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Director of Bureau : Secretary for Development

Session No. : 10

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**Replies to written supplementary and oral questions raised by
Finance Committee Members in examining the Estimates of Expenditure 2012-13**

Director of Bureau : Secretary for Development

Session No. : 10

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**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

S-DEVB(PL)01

Question Serial No.

S038

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 launch of the "Pilot Scheme on Outreach Support Service for Elderly Owners" to assist owners of old buildings who are affected by compulsory sale,

- (a) how many elderly owners have been provided with the service?
- (b) how many buildings and flats have been provided with the service?
- (c) how many talks, workshops and outreach programmes have been organised under the scheme? Please provide related information using the table below –

Date	Name of programme	Content	District	Number of participants

- (d) what are the estimated total expenditure and cumulative expenditure for the scheme?
- (e) what are the findings of the review of the scheme? If the review is yet to be conducted, what is the timetable for the review?

Asked by: Hon. HO Sau-lan, Cyd

Reply:

- (a) Over the 12-month period since the launch of the Pilot Scheme on Outreach Support Service for Elderly Owners (the Outreach Scheme) on 27 January 2011, the Outreach Scheme 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.
- (b) For the same period, the social workers of the outreach service made 263 building visits covering 3 853 buildings (where the social workers outreached to the old buildings to distribute information leaflets door-to-door to the elderly owners). According to the service provider of the Outreach Scheme, they have not kept record on the number of flats covered in the building visits.
- (c) For the same period, the social workers conducted 45 public talks to explain compulsory sale under the Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545) and other support service available from the Outreach Scheme, and conducted 25 road-shows to promote the Outreach Scheme in various districts. Details are as below:

(i) Public Talks:

	Date	Name of Programme	Content	District	Number of Participants (unless otherwise specified, participants are either staff of NGO or District Councillor or minority owner)
1	17/02/2011	Community Development Service Exchange Session with Non-Governmental Organisation (NGO)	Briefing on the common practice of property acquisition, the procedures of compulsory sale under the Land (Compulsory Sale for	Wan Chai	1

	Date	Name of Programme	Content	District	Number of Participants (unless otherwise specified, participants are either staff of NGO or District Councillor or minority owner)
2	16/03/2011	Social Welfare Department Central Western, Southern and Islands District Coordinating Committee Meeting	Redevelopment) Ordinance (Cap. 545) and introduction of the Pilot Scheme on	Central & Western	100
3	23/03/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance	Outreach Support Service for Elderly Owners	Kwai Tsing	68
4	25/03/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Kowloon City	23
5	02/04/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance	- ditto -	Wan Chai	30
6	07/04/2011	Community Development Service Exchange Session with NGO		Yau Tsim Mong	1
7	14/04/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Central & Western	28
8	21/04/2011	Community Development Service Exchange Session with NGO		Central & Western	18

	Date	Name of Programme	Content	District	Number of Participants (unless otherwise specified, participants are either staff of NGO or District Councillor or minority owner)
9	26/04/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance	- ditto -	Yau Tsim Mong	215
10	26/04/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Kowloon City	300
11	27/04/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Yau Tsim Mong	105
12	27/04/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Yau Tsim Mong	96
13	28/04/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Yau Tsim Mong	70
14	28/04/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Kowloon City	35

	Date	Name of Programme	Content	District	Number of Participants (unless otherwise specified, participants are either staff of NGO or District Councillor or minority owner)
15	28/04/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance	- ditto -	Central & Western	90
16	28/04/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Central & Western	30
17	29/04/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Yau Tsim Mong	76
18	11/05/2011	Educational Talk on the Pilot Mediation Scheme and the Pilot Scheme on Outreach Support Service for Elderly Owners		Eastern	100
19	13/05/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Central & Western	25
20	25/05/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Wong Tai Sin	43

	Date	Name of Programme	Content	District	Number of Participants (unless otherwise specified, participants are either staff of NGO or District Councillor or minority owner)
21	25/05/2011	Sharing Session with Staff of Geriatric Ward in a Hospital (on invitation by the hospital)	- ditto -	Yau Tsim Mong	4 (doctors and nurses in the geriatric ward)
22	02/06/2011	Meeting of the Culture, Leisure & Social Affairs Committee, Central & Western District Council		Central & Western	20
23	07/06/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Kowloon City	20
24	08/06/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Eastern	65
25	09/06/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Central & Western	100
26	13/06/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Central & Western	63
27	14/06/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Eastern	40

	Date	Name of Programme	Content	District	Number of Participants (unless otherwise specified, participants are either staff of NGO or District Councillor or minority owner)
28	20/06/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance	- ditto -	Eastern	20
29	21/06/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Central & Western	25
30	23/06/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Sha Tin	35
31	24/06/2011	Meeting of the Social Welfare Department Kwun Tong District Coordinating Committee on Elderly Services		Kwun Tong	25
32	30/06/2011	Meeting of the Social Welfare Department Eastern and Wan Chai District Coordinating Committee on Elderly Services		Eastern, Wan Chai	28
33	08/07/2011	Public Talk on the Land (Compulsory Sale for Redevelopment) Ordinance		Central & Western	140
34	26/07/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Central & Western	50

	Date	Name of Programme	Content	District	Number of Participants (unless otherwise specified, participants are either staff of NGO or District Councillor or minority owner)
35	26/08/2011	Community Development Service Exchange Session with NGO	- ditto -	Kwun Tong	13
36	01/09/2011	Educational Talk on the Pilot Mediation Scheme and the Pilot Scheme on Outreach Support Service for Elderly Owners		Kowloon City	40
37	06/09/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Kowloon City	45
38	07/09/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Yau Tsim Mong	400
39	27/09/2011	Educational Talk on the Pilot Mediation Scheme and the Pilot Scheme on Outreach Support Service for Elderly Owners		Southern	8
40	07/10/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Sham Shui Po	35
41	07/10/2011	Public Talk on the Land (Compulsory Sale for Redevelopment) Ordinance		Central & Western	167

	Date	Name of Programme	Content	District	Number of Participants (unless otherwise specified, participants are either staff of NGO or District Councillor or minority owner)
42	31/10/2011	Educational Talk on the Pilot Mediation Scheme and the Pilot Scheme on Outreach Support Service for Elderly Owners	- ditto -	Eastern	23
43	03/11/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Tsuen Wan	40
44	15/12/2011	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Yau Tsim Mong	35
45	11/01/2012	Educational Talk on Property Acquisition and the Land (Compulsory Sale for Redevelopment) Ordinance		Yau Tsim Mong	48
Total Number of Participants					2 943

(ii) Roadshows:

	Date	Name of Programme	Content	District	Number of Participants
1	15/08/2011	Roadshow	Briefing on the Pilot Scheme on Outreach Support Service for Elderly Owners	Central & Western	100

	Date	Name of Programme	Content	District	Number of Participants
2	16/08/2011	- ditto -	- ditto -	Central & Western	70
3	17/08/2011			Central & Western	200
4	18/08/2011			Central & Western	145
5	22/08/2011			Eastern	225
6	23/08/2011			Eastern	140
7	24/08/2011			Eastern	196
8	25/08/2011			Eastern	126
9	26/08/2011			Eastern	250
10	29/08/2011			Sham Shui Po	280
11	30/08/2011			Sham Shui Po	100
12	31/08/2011			Sham Shui Po	190
13	01/09/2011			Sham Shui Po	100
14	05/09/2011			Kowloon City	80
15	06/09/2011			Kowloon City	80
16	07/09/2011			Kowloon City	100
17	08/09/2011			Kowloon City	40
18	09/09/2011			Kowloon City	60
19	12/09/2011			Kowloon City	140
20	14/09/2011			Kowloon City	100
21	15/09/2011			Kowloon City	100
22	16/09/2011			Kowloon City	140

	Date	Name of Programme	Content	District	Number of Participants
23	19/09/2011	- ditto -	- ditto -	Kowloon City	140
24	21/09/2011			Kowloon City	180
25	22/09/2011			Kowloon City	150
Total Number of Participants					3 432

- (d) For 2011-12, the Government budgeted \$1.43 million for the Pilot Scheme on Outreach Support Service for Elderly Owners. The actual cumulative expenditure for the first nine months of operation of the scheme is \$0.995 million.

For 2012-13, given the volume of requests for assistance from elderly owners to the Outreach Scheme, 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.

- (e) As mentioned in the reply in part (d) above, we have decided to extend the Outreach Scheme for another year and to expand the service to provide the necessary support to the elderly 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 _____ 15 March 2012

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

S-DEVB(PL)02

Question Serial No.

S039

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 launch of the Pilot Mediation Scheme by the Development Bureau to assist owners in resolving disputes arising from compulsory sale,

- (a) how many owners have participated in the scheme? What is the number of mediation cases in which agreement has been reached?
- (b) what is the average and longest time for handling the mediation cases?
- (c) what are the average and maximum mediator fees for the mediation cases?
- (d) how many owners aged 60 or above have participated in the scheme?
 - (i) how many applications for assistance for payment of the mediator fees have been received and how many of them have been approved? What is the total amount of grants involved?
 - (ii) how many applications for assistance for payment of the mediator fees have been rejected because the applicants are over-income or over-asset?

Asked by: Hon. HO Sau-lan, Cyd

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. Of the 31 mediation cases involving 40 minority owners, 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 subsequently resolved their differences themselves. For the 14 remaining cases, in five of them, one of

the parties refused to participate in mediation and the parties in another case could not reach settlement agreement after mediation. The remaining eight cases were still under processing.

- (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.
- (c) A standard mediator fee of \$3,000 per hour is charged under the Pilot Mediation Scheme. For the two successful cases mentioned in part (a), the number of mediation hours spent in each case was 14.25 and 15, and the amount of mediator fee involved was \$42,750 and \$45,000 respectively. For mediation cases handled under the Pilot Mediation Scheme, the majority owner and the minority owner share the mediator fee on an equal basis.
- (d) According to the service provider of the Pilot Mediation Scheme, unless the elderly owners participating in the Scheme apply for Government assistance for payment of the mediator fees, the service provider does not keep record of the age profile of the participating owners.

Of the 31 mediation requests, there were two applications from elderly minority owners for support on the payment of mediator fees. One of the applications was subsequently withdrawn after the elderly applicant was made aware of the requirement to declare his assets outside Hong Kong (including assets in Mainland China) apart from his local assets. The other application is still being processed. There has been no payment incurred so far.

Signature _____

Name in block letters _____ Thomas Chow

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

Date _____ 15 March 2012

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

S-DEVB(PL)03

Question Serial No.

S020

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. According to Reply Serial No. THB(H)055, the Steering Committee on Housing Land Supply chaired by the Financial Secretary will co-ordinate the efforts of the departments concerned to ensure that issues relating to housing land will be dealt with as a matter of priority to safeguard a stable and adequate supply of land for housing development. What are the factors and criteria the Steering Committee has considered in determining the allocation of land as well as the designation of land uses? What impact do local consultation and local views have on such decisions?
- b. Over the past year, how many sites have been taken into account by the Steering Committee for housing development and how many of them have been identified for public housing, subsidised housing and private housing development in the end?

Asked by: Hon. WONG Kwok-hing

Reply:

The Steering Committee on Housing Land Supply (Steering Committee) chaired by the Financial Secretary is set up to co-ordinate the efforts of the departments concerned in ensuring a stable and adequate supply of housing land. It monitors, prioritises, co-ordinates and steers the development of the needed infrastructure in support of the timely supply of housing land, and provides a forum for resolving inter-departmental issues relating to the supply of housing land. Only those matters relating to housing land supply that require its steer will be put to the Steering Committee.

As regards which sites are to be designated for housing use, the work continues to remain with Planning Department (PlanD) which will take into account the relevant planning considerations, such as the location of the sites concerned and their surrounding environment, and the existing and planned supporting infrastructures for the areas concerned in the planning work. PlanD will consult the other relevant departments in the process. Where rezoning is required, the procedures in the Town Planning Ordinance (Cap. 131) (TPO) will be followed, and the statutory mechanisms provide opportunities for the public to express their views. PlanD will also consult the views of the respective District Councils. The views collected will be considered by the Town Planning Board as well as the Chief Executive in Council as in accordance with the TPO.

Signature _____

Name in block letters _____ Thomas Chow

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

Date _____ 15 March 2012

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

S-DEVB(PL)04

Question Serial No.

S035

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 follow up the question on waterfront promenades raised at the Legislative Council Special Finance Committee meeting, I urge the Government to take the lead in facilitating the connectivity and accessibility of government land along the harbourfront. A case in point is a wall of less than nine feet in height between the two gardens (i.e. Provident Garden and Tong Shui Road Garden) in Wharf Road, North Point managed by the Leisure and Cultural Services Department. The wall has caused the blockage. It is hoped that the Government can take the lead in devising measures to solve the problem.

Asked by: Hon. WONG Kwok-hing

Reply:

Victoria Harbour is a precious public asset of Hong Kong and a symbol of the city. The Government will continue its strive to enhance the harbourfront, and to improve its accessibility and connectivity. Subject to the actual circumstances of the harbourfront sites, the Government aims to provide a continuous harbourfront promenade along both sides of the harbour for public enjoyment.

Regarding the case in question, the boundary wall on the promenade fronting Provident Centre is located on private land. Its removal will require the consent of the lot owners. The Leisure and Cultural Services Department's attempt in the past to obtain the owners' consent to remove the wall was unsuccessful. We will continue the discussion with the owners with the objective of finding an option acceptable to the owners for removing the wall.

Signature _____

Name in block letters _____

Thomas Chow

Post Title _____

Permanent Secretary for Development
(Planning and Lands)

Date _____

15 March 2012

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

S-DEVB(PL)05

Question Serial No.

SV028

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 respect of the Buildings Department ("BD")'s reply (Reply Serial No. DEVB(PL)078) showing that 85 Dangerous Hillside Orders issued to concerned owners were outstanding for more than ten years, BD is requested to provide information on the details of these cases, including the follow-up actions taken so far, and the number of cases of which BD will consider employing contractors to undertake the works and recover the costs from the owners concerned.

Asked by: Hon. CHAN Tanya

Reply:

Among the 85 Dangerous Hillside Orders (DHOs) that have been outstanding for more than ten years, the owners of 23 of the outstanding DHOs have already appointed Authorized Persons to carry out the required slope remedial works and the works are now at various stages of progress. The Buildings Department (BD) will continue to monitor the progress to ensure that the slope remedial works are completed as soon as possible.

For 48 of the outstanding DHOs where the owners have not taken any follow-up action, the BD has employed consultants/contractors to undertake the defaulted works on behalf of the owners. The slope remedial works for these 48 cases are now in progress and the BD will recover the costs of works and the supervision charge from the owners concerned upon the completion of works. For another six outstanding DHOs, the BD will prosecute the owners and is considering to carry out the defaulted works for these cases in parallel. The BD is also finalising the details of the enforcement action for the remaining eight outstanding DHOs and may instigate prosecution against the owners and/or carry out the defaulted works and then recover the costs from the owners upon completion of the works.

In addition to taking the above enforcement action, the BD will also arrange its consultants to regularly inspect those slopes that are covered by an outstanding DHO and for which an Authorized Person has yet to be appointed. Emergency remedial works will be carried out if a slope is found to be in a condition that will pose imminent danger to life or property.

Signature _____

Name in block letters AU Choi-kai

Post Title Director of Buildings

Date 15 March 2012

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

S-DEVB(PL)06

Question Serial No.

S061

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 Reply Serial No. DEVB(PL)120 (LEE Wing-tat), it is stated that among the new posts to be created in 2012-13, 41 will be allocated for setting up a dedicated section for enhancing enforcement action against unauthorised building works (UBWs) in New Territories Exempted Houses. Will their scope of work include the UBWs in detached houses and housing estates (e.g. Palm Springs) in the New Territories? If so, has the Buildings Department (BD) distributed any information leaflets about the Reporting Scheme for UBWs to the occupants concerned? If not, what are the reasons? If members of the public find out there are UBWs in these detached houses/housing estates in the New Territories, how can they inform the BD? What criteria and procedures will the BD follow in handling these UBWs?

Asked by: Hon. LEE Wing-tat

Reply:

The dedicated section to be set up with the 41 new posts allocated to the Buildings Department (BD) in 2012-13 is to implement an enhanced enforcement strategy against unauthorised building works (UBWs) in New Territories Exempted Houses (NTEHs). NTEHs are generally referred to as "NT village houses" and include "small houses" built under the New Territories Small House Policy. These houses are designed and constructed in accordance with the exemption criteria in respect of the height and roofed-over area, etc. stipulated in the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121). They are exempted from certain provisions of the Buildings Ordinance (Cap. 123) (BO) (including the need for obtaining prior approval and consent to the commencement of works from the BD) and its subsidiary legislation and are, therefore, referred to as 'Exempted Houses'.

The enhanced enforcement strategy applies to NT village houses only, whether they are within a village cluster or are isolated. For other buildings or houses in the NT issued with occupation permits under the BO (such as those in Palm Springs, San Tin), they are outside the scope of the said enhanced enforcement strategy and the responsibility of the dedicated section. UBWs in these buildings and houses in the NT are handled by the district sections of the Existing Buildings Divisions of the BD in the same manner as buildings and houses in the urban areas in accordance with the revised enforcement policy against UBWs implemented since 1 April 2011. The revised enforcement policy has extended the scope of actionable UBWs for priority enforcement to cover all UBWs on the exterior of buildings, except minor amenity features, such as those erected on rooftops and podium roofs as well as those in yards and lanes of the buildings.

Members of the public may report UBWs to the BD through the BD hotline 2626 1616 (handled by '1823 Call Centre'); by facsimile transmission 2537 4992; by email to enquiry@bd.gov.hk, or by completing an electronic complaint online form at the BD web site www.bd.gov.hk.

Signature	_____
Name in block letters	_____ AU Choi-kai _____
Post Title	_____ Director of Buildings _____
Date	_____ 15 March 2012 _____

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

S-DEVB(PL)07

Question Serial No.

S040

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

In 2010 and 2011, 95.9 hectares (ha) and 152 ha of land were let respectively by the Lands Department through short term tenancies (by direct grant). With reference to the figures of the past three years, would the Government inform this Committee of:

- (a) the number of applications for new tenancies received each year;
- (b) the average and the longest time taken in processing these applications, from the time of receiving an application to that of executing a tenancy agreement;
- (c) the number of write-off cases during the processing of an agreement and the sum of money involved?

Asked by: Hon. HO Sau-lan, Cyd

Reply:

- (a) The numbers of successful applications for direct grant of short term tenancies (STTs) in 2009, 2010 and 2011 were 160, 148 and 68 respectively.
- (b) The processing time for these STTs varies from case to case, depending mainly on the time taken by the applicants to submit the required information, the time required by the Bureaux/Departments concerned to comment on the applications and the time needed for the settlement on the terms and conditions of the STTs between the Lands Department and the applicants. The average and the longest processing time in these three years were 12 months and 34 months respectively.
- (c) The total number of write-off cases in respect of direct grant of STTs during the past three years was ten, involving a total amount of \$522,000.

Signature _____

Name in block letters _____

Miss Annie TAM

Post Title _____

Director of Lands

Date _____

15 March 2012

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

S-DEVB(PL)08

Question Serial No.

S059

Head: 91 Lands Department

Subhead (No. & title):

Programme: (1) Land Administration

Controlling Officer: Director of Lands

Director of Bureau: Secretary for Development

Question:

As per Reply Serial No. DEVB(PL)172, about 64.2 hectares (ha) of the ex-military sites covering a total area of 139 ha handed over to the Hong Kong Government by the British Government before Reunification have been disposed of by the Government for various development purposes. The remaining sites, which account for over half of the total area or about 75 ha of land, are managed by the Lands Department and the Government Property Agency. What are the current uses of these sites? Please provide a breakdown of the current uses of these 25 sites and advise us what purposes these remaining ex-military sites may be used for. Why are they still not disposed of? Will the Government auction these sites? Is there any difference between the disposal procedure for these ex-military sites and that for other sites in general?

Asked by: Hon. LEE Wing-tat

Reply:

Regarding the 25 ex-military sites handed over to the Hong Kong Government, 64.2 hectares have been disposed of by the Lands Department (Lands D). There are eight ex-military sites still under the management of Lands D and the Government Property Agency (GPA), and their existing uses and the future planned uses are set out in the following table:

Ex-military sites	Existing use	Zoned use and current progress
1. Ex-British Military Hospital (Part), Homantin	Short term tenancy granted by Lands D for the purpose of a natural grass pitch for rugby, soccer, baseball, softball and such other sports and recreational activities as may be approved by the District Land Officer (excluding any commercial and profit making activities).	(i) Zoned “Open Space”. (ii) Pending allocation to Leisure and Cultural Services Department through a Government Land Allocation.
2. Ex-Joint Movement Unit, Kai Tak	Short term tenancy granted by Lands D for carparking purpose.	(i) Zoned “Government, Institution and Community” (GIC) and is designated for mail delivery service and general clinic use. (ii) Pending development of the Kai Tak area.
3. Ex-Perowne Barracks and Gordon Hard (Part), Tuen Mun	Managed by GPA and used for storage purpose by government departments; camp site and storage use by non-government organisations.	(i) Zoned “GIC” and “Residential (Group B)”. (ii) The site is being considered for educational use.
4. Ex-Dills Corner Camp, Kwu Tung	Managed by GPA and used as residential care home for the elderly.	(i) Not covered by any Outline Zoning Plan. (ii) The site is within the Kwu Tung North New Development Area and forms part of the North East New Territories Development Study area.
5. Ex-Lo Wu Camp (part), Lo Wu	Short term tenancy granted by Lands D for non-profit making horse riding school.	(i) Zoned “GIC”. (ii) Pending the identification of “GIC” use for the site.

Ex-military sites	Existing use	Zoned use and current progress
6. Ex-Burma Lines, Ta Kwu Ling	Managed by GPA and used by government departments for various purposes, including police officers' quarters, police field patrol detachment unit, dogs unit and diagnostic laboratory.	(i) Zoned "Comprehensive Development Area" and "GIC" and earmarked for educational use. (ii) Education Bureau has issued "Expression of Interest" to invite renowned universities to bid for the site. (iii) Planning Department is preparing the rezoning amendment to change it to GIC (2) with "educational institution" under column 2.
7. Ex-Ping Chau Training Camp, Tai Po	Site currently vacant and is managed by GPA.	Site not covered by any Outline Zoning Plan.
8. Ex-High Island Training Camp, Sai Kung	Short term tenancy granted by Lands D for an adventure training camp.	(i) Site not covered by any Outline Zoning Plan. (ii) The site falls within an area designated 'Country Park' and also within the Sai Kung East Country Park.

Signature _____

Name in block letters _____ Miss Annie TAM

Post Title _____ Director of Lands

Date _____ 15 March 2012

**CONTROLLING OFFICER'S REPLY TO
SUPPLEMENTARY QUESTION**

S-DEVB(PL)09

Question Serial No.

S060

Head: 118 Planning Department Subhead (No. & title):

Programme: (2) District Planning

Controlling Officer: Director of Planning

Director of Bureau: Secretary for Development

Question:

According to the Government's reply (Serial No.: DEVB(PL)208), the Town Planning Board considered the "destroy first, build later" approach taken by some applicants in June 2011 and decided to adopt measures to deter such activities, which include to defer decision on an application, reject an application and consider an application by taking account of the expected state of the application site in compliance with the reinstatement notice. How effective are these measures so far? How many applications of this kind have been deferred for decision or rejected? How many of them have been approved by taking account of the expected state of the application site in compliance with the reinstatement notice and what are the developments involved? What is the penalty if the approved developments have been commenced without compliance with the reinstatement notice? Will it be possible to terminate the approved developments immediately?

Asked by: Hon. LEE Wing-tat

Reply:

Since the adoption by the Town Planning Board (TPB) in June 2011 of the measures to deter planning permission applicants from using a "destroy first, build later" tactic, the TPB has considered 13 cases in which the applicants may have used the "destroy first, build later" tactic. Out of these 13 cases, the TPB has deferred decisions on three cases, at Ting Kok, Man Uk Pin and South Lantau respectively, pending the investigation of the suspected unauthorised development/site formation/clearance works on the application sites. For the case at Ting Kok, the investigation of the suspected unauthorised development on site revealed that there was neither evidence indicating that the applicant was involved in undertaking the unauthorised works nor was there prima facie evidence to suggest that the unauthorised development was of such a nature that might constitute an abuse of the planning application process. Nevertheless, the application was rejected by the TPB on 6 December 2011 after taking into account the planning assessment and the circumstances of the case. The cases at Man Uk Min and South Lantau have not yet been submitted to the TPB for consideration.

For the remaining ten cases, nine of them have been rejected by the Board after taking into account the planning assessments and the circumstances of the cases. One application for a New Territories Exempted House in the North District was approved by the Board, taking into account its special background that the lease for the site provided for building entitlement, thereby warranting sympathetic consideration by the Board.

In the Town Planning Ordinance (Cap. 131) (TPO), planning permission and planning enforcement are the responsibilities of different authorities. The Planning Authority (the Authority) may serve a Reinstatement Notice (RN) to require the notice recipient to reinstate a site subject to enforcement action. On the other hand, a planning permission is an approval given by the TPB for certain types of land use on a site, with or without conditions attached. While planning permission may be granted to a site, non-compliance with RN is subject to prosecution by the Authority under the TPO.

Signature	_____
Name in block letters	_____ Jimmy C. F. LEUNG _____
Post Title	_____ Director of Planning _____
Date	_____ 15.3.2012 _____