

**Eleventh Meeting of
the Business Facilitation Advisory Committee**

***Agenda Item 3(b): Report on the work of the
Pre-construction Task Force***

Purpose

This paper reports on the work of the Pre-construction Task Force (PCTF) since the last Business Facilitation Advisory Committee (BFAC) meeting on 31 March 2009.

Work progress of the PCTF

Processing of applications for lease modification and land exchange

2. Since 1 April 2008, the Lands Department (LandsD) has, on a pilot basis, set up a dedicated team in the District Lands Office (Hong Kong West and South) to process all applications for lease modification and land exchange in that District, with a view to speeding up the processing of such applications. Concurrently, the LandsD has also launched a trial scheme of centralisation of premium assessments from the same District in order to expedite the valuation process.

3. The number of completed cases and binding basic terms offers (BBTO) issued in the first twelve months of the pilot run has far exceeded that of the preceding year, as shown below –

	<u>1 April 2007 to 31 March 2008</u>	<u>1 April 2008 to 31 March 2009</u>	<u>% change</u>
Number of completed cases	41	87	+ 112%
Number of BBTO issued	16	25	+ 56%

4. In view of the encouraging results, the PCTF expressed its full support for the extension of the improvement measures to all districts so that the processing of development proposals in different districts could be expedited and all applicants would benefit from the streamlined procedures. The LandsD is now reviewing the effectiveness of the measures and will report its review results and way forward to the PCTF in due course.

Storey height controls on residential developments

5. The PCTF noted the Planning Department's (PlanD) latest approach to focus on overall building height and not to comment on storey height of individual floors, and the stance of the Buildings Department (BD) and LandsD that it was difficult to draw up a set of guidelines under their respective authorities. While the PCTF generally supported the PlanD's approach, some members still considered that there was a need for the BD and LandsD to make known to the trade their current approach and guidelines on storey height. As agreed, the PlanD had conveyed the PCTF's concerns to the attention of members of the relevant Working Group.

6. At the last PCTF meeting, the PlanD, as Convenor of the Working Group, reported that due to the different approaches adopted by the LandsD, PlanD and BD, a common set of guidelines would not be promulgated. They have informed PCTF that –

- (a) the BD would not accept a headroom in excess of 5m in normal circumstances as their concern on high headroom is mainly on the possibility of abuse after the issue of occupation permit. Where the headroom is in excess of the above limit, the BD would consider each case based on its individual merits and justifications;
- (b) the LandsD is acting in its landlord capacity under the private law regime in considering such approvals under land grants. As such, the LandsD considers each case on its own merits, taking into account the relevant considerations including as deemed appropriate (but not limited to) the comments made by other departments and also the practical needs of individual developments or redevelopments; and
- (c) the PlanD's priority is accorded to the review of building height restrictions on Outline Zoning Plans (OZPs). With the stipulation of maximum building height restriction on OZPs, there is already adequate control on building height. A set of guidelines on storey height is therefore not necessary for them.

7. After review, the Working Group has re-affirmed that the current mechanism for the departments concerned to comment on building plans and the scrutiny of building plan submissions by the Building Committee I and Building Committee III based on the merits and the relevant consideration on each case would continue.

8. Members of the PCTF were concerned that their recommendations were not accepted by the Administration. They considered the issue of some guidelines on storey heights for different types of development was necessary to reduce/avoid uncertainty in development. The PCTF suggested that the Working Group should work out the norm for storey height of common types of buildings (such as apartment, house and office) and issue a Practice Note for the trade's reference.

Building design to foster a quality and sustainable built environment

9. The Administration, in collaboration with the Council for Sustainable Development, launched the public engagement process on fostering a quality and sustainable built environment and issued an Invitation for Response document on 20 June 2009. The exercise aims to collect public views on building design affecting the quality and sustainability of our built environment. The PCTF will form a working group to examine the consultation document and prepare a response.

10. The Development Bureau (DEVB) briefed the PCTF about the engagement process and clarified its purpose on 16 April 2009. The DEVB also took the opportunity to introduce the establishment of the Development Opportunities Office (DOO). While the PCTF noted the setting up of the DOO might help certain types of developments, there was continued concern about the existing long approval process relating to development generally. The DEVB was requested to work out with its executive agencies to enhance a positive role to facilitate the property development sector at all levels in the departments.

Final draft of Town Planning Board (TPB) Guidelines for Submission of Visual Impact Assessment (VIA)

11. The PCTF took over the subject of VIA from the dissolved Town Planning Task Force in 2008. In February 2008, the PlanD presented the revised guidelines of VIA to the PCTF and exchanged views with its members. Based on the comments of the PCTF and other relevant stakeholders, the PlanD has finalised the draft guidelines and will soon

submit it and any further comments on the final draft to the TPB for consideration.

12. The PlanD briefed the PCTF on the draft guidelines in the last PCTF meeting. The PCTF has subsequently sent their comments to the PlanD for onward transmission to the TPB.

Way forward

13. Members are invited to note the work progress of the PCTF. The PCTF will monitor the progress of the issues.

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