

November 29, 2016

Development Bureau
18/F West Wing, Central Government Offices
2 Tim Mei Avenue, Tamar
Hong Kong

Attn: Mr. Chan Mo Po, Paul, GBS, MH, JP
Secretary for Development

Dear Sir

Requirement for Ownership Proof for Processing of General Building Plans (GBP)

As stipulated in the Circular Letter issued by the Building Authority dated October 20, 2010, the site of a proposed building for the purpose of the Buildings Ordinance can only include land which the applicant owns or which he has a realistic prospect of controlling. The applicant is required to submit "documentary proof of ownership or control of the land" and "copy of relevant Land Registry Memorial and assignment plans to indicate ownership, or other documentary proof of control of the land" as pre-requisite for General Building Plan processing. Since the time of issuance of the Circular Letter, General Building Plans first submissions without **proof of 100% land ownership** have been invariably disapproved under the Buildings Ordinance.

As organizations representing the local building professionals, we submit this jointly-signed letter to express our serious concerns on the above requirement which we consider unnecessary and is not in the best interests of Hong Kong. We summarize our common concerns as follow:-

- 2.1 The requirement for 100% ownership proof imposes an unnecessary obstacle to urban redevelopment and is not in the best public interest. It is working in an opposite direction to the government established policy of increasing the supply of housing supply to satisfy the public need.
- 2.2 The acquisition of 100% ownership is a protracted and difficult process. After gathering minimum 80% of the undivided shares to trigger off the compulsory sale process, it will take at least another 1.5 to 2 years to secure 100% ownership. This is causing significant delay to the re-developments in Hong Kong and indirectly jacking up construction costs due to inflation and property prices as a result of the self-inflicted shortage in supply.
- 2.3 Approval of General Building Plans plays an important role in land re-assembly and redevelopment. The prospect of obtaining GBP approval is often an important consideration for strata-title owners to decide if a redevelopment is to go ahead or not. It also enables the prospective developer to proceed ahead with acquisition without having to worry about unforeseen changes in government policy and regulations.
- 2.4 Earlier processing and approval of General Building Plan would not only help to shorten the project cycle but also make it easier for the Buildings Department to spread their workload more evenly over the period.

2.5 For the building professionals, allowing more flexibility in processing General Building Plans would also give welcome head-start to work for better designs, well before the developer completes the process of acquisition.


Under the Land (Compulsory Sale for Redevelopment) (Specification of Lower Percentage) Notice, the party who owns not less than 80% of the undivided shares in a lot may make an application for compulsory sale. This is a very high threshold and, in practice, almost guarantees eventual successful acquisition of the whole lot.

We, therefore, propose that the Building Authority could exercise a discretion to relax the present **100% rule** and accept cases where the applicant for approval of General Building Plans can provide documentary proof of minimum **80% ownership** or control of the land for the purpose of General Building Plan processing.

Yours sincerely,



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