

CONTROLLING OFFICER'S REPLY

DEVB(PL)217

(Question Serial No. 3391)

Head: (118) Planning Department
Subhead (No. & title): (-) Not Specified
Programme: (2) District Planning
Controlling Officer: Director of Planning (YIP Chi Kwai, Tom)
Director of Bureau: Secretary for Development

Question:

It is mentioned under “Matters Requiring Special Attention in 2026-27” that enforcement and prosecution actions will be taken against unauthorised developments in the rural New Territories. In this connection, will the Government please advise this Committee on the following:

- (1) What is the trend in the number of complaints received by Planning Department (PlanD) regarding unauthorised developments in the rural New Territories over the past 3 years? Please also provide the numbers of successful prosecutions and persons convicted, and the total amount of fines imposed;
- (2) How will PlanD ensure that sufficient resources are available for enhanced inspection and enforcement operations in the newly designated “Regulated Areas” in recent years, given the reduction in PlanD’s budget and staff establishment for 2026-27.

Asked by: Hon LAM Siu-lo, Andrew (LegCo internal reference no.: 43)

Reply:

- (1) Over the past 3 years, the number of complaints received by the Planning Department (PlanD) regarding unauthorised developments in the rural New Territories, the numbers of successful prosecutions and persons convicted, and the total amount of fines imposed are set out in the table below:

Year	Number of complaints received (Note 1)	Number of successful prosecutions (Note 1)	Number of persons convicted (Note 2)	Total amount of fines imposed (\$ million) (Note 3)
2023	1 549	49	106	5.786
2024	1 706	65	218	9.823
2025	1 883	87	170	9.617

Notes:

- 1) As the processing of cases may span across different years, the figures in the columns of the “Number of complaints received” and the “Number of successful prosecutions” are not directly correlated. Furthermore, multiple complaints may also be received for some locations. According to past records, the majority of complaint cases could not be confirmed as unauthorised developments after investigation. The main reasons include the following: the concerned development is a permitted use in accordance with the statutory plan; the concerned development constitutes an “existing use” or “pre-material-date use” under the Town Planning Ordinance (Cap. 131); or there is insufficient evidence to prove an unauthorised development after multiple inspections, etc. For confirmed unauthorised development cases, most were rectified following the issuance of statutory notices, obviating the need for prosecution.
 - 2) According to past records, some prosecution cases involved more than one defendant. Therefore, the “Number of persons convicted” is higher than the “Number of successful prosecutions”.
 - 3) The total amount of fines imposed does not include cases where sentencing is pending.
- (2) In 2023, the Secretary for Development designated two “Regulated Areas” in the South Lantau Coast and Mui Tsz Lam in Ma On Shan respectively, covering a total area of approximately 660 hectares, enabling the PlanD to take enforcement actions against unauthorised developments in these areas. The Central Enforcement and Prosecution Section (CEPS) of the PlanD is responsible for taking enforcement actions against unauthorised developments. To further optimise manpower resources, the CEPS has continuously reviewed and streamlined the enforcement procedures with a view to enhancing the efficiency and effectiveness in handling unauthorised development cases. Moreover, the CEPS also prioritises cases based on the nature and impact of the unauthorised developments, as well as the zoning of the locations concerned, ensuring the effective deployment of enforcement resources while maintaining high standards and efficiency in investigation and enforcement work.

Furthermore, the CEPS has extensively applied cutting-edge technologies in its enforcement operations, including the use of unmanned aircraft to assist in evidence collection and the monitoring of the situation of unauthorised developments in remote areas, thereby strengthening inspection efficiency and enforcement effectiveness.

- End -