

CONTROLLING OFFICER'S REPLY

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(Question Serial No. 3008)

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:

Regarding the strengthening of land management and lease enforcement work by the Lands Department (Lands D) in 2016-17, how many inspections were conducted and enforcement actions were taken? During such inspections and enforcement actions, how many verbal warnings, written warnings and removal orders were issued? How many prosecutions were instituted?

During the operations, was it found out that persons committing breaches had been issued with short term tenancies by Lands D? If yes, how many cases were there in total? How long, on average, and up to how long did the unauthorised occupation of land last? What is the latest situation of the follow-up actions on the breaches?

Lands D indicated that it will continue to strengthen land control and lease enforcement work. What are the estimated manpower resources and expenditure involved in the related work in 2017-18?

Asked by: Hon YUNG Hoi-yan (Member Question No. 42)

Reply:

In 2016, Lands D cleared 11 606 government sites involving unlawful occupation, and 34 prosecutions were instituted in relation to unlawful occupation of government land, in which 33 of them were convicted. There is no readily available information of unlawful occupation of government land involving cases already issued with short term tenancy.

Lands D in 2016 took lease enforcement actions against 2 140 cases of lease breaches, which mainly involved erection of unauthorised structures on private agricultural land, misuse of carparking spaces and loading/unloading areas, breaches of uses or other lease conditions in industrial buildings. Since July 2016, Lands D has launched risk-based lease enforcement arrangements against non-conforming uses and has so far conducted proactive inspections of 15 industrial buildings. Out of the 94 premises with non-conforming uses

identified, the lease breaches in 62 premises were rectified upon verbal warnings. Warning letters in respect of the remaining 28 premises were issued and the other four premises are under investigation.

In 2017-18, Lands D estimates that 218 full-time equivalent staff will be deployed to take up the district land control work (including vegetation work on government land) at an estimated cost of \$97.35 million, including creation of three non-directorate posts at an additional staff cost of \$0.81 million. Furthermore, it is estimated that 113 full-time equivalent staff will be deployed for lease enforcement work at an estimated staff cost of \$51.12 million, including the creation of six non-directorate posts at an additional staff cost of \$2.15 million.

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