



### Planning & Development Division

Sr Prof James Pong PDD Council Chairman

## Lecturing at My Alma Mater

I was invited to deliver a two-hour lecture to first-year MSc (Urban Planning) students at the University of Hong Kong on 29 March. When I entered the Knowles Building, personal memories of participating in the workshops and making revisions at the Main Library with my classmates many years ago resurfaced. The lecture was well-received with about 35 students, some of whom came from as far as HKUST, in attendance.



During the lecture, I covered development controls in Hong Kong, namely: (a) the statutory controls under (i) the Town Planning Ordinance

Cap 131, and (ii) the Buildings Ordinance Cap 123; and (b) the administrative controls under the government lease.

For town planning, I made use of one of my s.16 town planning applications, which successfully changed the use of an industrial building into a hotel within two months, to show the students the various factors they should consider before filing a s.16 application. As most of them were familiar with town planning applications, I challenged them to decide if the attached notes were legally binding and re-examine the effects of filing a s.12A application.

For the Buildings Ordinance and Regulations, I quickly reviewed the definition of gross floor area (GFA) and the GFA calculations under PNAP\_APP-2. I also reviewed APP-151 and APP-152 to show the students how to gain exempted GFA under green building initiatives. Finally, I helped them revise the definitions of a street (particularly stepped streets and those with irregular widths), building height under the Building (Planning) Regulations Cap 123F, and site classification. Furthermore, I revisited the First Schedule of the Building (Planning) Regulations Cap 123F and the computation of the composite plot ratio under Regulation 19 of Cap 123F.

Concerning government lease controls, I briefly reviewed Hong Kong's land ownership system and led the audience through prototypical old and new leases to illustrate the non-offensive trade clause and the design, disposition, and height (DD&H) clause. I also went through some legal cases like Fully Profit (Asia) Ltd v Secretary for Justice (Civil Appeal 17/2012), which shed light on the definitions of house and flat; and Attorney General v Melhado Investment, Ltd (Civil Appeal 79/1982), which triggered the later amendments to the Town Planning Ordinance and the publication of the relevant Development Permission Area (DPA) and Interim Development Permission Area (IDPA) Plans.

Finally, I briefly mentioned that there have been extra controls under the special control area of Kowloon Tong, as well as scheduled control areas around Mt Davis.

### The Importance of Increasing the PDD's Membership

From time to time, public consultations are initiated by the government and other public bodies to solicit feedback from professional institutes such as the HKIS, HKIA, and HKIP on issues like the proposals on Lantau developments and the blueprints for Hong Kong's future planning for 2030+, as well as any proposed legislation that could affect the surveying profession. To provide such a response and inputs to these enquiries and consultations requires a lot of PDD members' human expertise and resources, which impose a strain on the PDD's human resources because there are only 72 PDD members as of this writing, which makes the PDD the HKIS's smallest division. Its workload, however, is comparable to that of the other divisions.

A fortiori, a lack of human resources will hinder the PDD's influence on the government when it comes to planning and development. It will, in turn, weaken the government's recognition of the PDD's expertise and achievements. As this vicious cycle continues, a lack of recognition will render fewer students to join the PDD, which will further weaken its growth and development.

Although the PDD is in dire need of more members, this should not come at the expense of quality. To achieve such a goal, I recommend that the PDD, through the HKIS's multiple membership arrangements, recruit quality members from the other divisions whose scope of service (such as planning and development) overlaps with that of the PDD. Furthermore, those HKIS members who are authorised persons under the Buildings Ordinance and have experience with planning applications and a good understanding of property valuations should also apply to join the PDD.

Other than extending membership through the multiple membership arrangement, those institutional courses that relate to the PDD's work should be granted PDD accreditation to attract

new members to the PDD. In my view, our APC should be revamped and consist of a practical task similar to that of the BSD, which requires a candidate to prepare, inter alia, a development proposal for a site along with its floor size, unit size, layout, residual valuation, and business assessments on the profit margin and return on investment. This should be followed by the preparation of a sensitive analysis.

The future of the PDD depends on its members in terms of quantity and quality. Although PDD members possess the requisite expertise in planning, valuation, and development, without a growth in membership the PDD can hardly enhance its recognition by the government and the opportunity of its graduates to be recruited by three government departments, namely the Planning, Lands, and Buildings Departments, would be diminished.

### Upcoming CPDs

The following are coming PDD CPD events for the second quarter of 2017. We look forward to seeing you there.

#### 6 May 2017 (Saturday), 9 am - 5:00 pm

Presented by representatives of the Sunrise Aluminium (Hong Kong) Co, Ltd

Technical site visit to an aluminium windows and doors factory in Daya Bay, Shenzhen (Sunrise Aluminium (Hong Kong) Co, Ltd)

#### 17 May 2017 (Wednesday), 7 pm - 8:30 pm

CPD Talk by Sr Dr Lesly Lam

Topic: Positioning of Developers with Various Backgrounds in the Changing Competitive Landscape of the Hong Kong Real Estate Market

#### 10 June 2017 (Saturday), 10 am – 12:30 pm

CPD Talk by Mr Rickson Chow

Drone Application and Development Relations on Industries (Series 1) – Second Class  
(A joint PDD-YSG CPD Event)