

溫文儀測量師行有限公司的信頭
Letterhead of M Y Wan and Associates Limited

Our Ref.: L25200/URA/03

15th April, 2000

Clerk to Bills Committee on
Urban Renewal Authority Bill,
Legislative Council Secretariat,
3/F., Citibank Tower,
3 Garden Road,
Central,
Hong Kong.

By Fax (2877 8024) & Post

Dear Sir,

Urban Renewal Authority Bill

At today's open hearing, the Hon. Edward Ho asked that some of the points I expressed at the Committee be put in writing. The following is a summary:

A. Urban Renewal for the People

1. To enhance the fairness and contain the power of the URA, a public enquiry procedure allowing participation by the affected owners and other persons with the hearing by a third party in the open would help balance the interests of the affected people and the urgency of the urban renewal process. The TPAB is a good reference. The findings of the public enquiry body are to be made open, to be considered by the URA for the amendment of projects, if deemed appropriate, and as a supplementary document for the submission by the Secretary to the Chief Executive in Council for land resumption. The findings at the public enquiry will have an advisory status only so as to prevent a long litigation process that may follow if the findings are to form a binding decision on the project.
2. URA will have no role if all affected owners agree to redevelop. Therefore, owner participation in the form of shareholding in the development company started by the URA will facilitate it with an easy-in/easy-out opportunity.
3. Every project should be accompanied by a social impact mitigation assessment report with the methods of mitigation to be followed in the process when the report is adopted.

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B. Administrative Arrangements to be written into the Ordinance

4. They include the flexibility in plot ratio control to enhance the feasibility of the projects, the reference point for compensation assessment on resumption and voluntary sale to the URA so that disputes could be put to arbitration, and notional premium to be assessed to reflect the value of the URA holding in a development company for the project where there is owner participation.

C. Miscellaneous

5. Section 6(2) is to include the grant of mortgages and reverse mortgages by the URA, see also Section 12(1).
6. Section 16 should go to Part III.
7. Section 20 should include posting of notices at the property and written notices served on the owners.
8. Section 21(6) and (7) are not supported as first, these result in the transfer of hardship and secondly the method of notice is in an abbreviated form and unfair.
9. Section 24(3)(a) and Section 25 should be expanded to reflect the actual situation where the land to be disposed or the units developed on the land to be disposed are land regranted to the URA by the government which comprises resumed land. Additionally, the Clauses should also be expanded to include the sale of shares of development companies being subsidiaries of the URA which hold the regrant land formed partly by resumed land.

Yours faithfully,

M.Y Wan

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