

By post and by email at [panel\\_dev@legco.gov.hk](mailto:panel_dev@legco.gov.hk)

15 June 2022

Clerk of the Panel of Development (CCS) (1) 2  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

Dear Sir/Madam

**Views from The Hong Kong Institution of Engineers  
on the Legislative Proposals to  
Streamline Development-related Statutory Processes**

On behalf of the Institution, I am pleased to present to you our views and suggestions as set out in the enclosure for your consideration on the captioned subject.

With our expertise and experience, the Institution welcomes the opportunity to work with the Government on the area of concern if and when it is needed.

Thank you.

Yours faithfully



Ir Edwin CHUNG  
President

EC/CKH/DW/SS

**Enclosure**

**Views from The Hong Kong Institution of Engineers  
Regarding Legislative Proposals to Streamline  
Development-related Statutory Processes**

Representing the professional engineering community of Hong Kong, The Hong Kong Institution of Engineers (“HKIE”) has been receiving feedback from the industry on their first-hand experience of the current development and planning process, and witnessed how the complex and lengthy procedures have hindered the fruition of projects that would benefit the society. In response to the Administration’s legislative proposals to streamline development-related statutory processes, the HKIE would like to provide the following views and suggestions for the Panel on Development’s consideration:

2. The Institution has always stressed the importance of observing the efficiency of the processes of comprehensive study and public consultations for development projects, the timeliness of answering to the needs of society and the necessity of keeping projects within a reasonable timeframe and budget, and hence the development and planning procedures as well as relevant ordinances should be reviewed and streamlined to accelerate the projects in response to people’s and the city’s needs.

3. It is noted that the Administration’s proposal ranges from streamlining and paralleling processes; allowing pre-recorded video representation, and simplified procedure for expanded scope of minor works; disallowing representation on compensation; avoiding repetition, abuses of process, and delaying tactics, etc. during the development-related statutory processes. The HKIE is in general supportive of the proposal as it would save time significantly. Unexpected issues may however arise from some of the proposed changes that would need to make provisions for.

4. With reference to Proposal 1(c) that suggests reducing the timeframe on objection handling process, while clear measures shall be inbuilt to deter protracted delay in meeting and raising rounds of new comments (for instance, suitable measures should be put in place to ensure further comments must be relevant to the original objection, or maximum number of time slots available for objection resolution meeting with objectors), suitable allowance shall be retained to safeguard those legitimate and genuine new discovery during the process, the voice of which should be still heard and considered.

5. The HKIE welcomes Proposal 1(f) that proposes the introduction of “minor works” under the Foreshore and Sea-bed (Reclamations) Ordinance (Cap. 127) (“FSRO”) to enable exemption of small-scale projects from statutory gazettal. It may be worth considering adding a new mechanism to streamline processes for minor amendments to approved schemes.

6. With reference to Proposal 2(a) suggesting specifying in the FSRO and Roads (Works, Use and Compensation) Ordinance (Cap. 370) that identical objections that

have been raised and dealt with in other statutory regimes may be taken as having been processed already, the HKIE is concerned that there could be special circumstances where identical objection in two different regimes may warrant totally different considerations. Safeguard measures should be considered to cater to such exceptional cases.

7. The HKIE supports the Proposal 3(a) as it enables the reclamation works to proceed, which often takes years, while the preparation of the statutory plan is still under way. The process will likely be speeded up by more than 9 months. We also suggest that the Administration further considers exploring the possibility of allowing “Land Bank” in Hong Kong, i.e. to proceed reclamation works in suitable area(s) though the planning process is yet in the pipeline. This could save much time and resources in the long run.

8. Proposal 4(b) suggesting an across-the-board proposal of denying any person who is not a current landowner or those with the consent of the current landowner other than a relevant public officer or public body to make a section 12A rezoning application is considered overly strict and may deny valid and meritorious applications the opportunity to have their cases heard by the Town Planning Board. The HKIE suggests leaving room for those who are not qualified by default to apply for a section 12A based on its special circumstance and planning merit, while such circumstances have to be carefully defined for an objective judgement.

9. The HKIE noticed that the legislative proposals currently put forward by the Administration address mainly the upstream statutory processes from green sites to mature land lots, whereas the actual building construction and related statutory processes, such as those stipulated in the Buildings Ordinance (Cap. 123) (“BO”), are left out of the discussion. These are however critical to the delivery of any development projects.

10. The Buildings Department’s recent Electronic Submission Hub and the increasing adoption of Modular Integrated Construction (“MiC”) for transitional housings can help in some ways to alleviate the housing shortage problem downstream. However, the Administration is recommended to look into the statutory processes to further enhance the efficiency. The HKIE suggests that the Administration also reviews and streamlines the relevant statutory requirements in BO and related Ordinances, including the submission and government approval processes during the design and construction stages.

11. Some countries including China are adopting an approach of allowing building design and approval to be run in parallel with an indicative “plot ratios and penalty allowance” so that designers can proceed with the design/approval at an earlier stage. This measure penalises developers an additional land premium with the rate relevant to the conditions of sale and other special conditions should they fail to meet the required gross floor area as approved. Such an approach may avoid affecting the progress and is worth considering by the Administration.