

Head 91 — LANDS DEPARTMENT

Controlling officer: the Director of Lands will account for expenditure under this Head.

Estimate 2013–14..... **\$2,071.6m**

Establishment ceiling 2013–14 (notional annual mid-point salary value) representing an estimated 3 898 non-directorate posts as at 31 March 2013 rising by 26 posts to 3 924 posts as at 31 March 2014 **\$1,420.2m**

In addition, there will be an estimated 46 directorate posts as at 31 March 2013 and as at 31 March 2014.

Controlling Officer's Report

Programmes

Programme (1) Land Administration
Programme (2) Survey and Mapping
Programme (3) Legal Advice

These programmes contribute to Policy Area 21: Land and Waterborne Transport (Secretary for Transport and Housing), Policy Area 22: Buildings, Lands, Planning, Heritage Conservation, Greening and Landscape (Secretary for Development) and Policy Area 31: Housing (Secretary for Transport and Housing).

Detail

Programme (1): Land Administration

	2011–12 (Actual)	2012–13 (Original)	2012–13 (Revised)	2013–14 (Estimate)
Financial provision (\$m)	1,350.1	1,426.2	1,471.7 (+3.2%)	1,525.2 (+3.6%)
				(or +6.9% on 2012–13 Original)

Aim

2 The aim is to administer land in Hong Kong by disposing of land; acquiring private land and clearing land required for the implementation of public works and other projects; managing government leases, unleased land and certain buildings held by the Administration; renewing and modifying leases; and maintaining man-made slopes on unallocated and unleased government land.

Brief Description

3 The Department is responsible for the disposal of government land. It acquires private land and clears land required for public works projects or other approved schemes. It is also responsible for managing government leases to ensure compliance with the lease conditions; managing government land to ensure that it is not illegally occupied; managing certain buildings or units in buildings held by the Administration; renewing government leases; modifying conditions in existing leases; and maintaining man-made slopes on unallocated and unleased government land.

4 On 2 February 2012, the Government announced the 2012–13 Land Sale Programme which involves 53 sites (47 residential, two hotel and four commercial/business). During the year, 15 lots from the new Land Sale Programme were sold by tender, of which 13 sites were initiated for sale by the Government and two were triggered from the Application List. In 2012, the Department completed 97 lease modification applications. Other land disposals such as those by private treaty, land exchange, land extension and short-term tenancy proceeded in accordance with the established practice.

5 In 2012, the Department helped to resume 55.88 hectares of land required for public works and other projects. In land management, the Department took land control actions leading to clearance of 8 154 government sites involving unlawful occupation of government land and handled 962 cases involving breaches of lease conditions.

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6 The key performance measures in respect of land administration are:

Targets

	Target	2011 (Actual)	2012 (Actual)	2013 (Plan)
<i>Land disposal</i>				
small houses (cases processed).....	2 300	2 416	2 403	2 300
<i>Lease modifications (non small house cases)</i>				
issue of letter of reply to application within three weeks (%)	100	100	100	100
issue of letter of offer of provisional basic terms (without premium)/rejection/indicating in-principle agreement within 22 weeks from receipt of application (%)	100	97	98	100
issue of legal document for execution within 12 weeks from receipt of a binding acceptance of the final basic terms and premium offer (%).....	100	100	100	100
<i>Land acquisition</i>				
offer of compensation based on ex-gratia rates made within four weeks from the date of gazette notice of resumption of agricultural land in the New Territories (N.T.) (%).....	100	100	100	100
cheques for compensation made available for collection within four weeks from receipt of acceptance by the Department proof of legal title (for agricultural land cases in N.T.) (%).....	100	100	100	100
offer of compensation or invitation to claims made within three weeks from land reversion (%)	100	100	100	100

Indicators

	2011 (Actual)	2012 (Actual)	2013 (Estimate)
<i>Land disposal</i>			
land disposed (ha).....	40.70	43.28	—Δ
land sale programme			
land sold (auction and tender) (ha)	25.90	29.66	—Δ
no. of flats	6 705	6 478	—Δ
private treaty grants			
land granted (ha).....	4.50	4.51	19.00
no. of flats	477	1 508	7 800
<i>Lease variations</i>			
lease modifications, exchanges and extensions			
no. of cases	101	119	105
no. of flats	6 387	6 864	6 900
processing of applications from indigenous villagers for rent concession (no. of lots/tenements).....	1 050	1 035	1 000
<i>Land acquisition</i>			
Public Works Programme projects (ha)	2.33	55.88	26.70
railway development projects (ha).....	3.91	2.53	0.01
urban renewal projects (no. of property interests)	625	1 191	348
Rural Planning and Improvement Strategy/Village Improvement (ha).....			
total acquisition/clearance costs (\$m).....	0	0	0.13
	549.3	718.5	3,801.8
<i>Land management</i>			
lease enforcement cases	939	962	940
rebuilding of temporary domestic structures.....	46	77	16
government sites cleared from unlawful occupationΩ.....	6 909	8 154	8 000
cleaning up of sites under management#	812	910	910

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	2011 (Actual)	2012 (Actual)	2013 (Estimate)
maintenance of slopes on unallocated and unleased government land			
man-made slopes to be inspected.....	11 285	11 720	11 900
man-made slopes to be maintained or improved.....	6 650	6 820	6 900
demolition of structures under non-development clearance (no. of structures).....	51	13	50
temporary use of government land			
temporary allocations to government departments (ha).....	866.00	878.43	906.96
short-term tenancies issued¶			
short term tenancies let by tender (ha).....	48.93	49.67	52.00
short term tenancies let by direct grant (ha).....	152.00	89.47	66.64
<i>Property management</i>			
properties/units managed.....	242	237	233
repair orders issued for government properties.....	105	105	105
disposal of government properties.....	13	16	16
<i>Squatter control and clearance</i>			
unauthorised structures demolished.....	364	372	364
surveyed structures inspected.....	200 383	200 416	200 383
cases under freezing action for demolition of surveyed structures occupied by squatters who have applied for public rental housing.....	116	85	80
structures cleared in programmed squatter clearances or emergency clearances.....	1 000	679	2 700

Δ Not possible to estimate because sale of government land is subject to market response.

Ω Revised description of previous indicator “government sites cleared and guarded”.

New indicator as from 2013. The figures indicate the number of sites under management for regular grass cutting and cleaning up in order to eliminate the breeding grounds of mosquitoes to prevent the spread of dengue fever and Japanese encephalitis.

¶ Revised description of previous indicator “land let by short-term tenancy”.

Matters Requiring Special Attention in 2013–14

7 During 2013–14, the Department will:

- continue to strengthen land control and lease enforcement work;
- continue to streamline and expedite the processing of lease modifications, land exchanges and premium assessments and to expedite the processing of applications in respect of revitalisation of industrial buildings;
- continue land sales under the Application List System and government-initiated sales of sites and monitor the tenders of property development projects of the Urban Renewal Authority and the MTR Corporation Limited;
- continue with the work on resumption and clearance of land for the Liantang/Heung Yuen Wai Boundary Control Point and Associated Works project; and undertake preparatory work on resumption and clearance of land required for proposed new projects such as Widening of Tolo Highway/Fanling Highway between Island House Interchange and Fanling Stage 2 and the Drainage Improvement in Northern New Territories; and
- continue with the handling of residual compensation claims in respect of the completed railway projects and projects under construction; undertake work on resumption and clearance, creation of easements and rights of temporary occupation, granting and administration of short term tenancies and land allocations required for the West Island Line, the Hong Kong section of the Guangzhou – Shenzhen – Hong Kong Express Rail Link, the South Island Line (East), the Kwun Tong Line Extension and the Shatin to Central Link.

Programme (2): Survey and Mapping

	2011–12 (Actual)	2012–13 (Original)	2012–13 (Revised)	2013–14 (Estimate)
Financial provision (\$m)	444.3	456.2	476.8 (+4.5%)	482.2 (+1.1%)
				(or +5.7% on 2012–13 Original)

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Aim

8 The aim is to formulate and implement survey and mapping policies, standards, regulations and specifications; provide and maintain the basic mapping, geodetic and land boundary databases; carry out geodetic, mapping and land boundary surveys; and administer the Land Survey Ordinance (Cap. 473) (LSO) under the Land Survey Authority to cope with land and building developments in Hong Kong.

Brief Description

9 The Survey and Mapping Office (SMO) provides and maintains the 1:1 000 basic maps covering the whole territory. It also provides maps and plans at various scales and for various purposes. In particular, it provides survey and mapping services to the Lands Administration Office for land administration functions such as land acquisition and disposal, lease modification and enforcement, and small house development. It operates a Land Information System for maintaining updated digital maps and cadastral databases. Apart from government departments, private organisations and the public can purchase the data for their own uses under a permit or licence. SMO also provides photogrammetric and aerial survey services for specific purposes in addition to general mapping. It is responsible for the establishment and maintenance of the territory-wide geodetic network. Under the Land Survey Authority, it administers the LSO which governs the registration and discipline of Authorised Land Surveyors and the control of the standards of land boundary surveys. It is also responsible for street naming under the Public Health and Municipal Services Ordinance (Cap. 132).

10 The key performance measures in respect of survey and mapping are as follows:

Targets

	Target	2011 (Actual)	2012 (Actual)	2013 (Plan)
setting out land boundaries within 12 weeks from receipt of request (%).....	100	94	99	100
providing mapping and geodetic information within one working day from receipt of request (%).....	100	100	100	100
updating large-scale plans within 12 weeks on completion of major infrastructural projects (%).....	100	100	100	100

Indicators

	2011 (Actual)	2012 (Actual)	2013 (Estimate)
<i>Geodetic survey</i>			
precise horizontal and vertical control points fixed	879	914	900
survey monuments and marks built and maintained.....	4 386	4 318	4 400
<i>Topographical survey and map production</i>			
continuous revision, area surveyed and inspected (ha)	71 115	66 366	68 000
maps and charts produced.....	8 313	8 188	8 200
reprographic services provided (no. of copies).....	407 213	425 005	420 000
<i>Cadastral survey</i>			
lots defined or set out.....	2 434	2 477	2 500
cadastral plans prepared.....	52 350	61 266	61 000
<i>Aerial survey</i>			
photographs taken for measurement and record	9 541	10 022	9 500
total area of photogrammetric survey conducted (ha).....	29 982	30 465	31 000
<i>LSO</i>			
total number of lot sub-division plans examined	2 164	2 012	2 000

Matters Requiring Special Attention in 2013–14

11 During 2013–14, the Department will continue to:

- enhance the Land Information System for maintaining the territory-wide digital map database;
- enhance the Map Archives Retrieval System to allow the general public to place orders and make payments for paper map products on the Internet;
- provide survey and mapping services for the planning, land resumption and clearance, and land disposals in order to make land available for the construction of various new railway projects;
- enhance and extend the Hong Kong Special Administrative Region Geospatial Information Hub service to facilitate easy access to geospatial information within the Government;

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- develop and enhance the GeoInfo Map service to facilitate convenient access to official maps and geographic information by the general public through the Internet;
- enhance the quality of the territory-wide 3D spatial data and establish data standard for exchange of 3D spatial data among government departments; and
- replace the film-based aerial camera with a large-format digital aerial camera system for providing high resolution digital aerial photographs.

Programme (3): Legal Advice

	2011–12 (Actual)	2012–13 (Original)	2012–13 (Revised)	2013–14 (Estimate)
Financial provision (\$m)	55.3	61.5	61.1 (–0.7%)	64.2 (+5.1%)
				(or +4.4% on 2012–13 Original)

Aim

12 The aim is to facilitate government land transactions by providing legal advice and conveyancing services to the departments and bureaux concerned, and to give consent to sales of units in uncompleted developments.

Brief Description

13 The Legal Advisory and Conveyancing Office (LACO) provides professional legal services within the Department in relation to Programme (1) for the issue, renewal and variation of government leases as well as the drafting and execution of conditions of sale (by auction or tender), grant and exchange. In compulsory acquisition cases, the LACO is responsible for approving the legal title of the former owners and preparing the compensation documents before compensation is released. The LACO is also responsible for checking the legal title of the former owners and preparing the surrender documents before their land is surrendered to the Government in exchange for a new grant of land for development. It also provides conveyancing services to The Financial Secretary Incorporated, The Secretary for Home Affairs Incorporated and other government departments and policy bureaux in their property transactions.

14 Under the Lands Department Consent Scheme, the LACO processes applications for consent to sell units in uncompleted buildings prior to compliance with the lease conditions. The Scheme's main objective is to ensure that developers have the financial and technical ability to complete the units to be sold to protect the interests of purchasers. As one of the terms imposed under the land grants for commercial and residential developments, Deeds of Mutual Covenant (DMCs) setting out the respective rights and obligations of all the owners of the buildings need to be approved by the LACO before consent is issued or sales of the units can begin.

15 The key performance measures in respect of legal advice are:

Targets

	Target	2011 (Actual)	2012 (Actual)	2013 (Plan)
<i>Consents</i>				
Sale and Purchase Agreements—approved within 13 weeks (excluding time for approval of DMC) (%)	100	100	100	100
DMCs—approved within 13 weeks (%).....	100	100	100	100

Indicators

	2011 (Actual)	2012 (Actual)	2013 (Estimate)
<i>Consents</i>			
Sale and Purchase Agreements approved			
—non-residential developments	7	2	5
—residential developments.....	16	19	24
sale of uncompleted residential units (no. of flats)	9 112	12 246	14 000
DMCs approved			
—non-residential developments	7	6	4
—residential developments.....	16	25	30

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Matters Requiring Special Attention in 2013–14

16 During 2013–14, the Department will continue to:

- expedite the approval of legal title of former owners and preparation of compensation documents in respect of private land resumed under various infrastructure projects;
- contract out to private firms the processing of applications for approval of DMCs, title checking and related legal work for payment of compensation for land resumption; and
- explore further ways to streamline the existing procedures in relation to Programme (1) so as to improve efficiency.

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ANALYSIS OF FINANCIAL PROVISION

Programme	2011–12 (Actual) (\$m)	2012–13 (Original) (\$m)	2012–13 (Revised) (\$m)	2013–14 (Estimate) (\$m)
(1) Land Administration.....	1,350.1	1,426.2	1,471.7	1,525.2
(2) Survey and Mapping	444.3	456.2	476.8	482.2
(3) Legal Advice	55.3	61.5	61.1	64.2
	1,849.7	1,943.9	2,009.6 (+3.4%)	2,071.6 (+3.1%)
				(or +6.6% on 2012–13 Original)

Analysis of Financial and Staffing Provision

Programme (1)

Provision for 2013–14 is \$53.5 million (3.6%) higher than the revised estimate for 2012–13. This is mainly due to a net increase of 25 posts for land administration, resumption and clearance work, salary increments for staff, filling of vacancies and other operating expenses.

Programme (2)

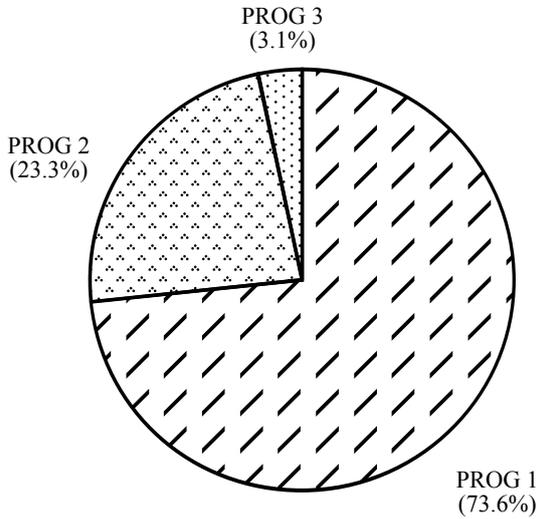
Provision for 2013–14 is \$5.4 million (1.1%) higher than the revised estimate for 2012–13. This is mainly due to a net increase of one post for land administration, resumption and clearance work, salary increments for staff, filling of vacancies and other operating expenses.

Programme (3)

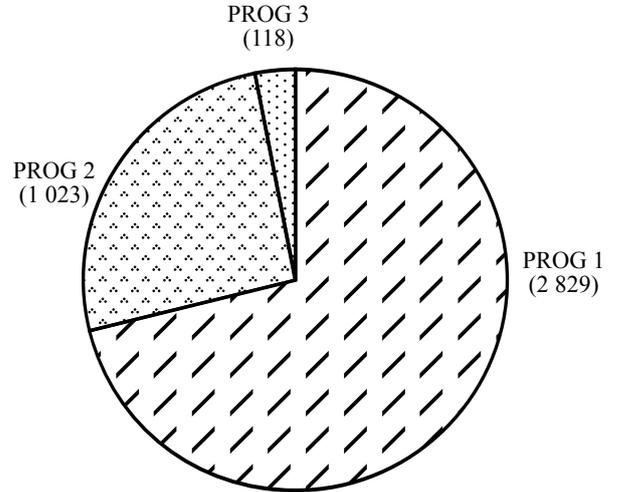
Provision for 2013–14 is \$3.1 million (5.1%) higher than the revised estimate for 2012–13. This is mainly due to salary increments for staff and filling of vacancies.

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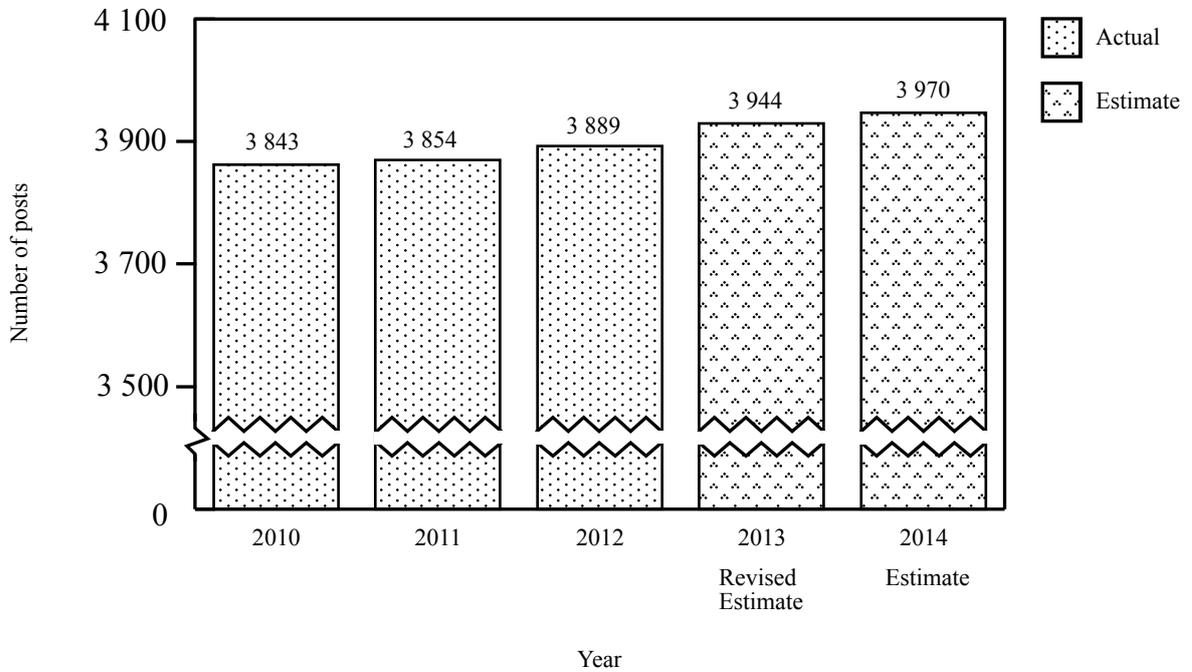
Allocation of provision to programmes (2013-14)



Staff by programme (as at 31 March 2014)



Changes in the size of the establishment (as at 31 March)



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Sub-head (Code)		Actual expenditure 2011-12	Approved estimate 2012-13	Revised estimate 2012-13	Estimate 2013-14
	\$'000	\$'000	\$'000	\$'000	\$'000
Operating Account					
Recurrent					
000	Operational expenses	1,847,060	1,937,684	2,007,952	2,064,597
003	Recoverable salaries and allowances (General).....	28,074			
	<i>Deduct</i> reimbursements.....	<i>Cr. 28,074</i>	—	—	—
221	Clearance of government land - ex-gratia allowances	472	4,354	211	4,924
	Total, Recurrent	1,847,532	1,942,038	2,008,163	2,069,521
	Total, Operating Account.....	1,847,532	1,942,038	2,008,163	2,069,521
Capital Account					
Plant, Equipment and Works					
661	Minor plant, vehicles and equipment (block vote).....	2,151	1,871	1,480	2,081
	Total, Plant, Equipment and Works	2,151	1,871	1,480	2,081
	Total, Capital Account.....	2,151	1,871	1,480	2,081
	Total Expenditure	1,849,683	1,943,909	2,009,643	2,071,602

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Details of Expenditure by Subhead

The estimate of the amount required in 2013–14 for the salaries and expenses of the Lands Department is \$2,071,602,000. This represents an increase of \$61,959,000 over the revised estimate for 2012–13 and of \$221,919,000 over actual expenditure in 2011–12.

Operating Account

Recurrent

2 Provision of \$2,064,597,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Lands Department.

3 The establishment as at 31 March 2013 will be 3 944 posts. It is expected that there will be a net increase of 26 posts in 2013–14. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2013–14, but the notional annual mid-point salary value of all such posts must not exceed \$1,420,220,000.

4 An analysis of the financial provision under *Subhead 000 Operational expenses* is as follows:

	2011–12 (Actual) (\$'000)	2012–13 (Original) (\$'000)	2012–13 (Revised) (\$'000)	2013–14 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	1,457,051	1,491,709	1,557,452	1,587,426
- Allowances	11,403	13,667	13,055	14,337
- Job-related allowances.....	2,178	2,512	2,459	2,647
Personnel Related Expenses				
- Mandatory Provident Fund contribution	2,920	3,302	3,310	3,976
- Civil Service Provident Fund contribution	9,007	15,245	16,779	22,082
Departmental Expenses				
- Hire of services and professional fees	47,345	74,115	63,061	79,458
- Contract maintenance	182,856	189,320	204,354	195,500
- General departmental expenses	134,300	147,799	147,467	159,156
Other Charges				
- Financial Secretary Incorporated - suspense account adjustment	—	15	15	15
	1,847,060	1,937,684	2,007,952	2,064,597

5 Gross provision of \$28,074,000 under *Subhead 003 Recoverable salaries and allowances (General)* includes salaries and allowances for the urban renewal team which processes land resumption to make land available for the urban renewal projects. The cost will be fully recovered from the Urban Renewal Authority.

6 Provision of \$4,924,000 under *Subhead 221 Clearance of government land - ex-gratia allowances* is for allowances payable to persons cleared from government land other than in the course of clearances required for public works projects. The increase of \$4,713,000 (2 233.6%) over the revised estimate for 2012–13 is mainly due to a new clearance project and other projects on government land rescheduled from 2012–13 to 2013–14.

Capital Account

Plant, Equipment and Works

7 Provision of \$2,081,000 under *Subhead 661 Minor plant, vehicles and equipment (block vote)* represents an increase of \$601,000 (40.6%) over the revised estimate for 2012–13. This is mainly due to the increased requirement for replacement of minor plant and equipment.