

## Head 91 — LANDS DEPARTMENT

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

**Estimate 2014–15** ..... **\$2,162.1m**

**Establishment ceiling 2014–15** (notional annual mid-point salary value) representing an estimated 3 929 non-directorate posts as at 31 March 2014 rising by 101 posts to 4 030 posts as at 31 March 2015 ..... **\$1,518.1m**

In addition, there will be an estimated 46 directorate posts as at 31 March 2014 and as at 31 March 2015.

### 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

	2012–13 (Actual)	2013–14 (Original)	2013–14 (Revised)	2014–15 (Estimate)
Financial provision (\$m)	1,460.4	1,525.2	1,525.8 (—)	<b>1,593.9</b> (+4.5%)
				(or +4.5% on 2013–14 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 28 February 2013, Government announced the 2013–14 Land Sale Programme comprising 46 residential sites, nine commercial/business sites and one hotel site. On 28 June 2013, the Government announced the addition of six residential sites to and removal of three residential sites from the 2013–14 Land Sale Programme. Two new residential sites were also added to the 2013–14 Land Sale Programme on 18 December 2013. During 2013, 21 sites from the 2013–14 Land Sale Programme were sold by tender. In 2013, the Department completed 84 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 2013, the Department helped to resume 4.03 hectares of land required for public works and other projects. In land management, the Department took land control actions leading to clearance of 7 358 government sites involving unlawful occupation of government land and handled 969 cases involving breaches of lease conditions.

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

### *Targets*

	Target	2012 (Actual)	2013 (Actual)	2014 (Plan)
<i>Land disposal</i>				
small houses (cases processed) .....	2 300	2 403	2 354	<b>2 300</b>
<i>Lease modifications (non small house cases)</i>				
issue of letter of reply to application within three weeks (%) .....	100	100	99	<b>100</b>
issue of letter of offer of provisional basic terms (without premium)/rejection/indicating in-principle agreement within 22 weeks from receipt of application (%) .....	100	98	98	<b>100</b>
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	<b>100</b>
<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	<b>100</b>
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	99	<b>100</b>
offer of compensation or invitation to claims made within three weeks from land reversion (%) .....	100	100	100	<b>100</b>

### *Indicators*

	2012 (Actual)	2013 (Actual)	2014 (Estimate)
<i>Land disposal</i>			
land disposed (ha) .....	43.28	44.50	—Δ
<i>land sale programme</i>			
land sold (auction and tender) (ha) .....	29.66	38.41	—Δ
no. of flats .....	6 478	8 819	—Δ
<i>private treaty grants</i>			
land granted (ha) .....	4.51	3.85	—Ψ
no. of flats .....	1 508	1 637	—Ψ
<i>Lease variations</i>			
<i>lease modifications, exchanges and extensions</i>			
no. of cases .....	119	91	—Ψ
no. of flats .....	6 864	929	—Ψ
processing of applications from indigenous villagers for rent concession (no. of lots/tenements) .....	1 035	1 636	<b>1 600</b>
<i>Land acquisition</i>			
Public Works Programme projects (ha) .....	55.88	3.90	<b>21.29</b>
railway development projects (ha) .....	2.53	0.01	<b>1.10</b>
urban renewal projects (no. of property interests) .....	1 191	399	<b>508</b>
<i>Rural Planning and Improvement Strategy/Village Improvement (ha) .....</i>			
Improvement (ha) .....	0	0.13	<b>0.71</b>
total acquisition/clearance costs (\$m) .....	718.5	2 604.2	<b>2 921.6</b>
<i>Land management</i>			
lease enforcement cases .....	962	969	<b>940</b>
rebuilding of temporary domestic structures .....	77	30	<b>11</b>
government sites cleared from unlawful occupation .....	8 154	7 358	<b>7 500</b>
cleaning up of sites under management .....	910	1 038	<b>1 038</b>

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	2012 (Actual)	2013 (Actual)	2014 (Estimate)
maintenance of slopes on unallocated and unleased government land			
man-made slopes to be inspected .....	11 720	12 105	<b>12 200</b>
man-made slopes to be maintained or improved .....	6 820	7 120	<b>7 150</b>
demolition of surveyed structures on grounds of slope safety (no. of structures) <sup>△</sup> .....	13	14	<b>50</b>
temporary use of government land			
temporary allocations issued to government departments (ha) <sup>#</sup> .....	69.46	83.10	<b>57.10</b>
short-term tenancies issued			
short term tenancies let by tender (ha) .....	49.67	42.24	<b>20.00</b>
short term tenancies let by direct grant (ha) .....	89.47	32.70	<b>25.90</b>
<i>Property management</i>			
properties/units managed .....	237	233	<b>157</b>
repair orders issued for government properties .....	105	105	<b>105</b>
disposal of government properties .....	16	16	<b>15</b>
<i>Squatter control and clearance</i>			
unauthorised structures demolished .....	372	259	<b>254</b>
surveyed structures inspected .....	200 416	197 202	<b>200 183</b>
cases under freezing action for demolition of surveyed structures occupied by squatters who have applied for public rental housing <sup>¶</sup> .....	85	9	<b>—<sup>Ω</sup></b>
structures cleared in programmed development clearances and emergency clearances (excluding surveyed structures cleared on grounds of slope safety) <sup>‡</sup> .....	679	812	<b>3 834</b>

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

Ψ Not possible to estimate as the transactions are subject to applicants' acceptance of the proposed terms which is also influenced by the market.

△ Revised description of previous indicator "demolition of structures under non-development clearance (no. of structures)" as from 2014, for clarity of the scope of this indicator.

# Revised description of previous indicator "temporary allocations to government departments (ha)" as from 2014, by reference to the area granted in the relevant year instead of the area of all existing temporary allocations.

¶ An indicator to be removed since the relevant data will no longer be made available on personal data privacy grounds.

Ω The relevant data will no longer be made available on personal data privacy grounds.

‡ Revised description of previous indicator "structures cleared in programmed squatter clearances or emergency clearances" as from 2014, for clarity of the scope of this indicator.

### ***Matters Requiring Special Attention in 2014–15***

7 During 2014–15, the Department will:

- continue to strengthen land control and lease enforcement work, including the stepping up of enforcement against unauthorised structures on private agricultural land;
- 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 Land Sale Programme 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 Widening of Tolo Highway/Fanling Highway between Island House Interchange and Fanling Stage 2; and undertake preparatory work on resumption and clearance of land required for proposed new projects such as formation of housing sites and their associated works in Tuen Mun Area 54, and the New Development Areas in Kwu Tung North and Fanling North; and
- continue with the handling of compensation claims in respect of the railway projects; 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.

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### Programme (2): Survey and Mapping

	2012–13 (Actual)	2013–14 (Original)	2013–14 (Revised)	2014–15 (Estimate)
Financial provision (\$m)	470.6	482.2	496.0 (+2.9%)	<b>500.5</b> (+0.9%)
				(or +3.8% on 2013–14 Original)

#### *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	2012 (Actual)	2013 (Actual)	2014 (Plan)
setting out land boundaries within 12 weeks from receipt of request (%).....	100	99	99	<b>100</b>
providing mapping and geodetic information within one working day from receipt of request (%).....	100	100	100	<b>100</b>
updating large-scale plans within 12 weeks on completion of major infrastructural projects (%).....	100	100	100	<b>100</b>

#### *Indicators*

	2012 (Actual)	2013 (Actual)	2014 (Estimate)
<i>Geodetic survey</i>			
precise horizontal and vertical control points fixed .....	914	1 672	<b>900</b>
survey monuments and marks built and maintained .....	4 318	4 410	<b>4 400</b>
<i>Topographical survey and map production</i>			
continuous revision, area surveyed and inspected (ha).....	66 366	61 945	<b>64 000</b>
maps and charts produced .....	8 188	8 732	<b>8 260</b>
reprographic services provided (no. of copies) .....	425 005	423 057	<b>410 000</b>
<i>Cadastral survey</i>			
lots defined or set out .....	2 477	2 161	<b>2 080</b>
cadastral plans prepared .....	61 266	67 247	<b>70 000</b>
<i>Aerial survey</i>			
photographs taken for measurement and record .....	10 022	12 850	<b>9 500</b>
total area of photogrammetric survey conducted (ha).....	30 465	30 800	<b>31 000</b>
<i>LSO</i>			
total number of lot sub-division plans examined .....	2 012	1 774	<b>1 850</b>

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### *Matters Requiring Special Attention in 2014–15*

11 During 2014–15, 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 process, land resumption and clearance, and land disposals;
- enhance and extend the Hong Kong Special Administrative Region Geospatial Information Hub service to facilitate easy access to geospatial information within the Government;
- 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;
- replace the film-based aerial camera with a large-format digital aerial camera system for providing high resolution digital aerial photographs; and
- develop the Geospatial Data Conversion Suite for the conversion of the new seamless/tile-based large-scale digital map into common formats to support Geographic Information System and Computer Aided Design users.

### **Programme (3): Legal Advice**

	2012–13 (Actual)	2013–14 (Original)	2013–14 (Revised)	<b>2014–15 (Estimate)</b>
Financial provision (\$m)	61.0	64.2	63.0 (–1.9%)	<b>67.7</b> (+7.5%)
				(or +5.5% on 2013–14 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. When required under the leases 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	2012 (Actual)	2013 (Actual)	<b>2014 (Plan)</b>
<i>Consents</i>				
Sale and Purchase Agreements—approved within 13 weeks (excluding time for approval of DMC) (%) .....	100	100	100	<b>100</b>
DMCs—approved within 13 weeks (%) .....	100	100	100	<b>100</b>

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### *Indicators*

	2012 (Actual)	2013 (Actual)	2014 (Estimate)
<i>Consents</i>			
Sale and Purchase Agreements approved			
—non-residential developments .....	2	7	<b>5</b>
—residential developments .....	19	20	<b>24</b>
sale of uncompleted residential units (no. of flats) .....	12 246	10 884	<b>12 500</b>
DMCs approved			
—non-residential developments .....	6	3	<b>6</b>
—residential developments .....	25	23	<b>27</b>

### *Matters Requiring Special Attention in 2014–15*

**16** During 2014–15, 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 the Lands Department Consent Scheme and Programme (1).

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### ANALYSIS OF FINANCIAL PROVISION

	2012-13 (Actual) (\$m)	2013-14 (Original) (\$m)	2013-14 (Revised) (\$m)	2014-15 (Estimate) (\$m)
<b>Programme</b>				
(1) Land Administration .....	1,460.4	1,525.2	1,525.8	<b>1,593.9</b>
(2) Survey and Mapping .....	470.6	482.2	496.0	<b>500.5</b>
(3) Legal Advice .....	61.0	64.2	63.0	<b>67.7</b>
	1,992.0	2,071.6	2,084.8 (+0.6%)	<b>2,162.1</b> (+3.7%)
				<b>(or +4.4% on 2013-14 Original)</b>

#### Analysis of Financial and Staffing Provision

##### Programme (1)

Provision for 2014-15 is \$68.1 million (4.5%) higher than the revised estimate for 2013-14. This is mainly due to a net increase of 79 posts for land administration, resumption and clearance work, salary increments for staff, filling of vacancies and other operating expenses.

##### Programme (2)

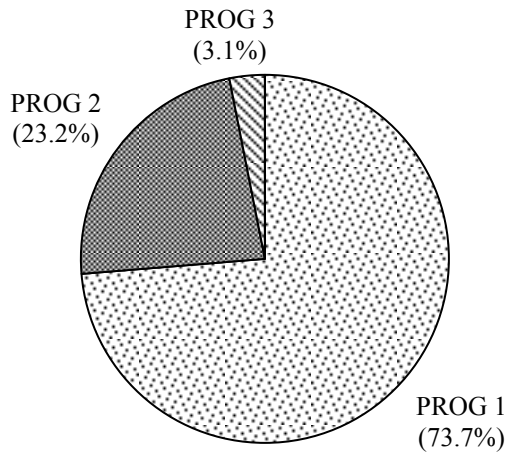
Provision for 2014-15 is \$4.5 million (0.9%) higher than the revised estimate for 2013-14. This is mainly due to a net increase of 20 posts for land administration, resumption and clearance work, salary increments for staff, filling of vacancies and other operating expenses.

##### Programme (3)

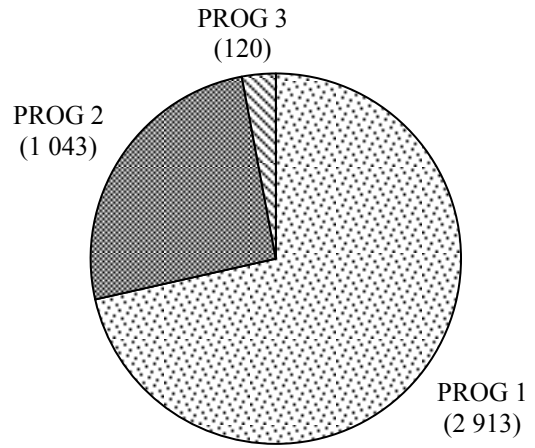
Provision for 2014-15 is \$4.7 million (7.5%) higher than the revised estimate for 2013-14. This is mainly due to an increase of two posts for land administration, resumption and clearance work, salary increments for staff, filling of vacancies and other operating expenses.

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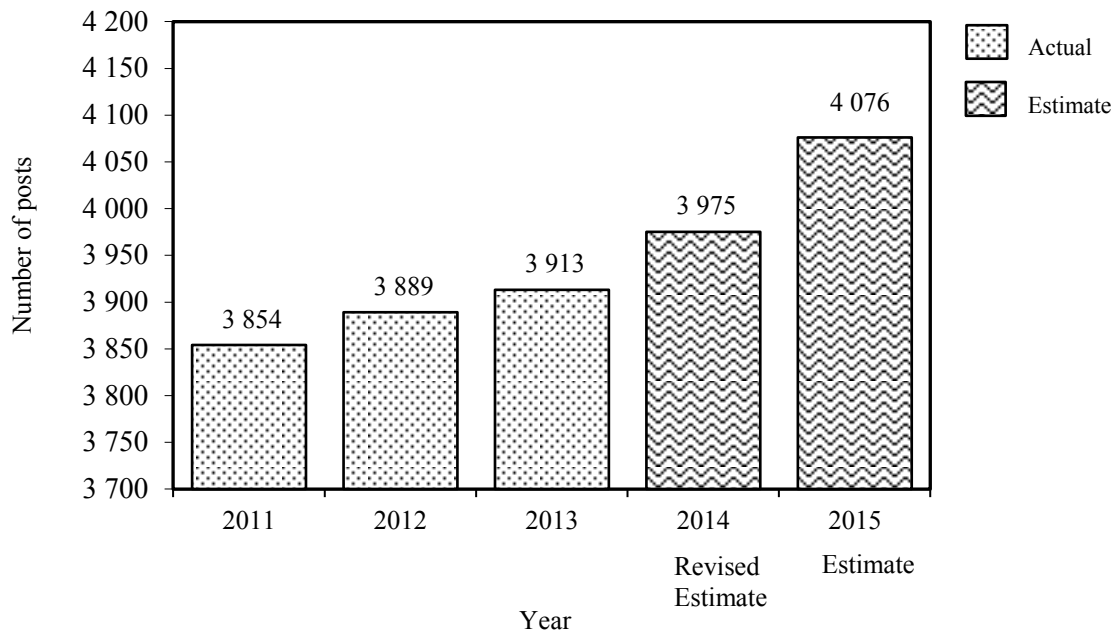
*Allocation of provision to programmes (2014-15)*



*Staff by programme (as at 31 March 2015)*



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





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Sub-head (Code)		Actual expenditure 2012-13	Approved estimate 2013-14	Revised estimate 2013-14	<b>Estimate 2014-15</b>
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Account</b>					
Recurrent					
000	Operational expenses .....	1,990,410	2,064,597	2,082,083	<b>2,158,526</b>
003	Recoverable salaries and allowances (General).....	28,714			
	<i>Deduct</i> reimbursements ..... <i>Cr. 28,714</i>	—	—	—	—
221	Clearance of government land - ex-gratia allowances .....	117	4,924	633	<b>1,089</b>
	Total, Recurrent.....	<u>1,990,527</u>	<u>2,069,521</u>	<u>2,082,716</u>	<u><b>2,159,615</b></u>
	Total, Operating Account .....	<u>1,990,527</u>	<u>2,069,521</u>	<u>2,082,716</u>	<u><b>2,159,615</b></u>
<b>Capital Account</b>					
Plant, Equipment and Works					
661	Minor plant, vehicles and equipment (block vote).....	1,478	2,081	2,081	<b>2,475</b>
	Total, Plant, Equipment and Works.....	<u>1,478</u>	<u>2,081</u>	<u>2,081</u>	<u><b>2,475</b></u>
	Total, Capital Account.....	<u>1,478</u>	<u>2,081</u>	<u>2,081</u>	<u><b>2,475</b></u>
	Total Expenditure .....	<u><u>1,992,005</u></u>	<u><u>2,071,602</u></u>	<u><u>2,084,797</u></u>	<u><u><b>2,162,090</b></u></u>

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### Details of Expenditure by Subhead

The estimate of the amount required in 2014–15 for the salaries and expenses of the Lands Department is \$2,162,090,000. This represents an increase of \$77,293,000 over the revised estimate for 2013–14 and of \$170,085,000 over actual expenditure in 2012–13.

#### Operating Account

##### Recurrent

**2** Provision of \$2,158,526,000 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 2014 will be 3 975 posts. It is expected that there will be a net increase of 101 posts in 2014–15. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2014–15, but the notional annual mid-point salary value of all such posts must not exceed \$1,518,110,000.

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

	2012–13 (Actual) (\$'000)	2013–14 (Original) (\$'000)	2013–14 (Revised) (\$'000)	2014–15 (Estimate) (\$'000)
Personal Emoluments				
- Salaries.....	1,551,170	1,587,426	1,616,338	<b>1,651,878</b>
- Allowances.....	12,967	14,337	13,927	<b>14,755</b>
- Job-related allowances.....	2,327	2,647	2,576	<b>2,737</b>
Personnel Related Expenses				
- Mandatory Provident Fund contribution.....	3,151	3,976	3,741	<b>4,910</b>
- Civil Service Provident Fund contribution.....	16,719	22,082	23,233	<b>28,926</b>
Departmental Expenses				
- Hire of services and professional fees .....	61,735	79,458	72,032	<b>85,606</b>
- Contract maintenance .....	200,994	195,500	198,831	<b>195,500</b>
- General departmental expenses .....	141,333	159,156	151,405	<b>174,199</b>
Other Charges				
- Financial Secretary Incorporated - suspense account adjustment.....	14	15	—	<b>15</b>
	1,990,410	2,064,597	2,082,083	<b>2,158,526</b>

**5** Gross provision of \$28,714,000 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 \$1,089,000 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 \$456,000 (72.0%) over the revised estimate for 2013–14 is mainly due to new clearance projects and other projects on government land rescheduled from 2013–14 to 2014–15.

#### Capital Account

##### Plant, Equipment and Works

**7** Provision of \$2,475,000 under *Subhead 661 Minor plant, vehicles and equipment (block vote)* represents an increase of \$394,000 (18.9%) over the revised estimate for 2013–14. This is mainly due to the increased requirement for replacement of minor plant and equipment.