

The Demand for Land

Land supply shortage in Hong Kong is a primary and important reason why the city has been plagued with housing problems such as skyrocketing property prices and cramped and substandard living conditions for nearly one million residents. At the recent “HKIS Land Supply Forum”, the Secretary for Development, Paul Chan, outlined the government’s many strategies to combat these problems. Experts in the relevant fields also offer their views on the possible solutions.

Wilson Lau

General view of villages in Hung Shui Kiu, which was identified as a New Development Area in the Planning and Development Study on the New Territories.

SCMP photo.



Increasing the land supply has been a top priority of the current administration. New development areas such as the North East New Territories (NENT), Hung Shui Kiu, Tung Chung Extension, reclamation outside Victoria Harbour and making use of former quarries and caverns form parts of the government's long-term strategy to address the lack of developable land, according to Chan. Other strategies in the short to medium term include land use reviews, for example rezoning G/IC sites to residential uses) and increasing development intensity. "The NENT Proposal went through the Town Planning Board recently. We received funding for advanced works from LegCo last June. Further preparation work is in progress. Our plan is to submit a funding application to LegCo next year so that we can go ahead with implementing the development. However, the progress is clouded by political differences. The Administration would need to tackle many challenges including, but not limited to, relocation of a residential care home for the elderly, providing assistance to farmers and compensation and rehousing for affected eligible residents."

Another project is Tung Chung New Town extension. Stage 3 Public Engagement has finished and public view is clearly supportive, according to Chan. "Substantial changes to the Preliminary Outline Development Plan have been made based on ideas gathered [during] the second consultation. The reclaimed land on Tung Chung East waterfront will be zoned for commercial, residential and community uses. On the other hand, the majority of Tung Chung West will be for conservation and the reclamation proposal there was shelved. If the plan making process and application for funding to kick-start the works are smooth, we shall see the first population intake by 2023."

So far, the public is generally supportive of the Hung Shui Kiu New Development Area proposal. "If work on this project is smooth, the first batch of residential developments should become available by 2024," Chan added. "We are also studying potential reclamation sites in Sunny Bay, Siu Ho Wan, Lung Kwu Tan, and Ma Liu Shui and near the existing Sha Tin Sewage Treatment Works. If the Sha Tin Sewage Treatment Works is successfully relocated to a cavern nearby, over 20 hectares of land can be vacated for development. With an additional

60 hectares of reclaimed land in the vicinity, the development potential will be very good."

Debates have been heated over whether certain land in country park can be rezoned for development. Chan said that land use review is part of the short-term land supply strategy. The 2014-15 Policy Address proposed 150 plots for roughly 210,000 flats. Among these, over 70 percent would be for public housing. Around 70 plots would be in green-belt zones (not in country parks), Chan noted. "We have tried our best in identifying sites with relatively low ecological value and close to built infrastructure. These are the logical extensions of new towns."

Echoing Chan's sentiments was Sr Lau Ping-cheung, currently a member of the Lantau Development Authority Committee. "If we continue to focus on the conceptual debate [regarding rezoning land in country parks], rather than the concrete details, we won't go anywhere," Lau noted. "The government should establish a comprehensive platform [to discuss the issue] with multiple perspectives from specialists, scholars, and other stakeholders." Country parks account for 40 percent of Hong Kong's total area compared with 7.8 per cent in South Korea, 11 per cent in Japan, 3.4 per cent in the United States, and 10 per cent in Singapore. "There are neither any universal standards nor any international ecological evaluation criteria to classify country parks," said Lau, a former HKIS President. "We are faced with a serious land shortage situation. Are country parks really untouchable?" Lau asked. For example, he identified four sites which are next to Route 3 and near the exit of Tai Lam Tunnel Toll Plaza. They are around 1.5 kilometres from the Kam Sheung Road MTR Station. "I suggest[ed] these four sites because they are on the periphery of a country park and their ecological value is relatively low." Lau continued. "They are close to an existing transport hub and complement the Kam Tin South development. We can capitalise on the existing GIC (government, institution and community) facilities because Kam Tin has nine kindergartens, five primary, and two secondary schools. There are also sewage water treatment plants and other facilities. It would be less costly and more efficient to develop. Also, because it does not require any land acquisition from private land owners, there will be less controversy."

Lau added that estimates by some engineers on the construction of infrastructure and roads linking the four sites with Kam Tin South, and site formation will cost between HK\$8 billion and HK\$9 billion, excluding land premium and the cost of infrastructure. “The four sites offer a total area of 170 hectares. While the land earmarked for development is estimated at about 60 hectares, based on the three-time plot ratio, the sites can supply around 30,000 housing units of which 60 per cent are for public housing. As the latter type of housing is free from land premium, the other costs would total around less than HK\$1.5 million per unit.”

Member Sr Roger Nissim believes rezoning country parks should be the last resort. “Country parks and green belts serve an important purpose because we live in a very dense environment. We have a lot of brown-field sites, unused agricultural land and many industrial buildings. I feel strongly that some old industrial buildings should be looked at carefully for residential use. They can have special waivers and no premium if a company can keep the entire building and convert it into hotel or offices. This approach can be a quick solution to the supply shortage.”

Member Sr K.L. Leung believes bringing back the Modification Section at the Lands Department might help increase land supply. “Nowadays staff at Lands Department are frustrated as they have to handle a heavy workload and manpower increase is minimal. They also work under immense political pressure. The situation has been aggravated in recent years because a lot of human resources have been allocated to handling the tendering and land sales. They also have to deal with opposition from local residents and such issues as illegal structures. I think bringing back the Modification Section will help increase land supply effectively.”

Commenting on the town planning procedure, Sr Tony Tse Wai-chuen cast doubt on the effectiveness of zoning land for Comprehensive Development Areas (CDAs) for relieving housing shortage. He urged the government to consider reviewing the CDAs. Tse is a member of the Legislative Council and representative of the Architectural, Surveying and Planning Functional Constituency, as well as a past President of the HKIS. He cited as examples 65 plots in various areas, including Tsuen Wan

and Kwai Ching, which totalled around 160 hectares. “Not all CDAs can be developed quickly because of multiple ownership. Even for those CDAs with just a handful of land owners, the negotiations for their consensus to development have been time-consuming. When we plan something on the drawing board, we need to think of the difficulty of implementing that right at that instance. Past thinking was that implementation would be left to the market, but I think the market cannot do it without the support from the government.” He added that the development of new towns has been slow and a lot of effort has been spent on public consultations. “Then why should we continue with CDAs? When the government sells land, it sets the user restrictions and other pre-requisites in the land grant document. It does not make sense that the government leaves the burden of obtaining Town Planning Board approval to the private developer as the land concerned is within a CDA. The process of applying for such approval is time consuming but the result is uncertain. Many Impact Assessments on technical aspects are required to be provided to satisfy the Departmental requirements. We should consider minimising CDAs because they slow down the process of development and hence have an adverse impact on housing supply.” He also commented that the density control of the land at the outskirts of the New Towns should be relaxed.

Sr Victor So, Chairman of the Urban Renewal Authority, referred to the 12 Objectives of the



Authority. He cited the Kwun Tong urban centre as a recent example as urban renewal projects. In that project, the URA has practised a new form of collaboration between the government and the private sector. “ We work on the infrastructure and public open space on the five-hectare plot, re-organise the land for a master plan, and then invite private developers to tender for the development of different sites within the plot ” he noted. “Our idea is to maintain overall control by implementation according to a master plan and then work with the private sector [on] individual projects in different phases.”

Sr C. K. Chan, Chairman of HKIS Housing Policy Panel suggested streamlining the planning procedure and reviewing the CDA and R(E) zones. He proposed limiting the number of Impact Assessments and focusing on Land Use Compatibility and Traffic Studies in considering planning applications. By citing a number of sizeable land plots being zoned CDAs but lying idle for years, he proposed breaking them up into smaller CDAs or in some cases re-zoning them into a specific use e.g. (R) according to the planning intention. “ R(E) zone should include more compatible use ssuch as ‘Hotel’ to induce wholesale conversion, and some may be rezoned to (R) to encourage redevelopment.”

Disputes about premium assessments in the course of Lease Modification/Land Exchange has been considered a dead-lock standing in the way of development of privately owned

land. Sr C. K. Lau, Chairman of the HKIS Land Policy Panel questioned whether this venture is still a meaningful source of land supply. When reviewing land administrative practices, he suggested that a variety of measures should be taken. Efforts to promote take up of the the Pilot Scheme for Arbitration on Land Premium should be stepped up, while communication between the Lands Department and HKIS should be enhanced. There is also a need for the Lands Department to regularly update the construction and marketing costs being components in premium assessment. He also proposed and some HKIS members seconded the re-establishment of the Modification Section in Lands Department so that lease modification/land exchange cases are handled more effectively and efficiently. Member Sr Charles Chan proposed that the modification process could be simplified by adopting the zonal premium rates for different geographical districts. He cited the precedents of the resumption of agricultural land and the waiver fees for upper floors industrial accommodation which currently adopt the standard rates systems.

This article is published courtesy of Classified Post.

土地需求

香港樓價飆升，百萬居民居住在狹小的空間，環境惡劣，林林總總的房屋問題令香港坐困愁城，問題癥結在於本港土地供應短缺。在近期舉辦的「香港測量師學會土地供應論壇」上，發展局局長陳茂波概述政府為解決以上問題的多項策略。業內專家亦就可行解決方案發表意見及建議。

Wilson Lau

現屆政府一直將增加土地供應視作當務之急。陳茂波表示，新界東北、洪水橋、東涌擴展等新發展區、維港以外填海，以及開發前石礦場及岩洞，均屬於政府長期策略的一部分，旨在解決可開發土地不足的問題。其他中短期策略包括土地用途檢討



(例如將政府、機構或社區用地改劃為住宅用途)以及增加發展密度。「城市規劃委員會最近已通過新界東北發展計劃。我們於去年六月獲立法會提供前期工程撥款。下一步籌備工作現已展開。我們計劃於明年向立法會提交撥款申請,以便繼續落實有關發展項目。然而,項目進展受社會政治化的陰霾籠罩。政府當局須克服多項考驗,包括但不限於重置安老院舍,向農戶提供協助,以及對受影響的合資格居民作出補償和安排搬遷。

陳茂波續道,另一個項目是東涌新市鎮的擴展。第三階段公眾參與活動已經結束,公眾明顯較傾向支持。「初步發展大綱圖已根據第二輪諮詢[期間]收集的建議作出大幅改動。東涌東海濱填海土地將劃作商業、住宅及社區用途。另一方面,東涌西大部分地方將設保育區,故擱置填海計劃。假如規劃程序及動工撥款申請進展順利,料首批居民最早可於2023年入住。」

截至目前為止,洪水橋新發展區的建議方案普遍獲得公眾支持。陳茂波補充說:「假如項目工程進展順利,首批住宅發展項目將於2024年前面世。此外,我們正研究欣澳、小蠔灣、龍鼓灘、馬料水及毗鄰沙田污水處理廠地段的多個可能填海地點。假如能夠成功搬遷沙田污水處理廠至附近岩洞,便可騰出逾20公頃土地作發展用途,加上周邊60公頃的填海土地,這裡發展潛力將會非常優厚。」

郊野公園若干土地應否改劃為發展用途,一直受到外界爭論。陳茂波表示,土地用途檢討是土地供應短期策略的一部分。二零一四至一五年度施政報告提出在150幅地塊上興建約210,000個單位,其中逾七成屬公共房屋;約70幅地則位於綠化地帶(非郊野公園範圍)。「我們竭盡全力尋找生態價值相對較低,又鄰近基礎設施的地點。這些地點可以作為新市鎮的合理擴展。」大嶼山發展諮詢委員會委員劉炳章測量師同意陳茂波的觀點,並表示:「假如我們只顧[圍繞改劃郊野公園的土地用途]進行概念性爭論,而不[關注]具體細節,則難有進展。政府應設立一個[討論有關議題的]綜合平台,讓專家、學者及其他持份者提出多方面的觀點。」綜觀郊野公園佔總面積的比例,香港達40%,韓國為7.8%,日本為11%,美國為3.4%,新加坡為10%。曾任香港測量師學會會長的劉炳章指:「目前並無任何通用標準或任何國際生態評估準則對郊野公園進行分類。我們現在面臨土地嚴重短缺的局面,郊野公園是否真的不能觸碰?」舉例而言,劉炳章指出在毗鄰三號幹線及接近大欖隧道收費廣場出口處有四處地點,均屬距離錦上路港鐵站約1.5公里。「我建議這四個地點是因為它們位於郊野公園外圍,生態價值相對較低,而且鄰近現有交通樞紐,能夠與錦田南發展項目相輔相成。錦田有九間幼稚園、五間小學及兩間中學,我們可以充份利用現有政府、機構及社區設施。區內亦設有污水處理廠及其他設施,在此發展將可節省成本,提高效率。此外,由於毋須向私人土地業權人征收土地,爭議亦會較少。」

劉炳章補充說,關於基礎設施以及將四個地點連接至錦田南的公路,有工程師估計相關建築及地盤平整工程須耗資80至90億港元,當中不包括地價及基礎設施成本。「這四個地點佔地合共170公頃,用於發展的土地估計約為60公頃,以三倍地積比率計算,上述地點可供應約30,000個住宅單位,其中六成為公共房屋。由於公共房屋免繳地價,其他成本合計相等於每個單位不足150萬港元。」

專業會員李森 Roger Nissim 測量師則認為,發展郊野公園的土地用途是別無他選之下的對策。他解釋道:「我們的居住環境十分擠逼,郊野公園及綠化地帶發揮非常重要的作用。香港有大量棕地、荒置農地及眾多工業大廈。我深信,當局應仔細研究允許將部分舊工業大廈改作住宅用途。假如有業主把整幢工業大廈改裝成酒店或寫字樓,應可獲得發給特別豁免書及免繳地價。這些變更或可迅速解決供應短缺的問題。」

專業會員梁錦亮測量師認為,重新設立地政總署土地契約修訂組或有助增加土地供應。「地政總署員工現在工作繁重,新增聘的人手卻嫌不足,令他們感到沮喪。同時,他們在工作中承受沉重的政治壓力。近年,地政總署調撥大量人手處理招標及賣地工作,令情況雪上加霜。他們亦須處理本地居民的反對聲音及違例搭建物等事宜。我認為重新設立土地契約修訂組將可 effectively 提高處理該類個案的效率。」

謝偉銓測量師發表對城市規劃程序的意見時,表示對於規劃土地作《綜合發展區》能否有效舒緩房屋短缺問題抱懷疑態度。他促請政府考慮檢討綜合發展區。謝偉銓是立法會議員兼建築、測量及都市規劃界功能界別代表,亦曾擔任香港測量師學會會長。他引用位於市區包括荃灣和葵青等65幅《綜合發展區》合共佔地約160公頃的土地作為例子,並指大部份這些《綜合發展區》都發展緩慢。「因屬業權分散,並非所有綜合發展區均可迅速投入發展。即使土地業權人較少的綜合發展區,當事人亦需要花大量時間與業權人磋商,方能取得他們一致同意。在規劃階段,我們必須考慮落實執行有關規劃的困難。舊觀念相信執行規劃可交由市場自行解決,但我認為,若非得到政府支持,市場無法令計劃成事。」他補充說,新市鎮的發展步伐向來緩慢,當局須動用大量精力進行公眾諮詢。「這樣的話,為甚麼還要繼續綜合發展區?政府賣地時已在批地文件內附加用途限制及其他先決條件。假如政府因有關土地位於綜合發展區內,便把取得城市規劃委員會批准的責任推給私人發展商,此舉實在不合情理。申請相關批准的程序需時,結果卻難以預料。為符合各政府部門要求,申請人亦須提供多項技術方面的影響評估報告。由於《綜合發展區》的發展進度緩慢,繼而拖慢整體房屋供應,因此我們應考慮盡量減少綜合發展區。」他亦表示,新市鎮外圍的土地密度控制應予以放寬。

市區重建局董事會主席蘇慶和測量師提及市建局的十二項目標。他引用觀塘市中心作為近年市區重建項目的例子。在觀塘重建項目中,市建局採用政府與私營機構合作的新模式。他表示:「我們在佔地五公頃的地塊上重新規劃土地並制訂總綱計劃,興建基礎設施及公眾休憩空間,然後邀請私人發展商就發展地塊內的不同地段入標。我們依據總綱計劃進行發展,務求掌握全局,然後在不同發展階段與私營機構合作發展個別項目。」

香港測量師學會房屋政策小組主席陳昌傑測量師則建議精簡規劃程序,並檢討綜合發展區及住宅(戊類)地帶。他認為審批申請時應著眼於土地用途協調性及交通研究,將所須的各種影響評估報告數量減到最少。陳昌傑引述多幅雖已規劃為綜合發展區卻遭閒置多年的大面積土地,並提議將這些土地拆細成較小的綜合發展區,又或按照規劃意向將部分土地改劃為住宅等特定用途。他說:「住宅(戊類)地帶應包括『酒店』等更多可協調用途,從而為工廈整幢改裝提供誘因,部分或可改劃為住宅用途以鼓勵重建。」

至於發展私人土地,在契約修訂/換地過程中往往會因補地價評估爭持不下而陷入僵局。香港測量師學會土地政策小組主席劉振江測量師質疑此類項目是否仍是土地供應的有效來源。在市振行政工作方面,他建議加強補地價仲裁先導計劃的推廣,地政總署與香港測量師學會應加強交流以交換不同意見,地政總署亦應定期更新地價評估所涉及的建築工程造价及推廣成本的資料。他及部分香港測量師學會會員提議地政總署重新設立土地契約修訂組,以便當局能夠以更迅速有效的方式處理契約修訂/換地個案。專業會員陳超國測量師提議可針對不同地區採用分區標準補地價機制,從而簡化修訂程序。他指出政府徵收農地,以及工廈暫改辦公室等用途的物業豁免書年費,都採用標準補地價機制計算。

本文由《Classified Post》供稿。