

LCQ6: Vetting and approval procedures for development projects

Following is a question by the Hon Chan Hak-kan and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (November 18):

Question 145

In October 2017, the Development Bureau set up a steering group to explore how best to consolidate and rationalise the standards and definitions adopted by different government departments (namely the Planning Department, the Lands Department (LandsD) and the Buildings Department (BD) in vetting and approving development projects, with a view to streamlining the vetting and approval procedures. Moreover, the BD is spearheading the development of a system which will not only allow the industry to submit building plans and relevant applications electronically, but will also enable the authorities concerned to process various plans and applications on that platform, so as to achieve the adoption of new technologies in processing development applications thereby substantially streamlining the vetting and approval procedures. The BD has planned to accept electronic submission of plans and applications in phases starting from 2021-2022. In this connection, will the Government inform this Council:

- (1) of the respective numbers of measures for streamlining the vetting and approval arrangements which have been (i) promulgated and (ii) implemented since the steering group was set up; the details of the measures and the estimated vetting and approval time saved by each measure; the future work plans of the steering group;
- (2) whether the steering group has studied the establishment of a single window or the designation of a single government department to take up the coordination of all vetting and approval procedures for development projects (including rezoning of land, lease modification as well as vetting and approval of building plans), so as to expedite the entire application process for housing developments; if not, whether the authorities will commence such a study;
- (3) whether the aforesaid system for electronic submission of building plans and relevant applications will be commissioned as scheduled in 2021-2022; if not, of the reasons for that; and
- (4) of the number of land premium (premium) assessments for residential development projects completed by the LandsD in the past three financial years, and in respect of each project, set out in a table (i) the original use of the land, (ii) the site area, (iii) the date on which the application for premium assessment was first received, (iv) the date on which an agreement was reached on the premium amount, and (v) the number of residential units provided/to be provided under the project; as the

authorities indicated in April this year that the steering group would formulate streamlining measures on the charging of premium, of the progress of such work and the estimated number of days that may be saved in the premium negotiation process through such measures?

Reply:

President,

My reply to the various parts of the Hon Chan Hak-kan's question is as follows:

(1) A Steering Group on Streamlining Development Control (Steering Group) set up under the Planning and Lands Branch (PLB) of the Development Bureau in October 2017 has continued its effort to explore how best to rationalise the approval process and arrangement adopted by the Buildings Department (BD), the Lands Department (LandsD) and the Planning Department under the PLB without prejudicing the relevant statutory procedures and technical requirements. At the same time, a joint sub-committee (Joint Sub-committee) under the Land and Development Advisory Committee with representatives from ten related professional institutes and organisations (Note 1) has been set up to consider the Steering Group's proposals and offer views such that the proposals can meet the need of the industry.

When formulating the streamlining proposals, the Steering Group examines the nature and intention of different development control parameters (for example, building height restriction, site coverage of greenery and gross floor area restriction) with a view to designating a single department responsible for determining the control standards and checking if development projects comply with the relevant standards. The Steering Group also seeks to minimise overlapping in departments' approval work, as well as clarify the standards and definitions adopted by the departments. The Steering Group will promulgate the streamlined proposals and control requirements through different types of practice notes with a view to enhancing the transparency and certainty of the departments in the approval process.

Since its establishment, the Steering Group has already promulgated for implementation in 2019 and mid-2020 streamlined measures covering seven topics, including the building height restriction; site coverage on greenery; landscape requirements; building separation and building setback in Sustainable Building Design Guidelines; the application of design and disposition clause under lease; and non-building areas through the joint practice notes, departments' practice notes and documents. The Steering Group is consulting the Joint Sub-committee on three other topics, namely, the calculation and concession of gross floor area, definition of site coverage and whether premium needs to be charged in various situations where the LandsD is approached for granting approval or consent under lease. The Steering Group will also review topics including exploring the use of self-certification by the industry in more areas relating to the private development projects approval process.

The streamlined control measures implemented by the Steering Group in

recent years can certainly speed up the approval process and are generally welcome by the industry. Nevertheless, owing to the varying location, scale, applicable planning control as well lease restrictions, etc. faced by a development project, it is difficult to quantify at present the time that can be saved in the approval process by every streamlined measure implemented.

(2) A development project starting from land use planning, setting of lease terms, building design to regulation of building completion involve different statutory framework and multiple professional areas, hence, simply assigning one single department to take up the entire approval procedures is unrealistic and may not save time. Nevertheless, the Development Bureau shall consider rooms to strengthen the overall planning and coordination of the approval process among departments.

(3) The BD is spearheading the development of the Electronic Submission Hub (ESH) as a digital centralised portal for receiving and processing building plans and applications submitted under the Buildings Ordinance (Cap. 123). The ESH will bring various benefits, including improving co-ordination among relevant government departments and/or organisations involved in the approval process (Note 2), enhancing communication with applicants, and encouraging greater and fuller use of the Building Information Modelling technology and facilitating departments to introduce computer programmes to streamline the approval process.

The contract for setting up the ESH was awarded in May 2020. The BD targets to launch the first phase of ESH in the first quarter of 2022 and shall continue to maintain close liaison with relevant government departments, organisations and the building industry.

(4) Based on information provided by the LandsD, a list of private residential development projects that were subject to land exchange/lease modification (excluding small house constructed in accordance with the New Territories Small House Policy) and executed in the past three financial years (from April 1, 2017 to March 31, 2020) is at Annex. The LandsD does not have ready information on the time required for premium negotiation for every case.

The time required to process land exchange/lease modification applications varies depending on the complexity of the case and other factors. Such factors include whether the applicant has changed its proposed plan during the application period; whether title checking of the lot is required; the process and time needed to handle and respond to local objections and comments from Government departments; the time needed to complete relevant statutory procedures (for example, statutory procedures required for proposed road works under the Roads (Works, Use and Compensation) Ordinance (Cap. 370)); and the time needed to negotiate and agree on a premium with the applicant.

As stated in part (1) of the reply, the Steering Group has already proposed and is consulting the Joint Sub-committee on some streamlined proposals as to whether premium needs to be charged in various situations where the LandsD is approached for granting approval/consent under lease.

Note 1: The 10 related professional institutes and organisations are the Hong Kong Institute of Architects, Hong Kong Institution of Engineers, Hong Kong Institute of Urban Design, Hong Kong Institute of Landscape Architects, Hong Kong Institute of Surveyors, Hong Kong Institute of Planners, Association of Landscape Consultants, Real Estate Developers Association of Hong Kong, Association of Architectural Practices and Hong Kong Construction Association.

Note 2: When processing submissions, the BD may consult relevant government departments and organisations, depending on the uses of the building development and nature of submission. Currently, there are up to 29 government departments (such as the Fire Services Department, the Planning Department and the Water Supplies Department) and seven organisations (such as Hospital Authority and the MTR Corporation Limited) participated in this centralised processing system.