

Legislative Council Panel on Development

**The Administration's Response to the Motion passed under Agenda Item VI
"Proposed Enhancements to the General Ex-gratia Compensation
and Rehousing Arrangements for
Government's Development Clearance Exercises"
at the Meeting on 29 May 2018**

The Legislative Council (LegCo) Panel on Development passed the motion moved by Hon LAU Kwok-fan and seconded by Hon CHAN Chun-ying at the meeting on 29 May 2018:

"Regarding the land resumption arrangements for the Kwu Tung North and Fanling North New Development Areas, this Panel urges the authorities to discuss with the Hong Kong Housing Authority the allocation of some rental units in Po Shek Wu Estate of Sheung Shui to rehouse affected residents before the completion of the dedicated rehousing estates at Pak Wo Road of Fanling; and proactively study in parallel, rehousing arrangements for eligible residents living in areas covered by the scope of the remaining works who have moved out voluntarily in advance, so as to improve the living environment for the residents and expedite the progress of land resumption and development."

The Administration's response to the motion is as follows:

Transitional arrangements for eligible households affected by the Kwu Tung North and Fanling North (KTN/FLN) New Development Areas (NDAs) before population intake of the Dedicated Rehousing Estates (Dedicated Estates)

2. To accommodate eligible households opting for non-means tested rehousing affected by government clearance exercises from now on before the Dedicated Estates are ready for population intake, the Hong Kong Housing Society (HKHS) and Hong Kong Housing Authority (HKHA) will make use of vacant units in their rental housing estates as a transitional arrangement. When the Dedicated Estates are ready for population intake, concerned households would be given the option (instead of being mandated) to relocate to the Dedicated Estates.

3. Although the transitional arrangement provided by HKHS and HKHA are subject to constraints in various factors such as the timing when vacant units in their estates are available and the supply thereof, as well as the timing of projects' clearance exercises, the preferences in location by eligible households will be considered as far as practicable. Where HKHS's vacant rental units are not able to meet the needs of households eligible for non-means tested rehousing during the transitional period, HKHA will identify suitable units for allocation to households for accommodation during the transitional period as far as practicable among the vacant units available for allocation, which include newly-built and refurbished units. Nevertheless, whether households will be allocated units in newly-built estates is subject to the schedule of clearance exercises and the supply of units available for allocation. If the timing is matched, eligible households affected by clearances may also be arranged to be accommodated in newly-built PRH units in the district. According to past experience, many eligible households would actually also choose refurbished units of existing estates, as these estates are often located in established communities with well-developed transportation network, school network and community facilities, etc., which facilitate rehoused households to integrate into the new community.

Arrangements for residents affected by later phases of NDAs

4. As with previous new town developments, we will resume private land and clear government land by phases having regard to the needs of works. For such large-scale developments as NDAs, there can be a time gap of several years between the commencement of different phases. If the Government proceeded with land resumption and clearance before confirmation of the design of and implementation of a particular phase, its grounds for exercising statutory power on land resumption might be challenged and it might also be deemed as unreasonable by households who are unwilling to move out.

5. Nonetheless, since the Government's announcement of the proposed enhancements to the ex-gratia compensation and rehousing (C&R) arrangements on 10 May 2018, many households which will be affected by developments have expressed their wish to move out as soon as possible, so that households who are only required to move out in later phases will not be affected by the advance works.

6. In this connection, the Development Bureau (DEVB) will take follow-up actions along the following two directions:

- (I) The Government will reduce the number of phases in the Remaining Works as far as practicable, so as to expedite land clearance. Taking the KTN/FLN NDAs as an example, we will consolidate the Remaining Phases into one single phase, and plan to

seek funding from LegCo for undertaking detailed design for the Remaining Works in the first half of 2019 together with our funding application for construction of the Advance and First Stage Works. This can allow us to confirm in a timely manner the design of the Remaining Works and verify land resumption boundary, so that we can initiate follow-up work early. At the same time, we will perform a gate-keeping role so as to minimise the impact of government or private construction works on nearby residents and environment, and undertake appropriate measures to protect public safety.

- (II) The Government will work out a mechanism, allowing eligible households affected by clearances in the later phases of NDAs or other large-scale development projects to voluntarily apply for early surrender of and departure from their squatter structures and in turn early application for the ex-gratia C&R package. This arrangement takes into account the concerns expressed by households to be affected by later phases about their having to stay in the vicinity of works areas once the earlier phases of construction have commenced, and about the breaking up of a coherent community. Nonetheless, for practical considerations, whether and if yes how the applications would be entertained will be subject to capacity (e.g. whether rehousing units are available ahead of the original due date) and prioritisation of claims (e.g. those closer to the first phase should be given priority).

**Development Bureau
Lands Department
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