

CONTROLLING OFFICER'S REPLY

DEVB(PL)097

(Question Serial No. 0750)

Head: (91) Lands Department
Subhead (No. & title): (-) Not Specified
Programme: (1) Land Administration
Controlling Officer: Director of Lands (Ms Bernadette LINN)
Director of Bureau: Secretary for Development

Question:

1. Of the residential sites disposed of in the past five years, are there any provisions on the time limit for superstructure development in the land leases? If yes, what are these provisions in general? Have they been violated by any developers or land owners over the past three years?
2. How many residential flats in total can be built on the residential sites disposed of in the past five years?

Asked by: Hon CHAN Kam-lam (Member Question No. 45)

Reply:

1. As a general practice, a Building Covenant (BC) clause is incorporated into the land leases of residential sites. Under the BC clause, the developer is required to complete the construction of the minimum gross floor area specified in the lease conditions and obtain an occupation permit from the Building Authority within the BC period imposed in the lease conditions. In general, the BC period depends on the scale and complexity of the development permitted under the lease conditions. For those residential sites sold in the years from 2011 to 2015, the BC period ranges from 48 months to 100 months. Accordingly, the BC periods have yet to expire for most of the residential sites sold during that five-year period. For three cases with BC periods expired, two cases have complied with the BC while approval of extension was given to the non-compliant case upon full justifications given for the delay and payment of premium.
2. The total estimated number of flats that can be produced from residential sites sold in the past five years (2011 to 2015) is around 41 800 but the flat production is subject to actual design of the developments.

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