

**CONTROLLING OFFICER'S REPLY**

**DEVB(PL)124**

**(Question Serial No. 1573)**

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:

Please inform this Committee of the following:

- (1) In response to the recommendations made by the Director of Audit in Report No. 65 on the disposal of vacant school premises (VSP) by the Education Bureau (EDB), what follow-up actions will be taken by the Lands Department (Lands D) in 2017-18?
- (2) Besides EDB passing a list of vacant properties to Lands D, do other government departments have a similar mechanism for passing such a list to Lands D? If yes, please provide a breakdown by government department of the information on the government properties left idle over the past three years, including their locations, areas and the duration for which they have been left idle.
- (3) Please provide a breakdown by district of the information on each of the 29 VSP mentioned in Report No. 65 of the Director of Audit, including their location, site area and the duration for which they have been left idle.
- (4) Please provide a breakdown by district of the information on each of the 71 VSP with physical possession not delivered to the Government after cessation of school operation as mentioned in Report No. 65 of the Director of Audit, including its location, site area and the duration for which it has been left idle.

Asked by: Hon LAM Cheuk-ting (Member Question No. 21)

Reply:

- (1) The Education Bureau (EDB) and the Lands Department (Lands D) have agreed on the mechanism and procedures for handling vacant school premises (VSP), including VSP on sites where the leases provide the Government with the rights to re-enter after cessation/diminution of school use, and have strengthened communication and coordination under the mechanism in order to optimise the use of VSP as early as

possible. Lands D will, as appropriate, continue to take suitable actions to recover possession of VSP on sites for which there is a cessation/diminution of user clause in the land leases and VSP held on government land licences. For VSP on sites returned to or recovered by Lands D, we will make early arrangements to put them to suitable use. Where long-term uses have been identified and agreed within the Government, Lands D will arrange to dispose of the sites for the purpose. Where implementation of the identified long-term uses will take time or where long-term uses are yet to be determined, Lands D will try to put the sites together with the VSP thereon to temporary uses, such as allocating them for use by government bureaux/departments, renting them out on short-term tenancies upon identification of suitable temporary uses, or including the VSP into the list of vacant government sites of the relevant districts for circulation to the relevant District Councils and application by interested parties for greening and community uses on a short-term basis. To further facilitate public access to the list of VSP managed by Lands D which may be available for application on short-term basis by non-governmental organisations, Lands D is making arrangements for uploading the information onto its website starting from around the end of March 2017.

- (2) Lands D normally manages government land instead of built government properties. Under the existing mechanism within the Government, when government properties become surplus to requirement, the relevant bureaux/departments may pass the information to the Government Property Agency (GPA) for exploring suitable alternative uses.
- (3) It has all along been the Government's policy objective to put VSP into gainful use. When there is a vacant or to-be-vacated school premises, EDB will consider the suitability of the premises for educational use or whether it is needed to be re-allocated for school or other educational use. For VSP no longer required by EDB for school uses, EDB will inform the Planning Department (PlanD) and other relevant departments (such as Lands D and Housing Department (HD)) in accordance with the central clearing house mechanism. PlanD will consider suitable alternative long-term uses (such as government, institution or community, residential and other uses) for the concerned VSP sites. Upon confirmation on the long-term uses of the concerned VSP sites through the central clearing house mechanism, PlanD will inform the relevant departments such as Lands D and HD of the recommendations for their follow up as appropriate.

Regarding the 29 VSP under EDB's purview which were not being used as at 30 April 2015 as mentioned in Report No.65 of the Director of Audit, the land leases of four VSP do not contain a cessation/diminution of user clause allowing the Government to re-enter the land under the lease after cessation of the school use. The land lease of one VSP allows uses other than school use. For the remaining 24 VSP which have been reused, reallocated, or being planned for educational use, information on their respective districts, year of school closure and site area as provided by EDB is listed in the following table:

<b>No.</b>	<b>District</b>	<b>School year in which the school ceased operation (Note 1)</b>	<b>Approx. site area (square metres) (m<sup>2</sup>) (Note 2)</b>
1	Southern	2013/14	3 300#
2	Southern	2011/12	2 000
3	Wan Chai	2006/07	1 600
4	Kowloon City	2003/04	3 000
5	Kwun Tong	2007/08	3 100 #
6	Kwun Tong	2008/09	3 200 #
7	Sham Shui Po	2008/09	1 300
8	Sham Shui Po	2007/08	1 200
9	Yau Tsim Mong	2006/07	1 200
10	North	2004/05	700
11	Sha Tin	2009/10	5 200 #
12	Sha Tin	2012/13	6 400
13	Tai Po	2012/13	5 800
14	Yuen Long	2012/13	3 050
15	Central and Western	2008/09	1 600
16	Hong Kong East	2010/11	4 300 #
17	Kwun Tong	2011/12	3 700 #
18	Kwun Tong	2010/11	2 900
19	Sham Shui Po	2013/14	3 700
20	Tai Po	1999/00	2 400
21	Tsuen Wan	2010/11	3 600 #

No.	District	School year in which the school ceased operation (Note 1)	Approx. site area (m <sup>2</sup> ) (Note 2)
22	Tuen Mun	2010/11	5 300 #
23	Islands	2006/07	5 800
24	Kowloon City	2013/14	3 200

Note 1: “School year in which the school ceased operation” refers to the year the school premises ceased to be used by the original school on site. Some of these school premises have been put to temporary use afterwards.

Note 2: The area of school premises standing on public housing estates of the Hong Kong Housing Authority refers to internal floor area of the premises as marked with #. The site areas of other school premises are rough estimates based on records available to EDB and are for reference only.

- (4) Among the 71 VSP mentioned in Report No. 65 of the Director of Audit, the physical possession of which had not been delivered to the Government after cessation of school operation, the land leases of 28 VSP do not contain a cessation/diminution of user clause allowing the Government to re-enter the land after the cessation of school use, while the leases of two VSP allow uses other than school use. In other words, the Government does not have a contractual right to re-enter the private land concerned on the grounds that the school has ceased operation. For the remaining 41 VSP, 25 are under EDB’s purview and 16 have come under Lands D’s purview upon review through the central clearing house mechanism. Among the 25 VSP under EDB’s purview, 22 were being deployed for educational uses (with five under temporary waiver granted by Lands D) as at end-February 2017. For the remaining three VSP, the proposed uses of two of them have already had EDB’s in-principle support and the school sponsoring bodies (SSBs) are taking active follow up actions; while EDB is following up with the relevant government departments on requiring the SSB to surrender the remaining one VSP for reallocation for educational use. Regarding the 16 VSP under Lands D’s purview, as at end-February 2017, Lands D has repossessed five VSP and would continue to recover possession of three VSP and to process the proposals submitted for other uses in respect of remaining eight VSP. Information on the respective districts, year of school closure and site area of these 41 VSP is listed in the following table:

No.	District	School year in which the school ceased operation (Note 1)	Approx. site area (m <sup>2</sup> )
1	Wong Tai Sin	2008/09	2 000
2	North	2005/06	7 600
3	North	2006/07	16 100
4	North	2008/09	6 900
5	North	2006/07	900
6	North	2006/07	4 100
7	North	2007/08	7 800
8	Tai Po	1996/97	3 500
9	Tai Po	1996/97	1 100
10	Tai Po	1995/96	2 700
11	Tuen Mun	2005/06	1 900
12	Tuen Mun	2006/07	4 500
13	Islands	2003/04	200
14	Islands	2003/04	500
15	Islands	2006/07	Southern portion: 1 700 Northern portion: 1 800
16	Central and Western	2001/02	1 000
17	Eastern	2007/08	6 500
18	Southern	2011/12	2 000
19	Southern	2004/05	1 500
20	Wan Chai	2004/05	11 200

<b>No.</b>	<b>District</b>	<b>School year in which the school ceased operation (Note 1)</b>	<b>Approx. site area (m<sup>2</sup>)</b>
21	Wan Chai	2000/01	2 100
22	Wan Chai	2006/07	3 000
23	Wan Chai	2006/07	2 000
24	Kowloon City	2007/08	400
25	Kowloon City	2008/09	1 200
26	Kowloon City	2012/13	2 300
27	Kowloon City	2008/09	1 200
28	Kowloon City	2008/09	1 700
29	Kowloon City	2013/14	3 200
30	Sham Shui Po	2008/09	1 300
31	Sham Shui Po	2007/08	1 300
32	Sham Shui Po	2006/07	1 900
33	Sham Shui Po	2006/07	4 600
34	Yau Tsim Mong	2005/06	1 000
35	Yau Tsim Mong	2010/11	1 100
36	North	2006/07	2 800
37	Sai Kung	2008/09	41 300
38	Sha Tin	2012/13	6 400
39	Sha Tin	2008/09	5 000
40	Tai Po	2011/12	3 100
41	Islands	2007/08	6 200

Note 1: "School year in which the school ceased operation" refers to the year the school premises was ceased to be used by the original school on site. Some of these school premises have been put to temporary use afterwards.

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