Ping 360, EMSD will review the findings of the latest investigation upon its completion and will enhance monitoring actions where necessary through redeployment of available resources.

Signature _____

Name in block letters _____ CHAN Fan

Post Title _____ Director of Electrical and Mechanical Services

Date _____ 12 March 2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)222

Question Serial No.

3488

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

Please provide the names of all country park “enclaves” not regulated by any statutory plans. When does the Department expect to complete the preparation of development permission area (DPA) plans for all “enclaves”? Please provide the details of the work involved, including the work schedule. Will the Government allocate additional resources to expedite the work progress?

Asked by: Hon. CHAN Tanya

Reply:

The Government is committed to incorporating the remaining 54 enclaves into Country Parks or Development Permission Area (DPA) plans. The Planning Department (PlanD) has been preparing DPA plans for about half of these enclaves. So far, 17 enclaves have been included in 12 DPA plans. The remaining enclaves yet to be covered by statutory town plans are listed at Annex.

Another ten DPA plans are at various stages of preparation, including background study and existing land use survey. Under the provision of the Town Planning Ordinance (Cap. 131), DPA plans are effective for three years save for those which the Chief Executive in Council has extended for one additional year. It is our plan to prepare Outline Zoning Plans to replace the DPA plans concerned by 2016-17.

In 2011-12, \$3.955 million was allocated for PlanD to create ten posts for five years for preparing statutory town plans for the purpose. No additional government resources have been allocated in 2012-13 for the work concerned.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 12.3.2012

Remaining Enclaves to be covered by DPA Plans

<u>Nos.</u>	<u>Name of Enclave(s)</u>
1	Kuk Po San Uk Ha, Kuk Po Lo Wai, Yi To, Sam To, Sze To and Ng To 谷埔新屋下，谷埔老圍，二肚，三肚，四肚，五肚
2	Fung Hang 鳳坑
3	Yung Shue Au 榕樹凹
4	Chau Mei, Tai Tong, Chau Tau and Sha Tau 洲尾，大塘，洲頭，沙頭
5	Chek Keng 赤徑
6	Tai Tan, Uk Tau, Ko Tong, Ko Tong Ha Yeung 大灘，屋頭，高塘，高塘下洋
7	Pak Sha O, Pak Sha O Ha Yeung 白沙澳，白沙澳下洋
8	Yung Shue O 榕樹澳
9	Cheung Sheung 嶂上
10	Tai Ho 大蠔
11	Yi O 二澳
12	Site near Ngau Wu Tok 位於牛湖托附近
13	Site near Tai Po Mei 位於大埔尾附近

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)223

Question Serial No.

3491

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

How many hectares of land has the Government reserved for village house development in the New Territories? How does the Government determine the area of the land that should be reserved for such purpose?

Asked by: Hon. CHAN Tanya

Reply:

There are about 3 147 hectares of land zoned "Village Type Development" ("V") on statutory town plans for the rural areas in the New Territories. The planning intention of the "V" zone is to reserve land for village house development. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for development in a more orderly manner, efficient use of land and provision of infrastructures and services.

The boundaries of "V" zone are mostly drawn up having regard to the 'village environs', Small House demand for the next ten years, local topography and site characteristics. Areas of difficult terrain, dense vegetation, burial grounds, areas of ecological significance and stream courses are excluded where possible.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 12.3.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head: 118 Planning Department

Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

Will the Government review the relationship between the Planning Department and the Town Planning Board in order to minimise the role conflict between them? Please provide the details. Also, will the Government consider reserving resources for the Town Planning Board for an independent secretariat support?

Asked by: Hon. CHAN Tanya

Reply:

The Town Planning Board (the Board) is an independent statutory body. Its members are appointed in their personal capacity and on the basis of their expertise, experience, integrity, commitment to serving the public and relevance of their background to town planning. The current membership comprises a wide spectrum of professions and community interests. The functions of the Board are plan-making and consideration of planning applications which require professional and technical support in assessing planning, socio-economic and technical issues. The Planning Department (PlanD) is responsible for providing professional and technical support to the Board, and it is the Board that decides on the draft plans and planning applications submitted before it. We do not consider that there is conflict of role between the Board and the secretariat services that PlanD provides to the Board. We have no plan to set up an independent secretariat for the Board.

Signature _____

Name in block letters _____ Jimmy C. F. LEUNG

Post Title _____ Director of Planning

Date _____ 12.3.2012

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head: 701 Land Acquisition

Subhead (No. & title):

Programme:

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

Over the past three years, how many claims for “Tun Fu” payments has the Government processed? What amounts of “Tun Fu” payments have been approved? Are there any specific measures in place to examine the effectiveness in regard to the approval of “Tun Fu” payments?

Asked by: Hon. CHAN Tanya

Reply:

For the period from January 2009 to December 2011, a total of 43 claims for “Tun Fu” ex-gratia allowance, amounting to about \$4.4 million, were approved. After the completion of the Tun Fu ceremonies, the claimants will be required to submit accounts of expenditure which should match with the itemised costs approved in their earlier claims.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 12 March 2012