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**Panel on Welfare Services**

**Background brief prepared by the Legislative Council Secretariat  
for the meeting on 14 April 2014**

**Rehousing matters relating to residential care homes for the elderly  
affected by North East New Territories  
New Development Areas Project**

**Purpose**

This paper summarizes major concerns raised at meetings of the Council and the relevant committees on rehousing matters relating to residential care homes for the elderly ("RCHEs"), including the privately-run RCHEs at Dills Corner Garden ("DCG"), affected by the North East New Territories ("NENT") New Development Areas ("NDAs") Project.

**Background**

2. The Planning and Development Study on the NENT commissioned in 1998 identified Kwu Tung North ("KTN"), Fanling North ("FLN") and Ping Che/Ta Kwu Ling ("PC/TKL") as suitable NDAs for development in one scheme, namely the NENT NDAs. In view of the slower growth of population, the NENT NDAs proposals were shelved in 2003. The "Hong Kong 2030: Planning Vision and Strategy" promulgated in 2007 had recommended proceeding with the NDA developments to address the long-term housing need and to create more employment opportunities.

3. A funding proposal at an estimated cost of \$54.2 million to facilitate the Administration to carry out a planning and engineering study on NENT NDAs was approved by the Finance Committee in May 2008. The Administration briefed the Panel on Development ("DEV Panel") on

the three stages of public engagement ("PE") under the planning and engineering study in November 2008, November 2009 and June 2012 respectively. Having regard to the many comments against the NENT NDAs proposal received during the Stage 3 PE, the Administration amended the proposal and briefed the DEV Panel on the revised Recommended Outline Development Plans ("RODPs") for KTN and FLN NDAs on 15 and 22 July 2013. The Administration obtained the support of the DEV Panel and the endorsement of the Public Works Subcommittee ("PWSC") for the funding proposal for the advance site formation and engineering infrastructure works at the two NDAs on 25 February and 19 March 2014 respectively. The funding proposal will be considered by the Finance Committee at its meeting on 2 May 2014.

#### RCHEs at DCG

4. According to the Administration, DCG was a former military married officers' camp of Sheung Shui in North District with a site area of about 32 600m<sup>2</sup>. After the closure of the camp, it has come under the management and arrangement of short-term tenancy by the Government Property Agency ("GPA"). At present, there are a total of 16 private RCHEs at DCG, operated by 11 licensed operators and providing a total of 1 120 places. Amongst them, there are seven private RCHEs participating in the Enhanced Bought Place Scheme ("EBPS") providing 306 subsidized place. GPA is leasing the places under the short-term tenancy, normally under a two-year tenancy, to the 16 private RCHEs for operation. The current agreement will be terminated on 31 October 2014. According to the tenancy agreement, the operators have to vacate and return the relevant properties before the expiration of the tenancy or a three-month advance notice given by GPA. As at end-January 2014, there were some 970 residents living in the private RCHEs at DCG.

5. The Administration has advised that DCG, which is located at the south of the proposed Kwu Tung railway station, will form an important part of the NDA's future Town Centre. To complement with the overall planning of NDA, the Administration needs to include DCG into the boundary of the advance works of the KTN NDA.

#### **Members' deliberations and concerns**

6. Noting that RCHEs at DCG had to cease operation as a result of the NDAs project and around 1 200 residents in the RCHEs would be affected, some members of the Panel on Welfare Services ("WS Panel")

expressed concern about the rehousing arrangements for the residents at its meeting on 11 November 2013. In view of the large number of elderly affected, they called on the Administration to draw up a displacement plan without delay. The WS Panel visited RCHEs at DCG in December 2013 and invited the Secretary for Labour and Welfare ("SLW") to go along. The WS Panel members participating in the visit discussed the rehousing arrangement with SLW as well as the residents and operators of RCHEs at DCG affected by the development project. In considering the Administration's funding proposal mentioned in paragraph 3 above, some members of the DEV Panel and PWSC also raised concern about the impact of the development projects on the residents of RCHEs at DCG.

#### Displacement mechanism

7. According to the Administration, a displacement mechanism was in place for the residents of private RCHEs participating in EBPS who were affected by the development projects. The Social Welfare Department ("SWD") would, according to the established policy, provide the affected residents under EBPS with alternative EBPS places in other EBPS RCHEs. SWD would also assist the residents who were not covered by EBPS and had difficulties in finding alternative places in other RCHEs. SWD would contact the operators of the RCHEs at DCG to discuss the arrangements and ensure that the impact of the clearance of the area on the residents would be minimized.

#### Retention or relocation of RCHEs at DCG

8. Noting that the site of DCG was planned for Government, Institution or Community ("GIC") use, including the provision of social welfare facilities, some DEV Panel members enquired whether the existing RCHEs would be redeveloped in-situ or at other sites in the two NDAs. The Administration advised that, depending on the development timeframe for the NDAs project, RCHEs might be developed at the future GIC site or at other sites which had been planned for GIC use.

9. Pointing out that the residents of the RCHEs at DCG had built up a closely-knitted community and their family members might be residing in the nearby areas, some DEV Panel members considered it unsuitable for the Administration to transfer the residents to other RCHEs which were far away from KTN. In the light of the large number of places provided by the RCHEs at DCG, some DEV Panel members queried whether the Administration could ensure that all the affected elders would be

accommodated in elderly homes with the same pleasant environment as DCG. Given the size of the KTN NDA, they considered that it would not be difficult to preserve the RCHEs in-situ or reserve space within the NDA to relocate the RCHEs. Some DEV Panel members, however, opined that relocating the RCHEs at other sites could not address the demand of the RCHE residents for "no relocation, no demolition", but would facilitate the Administration to expedite the development of the two NDAs.

10. The Administration explained that even if the RCHEs could be retained in-situ, the living environment of the RCHE residents would be seriously affected by the construction works in the surrounding areas at the construction stage of the project. Some DEV Panel members emphasized that it was important for the Administration to pay due regard to the impact of the construction works at the two NDAs on the RCHEs at DCG when working out the arrangement for the RCHE residents concerned. To allow flexibility for the Administration to provide a desirable living environment for the affected RCHE residents in future, the option of relocating the RCHEs in nearby sites within the KTN NDA should be considered.

11. Some DEV Panel members criticized that the Administration had paid little regard to the concerns of affected elderly persons. They called on the Administration to consult the RCHE residents concerned and work out acceptable arrangements for them.

12. The Administration advised that in collaboration with SWD, the Development Bureau ("DEVB") had met the representatives from the RCHEs at DCG and explained to them the development proposals of the two NDAs. The Secretary for Development had visited the RCHEs at DCG to obtain first-hand information on the situation of the residents and RCHE operators. As the site formation works at the two NDAs would not commence until 2018, the Administration would have sufficient time to continue to discuss with the operators and residents of the RCHEs the most suitable arrangements. The Administration assured members that it would not exclude at this stage any options to cater for the need of the RCHE residents. It would provide as much assistance to them as practicable and do so in a fair manner.

13. The operators of the RCHEs had expressed their concerns about the relocation of these RCHEs at a Duty Roster Members' interview with them in November 2013. Members attending the interview had requested the WS Panel and the DEV Panel to follow up the relevant policy issues.

14. In reply to a written question raised at the Council meeting of 19 February 2014 regarding the number of subvented RCHEs places to be provided in NENT NDAs, the Administration advised that accommodation for four RCHEs had been reserved in Areas 13 and 24 in KTN and Area 15 in FLN. The number of places to be provided in these RCHEs would be confirmed at the detailed design stage.

15. At its meeting on 25 February 2014, the DEV Panel passed a motion demanding the Government to retain or relocate the RCHEs at DCG. According to the Administration, in order to provide the land for meeting the housing need as soon as possible and cope with the first batch of incoming residents, together with provision of the community facilities, it needed to carry out the advance works for the KTN and FLN NDAs, including site formation and relevant infrastructure works for the housing sites. The detailed design and site investigation of the advance works had to commence in the third quarter of 2014 to ensure timely provision of adequate infrastructure. According to the Draft KTN Outline Zoning Plan No. S/KTN/1, DCG fell within an area zoned "Other Specified Uses" annotated "Commercial/Residential Development with Public Transport Interchange", "GIC", "Open Space" and Road. According to the current implementation programme of the NDA, it was expected that the land at DCG would need to be resumed in 2018 the earliest.

#### Rehousing arrangement for the affected RCHE residents

16. Some PWSC members were of the view that the 306 elderly persons who were occupying the subsidized places under EBPS should have priority over the waitlistees on the Central Waiting List ("CWL") for Long-term Care Services in admission to RCHEs. They called on the Administration to accord priority to these elderly persons in the allocation of subsidized residential places. For the 100 odd residents of RCHEs at DCG who were currently on CWL, the Administration should commit to offering them suitable residential care places by 2016-2017. To accommodate the remaining 500 odd elderly persons living in the private RCHEs at DCG, the Administration should provide premises with environment and rent level comparable to the RCHEs at DCG for the operators concerned to run RCHEs.

17. According to the Administration, DEVB, Labour and Welfare Bureau and relevant departments were having an ongoing discussion of

different possible measures, with a view to making as far as practicable proper relocation arrangement for the residents of RCHEs at DCG.

**Relevant papers**

18. A list of relevant papers on the Legislative Council website is in the **Appendix**.

Council Business Division 2  
Legislative Council Secretariat  
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## Appendix

### Relevant papers on rehousing matters relating to residential care homes for the elderly affected by the North East New Territories New Development Areas Project

Committee	Date of meeting	Paper
Finance Committee	9 May 2008	<a href="#">Minutes</a> <a href="#">FCR(2008-09)7</a>
Panel on Development	15 July 2013 (Item II)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Development	22 July 2013 (Item I)	<a href="#">Agenda</a> <a href="#">Minutes</a>
Panel on Welfare Services	11 November 2013	<a href="#">Minutes</a>
Council Meeting	19 February 2014	Written question (No. 21) on "North East New Territories New Development Areas" <a href="http://www.info.gov.hk/gia/general/201402/19/P201402190310.htm">http://www.info.gov.hk/gia/general/201402/19/P201402190310.htm</a>
Panel on Development	25 February 2014 (Item VI)	<a href="#">Agenda</a> <a href="#">The Administration's response to the motion passed by the Panel on Development (LC Paper No. CB(1)1123/13-14(01))</a>
Public Works Subcommittee	19 March 2014 (Item IV)	<a href="#">Agenda</a>