

## LCQ2: Expediting planning processes

Following is a question by the Hon Lau Kwok-fan and a reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (December 2):

Question:

As pointed out in a research report published by the Legislative Council Secretariat, the development of non-spade-ready sites for residential buildings currently takes at least 10 years as lengthy planning processes are involved. Major stakeholders have repeatedly urged the Government to conduct a review and expedite the planning processes. In this connection, will the Government inform this Council:

(1) as the aforesaid research report has shown that the Town Planning Board takes a long time (in some cases as long as two decades) to make statutory plans as well as vet and approve planning applications, of the Government's measures to expedite the relevant processes, including whether it will comprehensively review the Town Planning Ordinance; if so, of the timetable; if not, the reasons for that;

(2) given that currently the relevant government departments responsible for vetting and approving development projects have different requirements in respect of some common planning and development parameters, necessitating developers to submit repetitive applications, of the progress of the Government's efforts to align the standards for, and rationalise the processes of, vetting and approval; the plans in place to completely digitalise the relevant processes and set time limits for the various departments in processing applications; and

(3) as the authorities in Singapore have put in place a "provisional permission" procedure for planning applications, so that developers may commence certain preliminary works before the issuance of "written permissions", whether the Government will introduce similar practices to expedite the development of projects?

Reply:

President,

At present, it usually takes 10 years or more to transform a piece of "primitive land" into a "spade-ready site", and from construction of housing to its completion. Among which, statutory rezoning is only one part in the entire development flow. To take the example of rezoning a single lot for the development of public housing, the first step is to conduct a technical feasibility study to assess whether there are insurmountable issues regarding aspects such as transport and environment, and to put forward a preliminary proposal. Rezoning will then proceed under the Town Planning Ordinance (Cap. 131), followed by detailed engineering and architectural designs, the

gazettal of land resumption and works area and the handling of objections under the Lands Resumption Ordinance (Cap. 124) and other ordinances if any private lot is involved, as well as the preparation for clearance of Government land. When the detailed designs and estimated expenditures are ready, the Government will seek funding approval from the Legislative Council for the related works and if approved, the land resumption procedures will officially commence and rehousing compensation will be arranged for the affected tenants or operators. Afterwards, the land will be cleared for site formation and infrastructural works. The above will normally take a total of around six years or more, while the building of flats requires around four years in general.

As seen from the above, it is not only the rezoning process but also other development procedures that have to be streamlined. "The Chief Executive's 2020 Policy Address" announced last week suggests expanding the composition and remit of the Steering Group on Streamlining Development Control (Steering Group) under the Development Bureau (DEVB) to review more comprehensively as well as expedite the whole development process.

My response to the three sections of the question raised by the Hon Lau is as follows:

(1) The Town Planning Ordinance provides clear statutory time limits for both plan-making and processing of planning application. According to the Ordinance, all relevant plans or amendments in the process of plan-making will be exhibited for two months for public inspection and comment. The Town Planning Board (TPB) is required to submit the plans and amendments, together with the representations and comments, to the Chief Executive in Council for approval within nine months after the expiry of the plan exhibition period. In case of special circumstances where approval of the Chief Executive has to be sought to extend the time limit, only a maximum extension of six months could be allowed. In other words, plan-making in general has to be completed within 11 to 17 months.

As regards the handling of planning applications, the Ordinance stipulates that the TPB must consider applications for permission submitted in accordance with section 16 of the Ordinance within two months from the date of receipt, or applications for plan amendment submitted in accordance with section 12A within three months from the date of receipt. In short, the TPB will not delay the preparation of plans and the handling of planning applications under these statutory schedules.

As for a case mentioned in the question which took as long as 20 years to be processed, it is about an individual planning application which has been submitted to the TPB for a number of times with no approval given eventually. In determining whether a planning application and an amendment of plan will be approved or not, different considerations come into play, which do not bear any direct relationship with speeding up the process.

(2) The aforementioned Steering Group, comprising the DEVB and the Planning Department (PlanD), the Lands Department and the Buildings Department

thereunder, was set up in 2018. In the past two years, it has been working proactively to explore how best to rationalise the approval process and arrangements without prejudicing the relevant statutory procedures and technical requirements, as well as to clarify the standards and definitions adopted by departments. In consultation with the industry, streamlined measures covering seven topics, such as building height restriction and landscape requirements, have been promulgated.

To further compress the development schedule of both public and private housing projects, the DEVB will expand the composition and remit of the Steering Group to include vetting departments other than those under the DEVB, with a view to reviewing more comprehensively the development approval processes in various aspects, and rationalising the development-related requirements imposed by different bureaux, such as reviewing whether the technical assessment requirements are clear and suitable. In addition, the DEVB will set up the Development Projects Facilitation Office (DPFO) to facilitate the processing of planning, lease modification and other development approval applications for larger-scale private residential sites. The DPFO will co-ordinate with departments involved to expedite the approval process with a view to increasing housing supply.

As regards the suggestion on further digitising planning applications, information such as digitised statutory plans and the TPB's documents has already been uploaded to the TPB's website for public inspection. The PlanD is also examining the ways for electronic submission of planning applications with a view to further facilitating the submission of applications in the future. The relevant enhancement measures will be rolled out in due course.

(3) The definition of land use in the statutory plans of Hong Kong allows a certain degree of flexibility. For example, if the proposed development is an always permitted use or a "Column 1" use of the relevant land use zone, a project proponent is not required to apply for a planning permission. As for development that requires an application for planning permission, the proponent, upon obtaining the permission, is not required to fulfill all the imposed conditions immediately. Instead, the proponent may commence some of the work (such as modifying land lease and submitting building plan), and deal with other specific conditions during the detailed design stage with a view to expediting the development of the project. On the other hand, for cases where planning permission has been given but project funding or land lease execution and so on are pending, we have put in place a mechanism to allow the party concerned on a need basis to enter the site earlier and commence advance work required by granting a short term tenancy or government internal land grant.

The planning systems of Hong Kong and Singapore have their own history and evolution. While the two systems are not directly comparable, we will look into the experience of Singapore in the expanded remit of the Steering Group.

Thank you, President.