

**立法會**  
**Legislative Council**

LC Paper No. CB(1)2025/99-00  
(These minutes have been seen  
by the Administration and cleared  
by the Chairman)

Ref: CB1/BC/9/99/2

**Bills Committee on  
Urban Renewal Authority Bill**

**Minutes of meeting held on  
Saturday, 15 April 2000, at 9:00 am  
in the Chamber of the Legislative Council Building**

- Members present** : Hon Edward HO Sing-tin, SBS, JP (Chairman)  
Hon Gary CHENG Kai-nam, JP (Deputy Chairman)  
Hon HO Sai-chu, SBS, JP  
Ir Dr Hon Raymond HO Chung-tai, JP  
Hon NG Leung-sing  
Hon CHAN Yuen-han  
Hon LEUNG Yiu-chung  
Hon Andrew WONG Wang-fat, JP  
Hon Emily LAU Wai-hing, JP  
Hon TAM Yiu-chung, GBS, JP
- Members absent** : Hon LEE Wing-tat  
Hon LEE Cheuk-yan  
Hon Ronald ARCULLI, JP  
Hon James TO Kun-sun  
Hon Christine LOH  
Dr Hon LEONG Che-hung, JP  
Hon WONG Yung-kan  
Hon FUNG Chi-kin  
Dr Hon TANG Siu-tong, JP
- Public officers attending** : Mr Stephen FISHER  
Deputy Secretary for Planning and Lands  
(Urban Renewal and Buildings)
- Ms Olivia NIP  
Principal Assistant Secretary for Planning and Lands  
(Urban Renewal)

Mr T K LEE  
Assistant Director/Urban Renewal (Ag)  
Planning Department

**Attendance by invitation** : M Y Wan and Associates Limited

Mr WAN Man-yee, JP  
Director

Individual

Mr Albert LAI Chi-lap  
Member of District Council

Joint Assembly of Owners and Tenants Affected  
by the Redevelopment of the To Kwa Wan  
Thirteen Streets

Mr LEE Kwok-hin  
Resident

Mr Antonio CHOW-Ning  
Resident

SKH Kei Oi Social Service Centre

Mr WONG Tik-chan  
Representative

Miss LIU Ngan-chiu  
Representative

Concern Group on the Redevelopment  
of West Kowloon

Ms CHOI Yuen-ling

Resident Group Concerning about  
the Redevelopment of Old Districts (Kwun Tong)

Mr FUNG Wun-yin  
Chairman

Mong Kok Kaifong Association  
Chan Hing Social Service Centre

Mr CHAN Chiu-lung, Peter  
Social Worker

Miss TAM On-kei, Angel  
Social Worker

Concern Group on the Rights of Tenants  
upon Redevelopment of Tai Kok Tsui

Ms CHU Chuk-ying  
Tenant

Mr HO Hoi-kei  
Tenant

Joint Committee on Urban Renewal

Mr WONG Chung-ki, Eric  
Representative

Mr David LAI  
Representative

Association of Residents of Private Properties  
in Kwai Chung

Ms LI Sung-chi  
Committee Member

Miss WONG Fuk-nga  
Social Worker

Resident Group Concerning about the Redevelopment

Mr KAM Nai-wai  
Resident

Sham Shui Po District Council

Mr WAI Woon-nam  
Member

Mr LEUNG Yau-fong  
Member

**Clerk in attendance :** Miss Odelia LEUNG  
Chief Assistant Secretary (1)1

**Staff in attendance** : Ms Bernice WONG  
Assistant Legal Adviser 1

Miss Becky YU  
Senior Assistant Secretary (1)3

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## **I Meeting with deputations**

The Chairman invited representatives from the 12 organizations attending the meeting to present their views on the Bill. They highlighted the salient points in their submissions as follows:

2. M Y Wan and Associates Limited  
(LC Paper Nos. CB(1) 1227/99-00(01) and 1410/99-00(02))
  - (a) Affected owners should be allowed to participate in the Urban Renewal Authority (URA) development projects. Both the owners and the private developers participating in a project should be required to pay land premia to URA.
  - (b) Measures for enhancing the financial viability of development projects, such as flexibility in plot ratio, should be incorporated in the Bill.
  - (c) Public participation in the planning procedures of development projects should be enhanced. Written notices should be served on owners affected by development projects. Public hearings with statutory role conducted by an independent party should be held to consider objections to projects.
  - (d) A social impact mitigation assessment report should be made for each development project.
3. Individual (Mr Albert LAI, District Council member)  
(LC Paper No. CB(1) 1216/99-00(01))
  - (a) URA's main purpose should be to assist owners to maintain and redevelop old buildings.
  - (b) URA must not abuse its power to resume land for redevelopment purpose.
4. Joint Assembly of Owners and Tenants Affected by the Redevelopment of the To Kwa Wan Thirteen Streets  
(LC Paper Nos. CB(1) 1366/99-00(01) and (02))
  - (a) A people-oriented approach should be adopted in implementing urban renewal.

- (b) The Bill should define "public interest" to avoid abuse of URA's power in resuming land for redevelopment purpose.
- (c) The Chairman of the URA Board should be an elected Member of the Legislative Council (LegCo). Other board members should include resident representatives, members of LegCo and District Councils, professionals and government officials.
- (d) Social impact assessment should be conducted for each development project.
- (e) Compensation for affected owners should be improved. The amount should be sufficient to purchase a five-year-old flat of the same size in the same locality. "Flat for flat" should be an option for compensation. Home Purchase Allowance (HPA) should be paid in full for owners of rented or self-occupied premises alike. Compensation for non-residential premises should be based on prevailing market rate plus business loss.
- (f) Affected tenants should not be subject to mean test or other eligibility tests for rehousing.
- (g) The power for URA to enter or inspect any land or premises by using force as provided under clause 26(4) in the Bill should be deleted as the provision would infringe human right.

5. SKH Kei Oi Social Service Centre  
(LC Paper No. CB(1) 1235/99-00(02))

- (a) Representatives of residents and members of LegCo and District Councils should be appointed to the URA Board.
- (b) Public consultation should be strengthened in the planning and implementation of development projects. Social impact assessment should be conducted before the planning of a project. District Councils concerned should be consulted in planning a project. URA should report to residents on the progress of redevelopment regularly.
- (c) Principles of compensation should be stipulated in the Bill. System should be set up to deal with appeals relating to compensation matters. Compensation should be sufficient for the purchase of a five-year-old flat of a comparable size in the same locality. Owners of rented premises should receive HPA in full.
- (d) Affected tenants should be rehoused in-situ. They should not be subject to mean test or other eligibility tests for rehousing.

6. Concern Group on the Redevelopment of West Kowloon  
(LC Paper Nos. CB(1) 1235/99-00(03) and 1386/99-00(01))
  - (a) URA should implement development projects announced by the Land Development Corporation (LDC) expeditiously.
  - (b) URA should negotiate with owners on compensation matters before applying for resumption of land.
  - (c) Assessment for compensation should be based on the value of a new flat. HPA for owners of rented premises should not be deducted. Owners should be offered a "flat for flat" option for compensation.
  - (d) Affected tenants should not be subject to eligibility tests for rehousing and should be rehoused in-situ.
  
7. Resident Group Concerning about the Redevelopment of Old Districts (Kwun Tong)  
(LC Paper Nos. CB(1) 1235/99-00(05) and 1386/99-00(02))
  - (a) Urban renewal should address the needs of the affected people and aim at improving their living environment.
  - (b) Half of the members of the URA Board should be members of LegCo or District Councils.
  - (c) Committees comprising representatives of residents should be established to monitor the progress of development projects.
  - (d) Compensation should be sufficient for affected owners to purchase a one to five years' old flat in the same district. They should be offered a "flat for flat" option for compensation.
  
8. Mong Kok Kaifong Association Chan Hing Social Service Centre (MKKA)  
(LC Paper No. CB(1) 1235/99-00(06))
  - (a) A people-oriented approach should be adopted in implementing urban renewal. Social impact analysis should be conducted to identify the needs of residents in development projects.
  - (b) Compensation for affected residents should be enhanced. URA should negotiate with residents on compensation for acquiring the land before resorting to land resumption for redevelopment.
  - (c) Public consultation should be strengthened in the planning of development projects. Dissemination of information on projects should be enhanced.

9. Concern Group on the Rights of Tenants upon Redevelopment of Tai Kok Tsui  
(LC Paper Nos. CB(1) 1235/99-00(07) and 1366/99-00(03))
- (a) A non-executive chairman model should be adopted for the URA Board. The Board Chairman should be a LegCo Member. Representatives of residents should sit on the Board.
  - (b) Public hearings and open meetings should be held to gather public views on redevelopment projects.
  - (c) Fair and reasonable compensation and rehousing arrangements should be provided to affected owners and tenants.
  - (d) Freezing surveys should be conducted at different periods of time to ensure registration of all affected residents.
10. Joint Committee on Urban Renewal  
(LC Paper No. CB(1) 1277/99-00)
- (a) Development projects should be undertaken by URA with participation of owners where possible. Government should inject capital into URA if necessary.
  - (b) A non-executive chairman model should be adopted for the URA Board. To avoid possible conflict of interests, representatives of private developers should not be appointed to the Board.
  - (c) Appeal mechanisms should be introduced for handling disputes on matters related to land resumption and compensation.
  - (d) Principles of compensation should be stipulated in the Bill. Compensation should be sufficient for affected owners to purchase a five-year old flat of the same size in the same district.
11. Association of Residents of Private Properties in Kwai Chung  
(LC Paper No. CB(1) 705/99-00(02))
- (a) It would be unreasonable for URA to apply for resumption of land for redevelopment without first negotiating with owners on compensation.
  - (b) Principles of compensation should be specified in the Bill.
  - (c) Half of the members of the URA Board should be elected members of LegCo or District Councils.

- (d) District Councils concerned should be consulted on the planning of development projects.

12. Resident Group Concerning about the Redevelopment  
(LC Paper No. CB(1) 1366/99-00(04))

- (a) Government should repair buildings in the nine urban renewal target areas which were found to be dangerous.
- (b) URA Board should include members from different sectors of the community.
- (c) Compensation for affected owners should be enhanced. An appeal system should be set up to deal with disputes on compensation matters.
- (d) Rehousing arrangements for affected tenants should be relaxed.
- (e) URA should provide the timetable for implementing the 26 development projects already announced by LDC.

13. Sham Shui Po District Council  
(LC Paper No. CB(1) 1366/99-00(05))

- (a) One-third of the members of the URA Board should be District Council members.
- (b) The Bill should stipulate the requirement for URA to consult the District Council(s) concerned and obtain the latter's support before proceeding with a development project.
- (c) "Flat for flat" should be an option for compensation.
- (d) Tenants should be rehoused in-situ. Cash compensation in lieu of rehousing should be offered as an option.

Discussion session

*Public accountability of URA Board*

14. Mr Andrew WONG expressed reservation over the deputations' suggestion that the Chairman of the URA Board should be an elected LegCo Member as this might politicize URA. He opined that the Chairman of the URA Board should be a respectable person of integrity. This would enhance the credibility of the Board.

15. Representatives of deputations stressed that the best way to ensure the representativeness of the URA Board was to appoint representatives of affected



residents to the URA Board. It would also be essential that people from various sectors of the community would be appointed as Board members.

16. As regards suggestions for enhancing public participation on URA's work, representatives of deputations reiterated that URA should hold public hearings to hear objections to development projects and gather public views on these projects. In order to ensure that URA would consider objections raised by the public, results of hearings should be submitted to the Chief Executive (CE) in Council for a decision. In this connection, Ms Emily LAU remarked that opening up meetings of the URA Board would be a useful means to enhance the transparency of the operation of URA.

*URA's power in resumption of land*

17. Some members shared the concern of the deputations that the Bill had provided URA with excessive power to resume land required for redevelopment. In particular, they expressed concern that URA could apply direct to the Secretary for Planning and Lands (SPL) to recommend resumption of land by CE in Council under the Lands Resumption Ordinance (LRO) (Cap.124) without negotiating with the landowners concerned on compensation.

18. In response, the Deputy Secretary for Planning and Lands (DS/PL) said that the protracted negotiations on compensation between LDC and landowners had caused serious delay in the land assembly process and had resulted in slow progress of LDC development projects. In order to expedite the land assembly process and to ensure the viability of the 20-year urban renewal programme, URA would be empowered under the Bill to apply direct to SPL to recommend resumption of land by CE in Council. DS/PL stressed that the policy to balance the interests of all sectors of the community and not to compromise the lawful rights of any particular group would be upheld in the process. He assured members and the deputations that affected owners would be fairly and reasonably compensated.

19. On the concern that clause 26(4) of the Bill as drafted might infringe human rights, DS/PL explained that the power for URA to enter the land or premises concerned was to facilitate the undertaking of freezing surveys and other required inspections which were necessary to establish the eligibility of residents for compensation and rehousing. He stressed that a written notice would be served on the owner or occupier concerned before URA reverting to the use of force as a last resort to get access to the land or premises. He added that the provision was in consistent with the human rights provisions of the Basic Law.

20. Responding to deputations' suggestions for improving the compensation for persons affected by URA's development projects, DS/PL said that the principles of assessment of statutory compensation had been set out in LRO and the policy on the payment of HPA had been approved by the Finance Committee of LegCo. On the suggestion of calculating the cost of a replacement flat on the basis of a newer flat, DS/PL said that the Administration was reviewing the current policy to see whether there was a case for enhancing HPA. It was also considering the feasibility of establishing an appeal mechanism to handle disputes on HPA cases.

21. As regards rehousing arrangements, DS/PL advised that agreements had been reached with the Housing Society (HS) and Housing Authority (HA) for the two bodies to be the rehousing agents for URA. The two bodies had undertaken to provide a total of 10,000 rehousing units in the first five years of implementation of the urban renewal programme which would exceed the estimated requirement of 5,000 units. Cash compensation in lieu of rehousing would be provided for the affected tenants. Eligible tenants would be provided with other housing assistance as an alternative to rehousing. On the suggestion that affected tenants should be rehoused in-situ, DS/PL said that although the Administration could not make such a guarantee, the preference of tenants would be accommodated as far as possible. HS and HA would be requested to reserve vacant units within the district of a development project for rehousing the affected tenants.

#### *Uncompleted projects of LDC*

22. On members' enquiry about the handling of uncompleted projects of LDC by URA, DS/PL advised that clauses 31 and 32 of the Bill provided that URA should take over all the assets and liabilities of LDC, including any uncompleted redevelopment projects upon the dissolution of LDC. URA would continue to implement the seven on-going projects of LDC and would give priority in implementing the projects already announced by LDC. The details for implementing these projects would be included in URA's corporate plans and business plans.

## **II Any other business**

23. The Chairman reminded members that the next meeting would be held on Wednesday, 26 April 2000, at 2:30 pm.

24. There being no other business, the meeting ended at 11:25 am.

Legislative Council Secretariat

30 October 2000