

LCQ9: Construction or redevelopment of small houses

Following is a question by the Hon Chan Yuet-ming and a written reply by the Secretary for Development, Ms Bernadette Linn, in the Legislative Council today (May 14):

Question:

Some residents of the New Territories have reflected that the pace of processing applications for the construction or redevelopment of small houses in the North District of the New Territories is slower compared to other districts. In this connection, will the Government inform this Council:

(1) given that in its reply to a question raised by a Member of this Council on the Estimates of Expenditure 2025-2026, the Government indicated that, as at the end of last year, there were as many as 3 686 small house applications under processing in the North District, with only 95 applications being approved last year, and that the Islands District and the Sai Kung District also faced a similar situation of a low number of approved applications and a high proportion of backlogged cases, whether the Government has put in place targeted improvement measures to enhance the efficiency of processing applications for the construction or redevelopment of small houses in these three districts; if so, of the details; if not, the reasons for that;

(2) given that according to government information, only around 100 staff members of the Lands Department are currently involved in processing of the small house applications, and that the respective numbers of small house applications and small house redevelopment applications under processing as at the end of last year were 10 513 and 1 664, how the Government will redeploy its manpower to expedite the processing of these backlogged cases; and

(3) given that the Government is implementing an arrangement that allows applications for a Certificate of Compliance (i.e. a Certificate of Compliance or "No Objection to Occupy") by self-certification of compliance for New Territories Exempted Houses, and that this arrangement has been first implemented as a pilot scheme by the District Lands Office, Yuen Long, whether the Government will consider extending this pilot scheme to villages under all rural committees in the Northern Metropolis; if so, of the details; if not, the reasons for that?

Reply:

President,

The New Territories Small House Policy has been implemented since December 1972 to allow an indigenous villager to apply for permission to, for

once in his lifetime, erect a small house on a suitable site within his own village (Note 1). According to the performance pledge, the Lands Department (LandsD) will process (Note 2) not less than 2 300 small house applications per year. For redevelopment applications, as archaic leases and houses are generally involved, the cases are more complicated and considerable time may be spent on checking the records. LandsD in general completes the processing of around 600 redevelopment applications per year.

The reply to various parts of the question raised by the Hon Chan is as follows:

(1) and (2) To streamline the processing of small house and redevelopment applications and speed up the approval process, LandsD enhanced the processing procedures in October 2021 and January 2023, including:

- (i) To commence the procedures under various aspects in parallel, such as verification of land ownership and lot boundaries, and consultation with the relevant departments;
- (ii) To simplify the procedures for handling objections;
- (iii) To conduct face-to-face meetings with applicants for direct discussion;
- (iv) To delegate the approval of relatively straightforward cases to officers under the District Lands Officer, and only non-straightforward cases will be submitted to the District Lands Officer or District Lands Office (DLO) Conference for approval;
- (v) To enhance the supervision by LandsD on DLOs, including regular follow-up on the progress of processing applications.

The implementation of the above procedures has achieved results in terms of expediting the processing of small house and redevelopment applications. The average number of small house applications processed by LandsD each year increased to more than 2 500 cases in the years from 2022 to 2024, surpassing the department's performance pledge of 2 300 cases, while the number of redevelopment applications completed by LandsD per year also increased from around 480 in 2022 to around 650 in 2024.

While it is mentioned in the question that the proportion of small house applications approved in 2024 as compared to the cases pending completion of processing in certain districts (including the North District, the Islands District, and the Sai Kung District) is relatively lower, we believe this is mainly due to the fact that applications involve relatively complex geographical features (such as remote locations or proximity to slopes, which require more rigorous technical assessments) and a larger amount of applications received in these respective districts.

In fact, a total of about 360 small house applications were received on average per year from 2022 to 2024 in the North District, the Islands District and the Sai Kung District, with an average of over 800 cases (Note 3) processed each year; the number of applications pending completion of processing also decreased from a total of over 6 100 at the end of 2021 to about 5 270 by the end of March 2025, representing an overall decrease of approximately 14 per cent. As for redevelopment applications, a total of

about 100 and 150 applications were received and processed respectively on average per year from 2022 to 2024 in the three districts. The number of applications pending completion of processing decreased from a total of over 840 at the end of 2021 to about 710 by the end of March 2025, representing an overall decrease of approximately 16 per cent.

At present, around 100 staff of LandsD, mainly deployed to the eight DLOs in the New Territories, are involved in processing small house and redevelopment applications. As these staff are also responsible for other land administration duties within the DLOs, the above figure is provided for general reference only. LandsD will continue to review and enhance the procedures for processing small house and redevelopment applications (including the introduction of the self-certification of compliance scheme mentioned below) to expedite the approval. In addition, LandsD will strengthen the role of its headquarters in monitoring the processing and approval of applications in various districts and more flexibly allocate resources across districts to accelerate the processing of applications.

(3) After a DLO approves an application to build a small house, the applicant has to apply to LandsD for and obtain the Certificates of Exemption in accordance with the Building Ordinance (Application to the New Territories) Ordinance (Cap. 121) before commencing the construction works. After the works are completed, the applicant has to submit a construction completion report to the DLO. The DLO will issue a Certificate of Compliance (CoC) if, having conducted on-site checking, it is satisfied that the applicant has complied with all the relevant conditions, requirements and obligations.

To expedite the development of small houses, LandsD implemented a self-certification scheme of CoCs on a pilot basis in January this year, which allows lot owners to appoint registered professionals at their own expense to prepare and submit a self-certification of compliance, thereby optimising the use of resources in the industry and expediting the approval process. LandsD will conduct detailed inspection checks on randomly selected cases. At the same time, LandsD will also streamline and expedite the approval process for applications submitted under the scheme, with the target of completing the processing of cases within 10 weeks upon receipt of all required documents, and within 14 weeks for cases subject to random checking.

To ensure the orderly implementation of the self-certification scheme, a pilot scheme was first implemented at the DLO, Yuen Long. In view of the very positive response from Heung Yee Kuk and various stakeholders, and their wish for LandsD to extend the scheme to other DLOs as soon as possible, after taking into account factors such as the processing status of applications for CoCs by various DLOs, demand and manpower resources, LandsD plans to extend the coverage of the scheme to the DLO, North in the third quarter of this year. Details will be announced in due course. With the operational experience gained from the pilot scheme, LandsD will then decide whether and how to regularise the arrangement.

Note 1: The small house shall neither contain more than three storeys nor exceed a height of 8.23 metres (27 feet); and the roofed-over area shall not

exceed 65.03 square metres (700 square feet).

Note 2: The number of small house applications processed by LandsD annually according to its performance pledge covers the applications which LandsD approves, rejects or classifies as non-straightforward cases for further processing in a particular year.

Note 3: As the processing of applications received during a year may not be completed within the same year, the applications processed in a particular year and its number may not correspond with the applications received in the same year and its number.