

立法會
Legislative Council

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by the Chairman)

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**Subcommittee on
Rehousing Arrangements for Residents Affected
by Clearance of Squatter Areas**

**Minutes of fourth meeting
held on Tuesday, 11 April 2000, at 4:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon LEE Cheuk-yan (Chairman)
Hon CHAN Yuen-han
Hon LEUNG Yiu-chung

Members absent : Hon LEE Wing-tat
Hon Fred LI Wah-ming, JP

Public officers attending : **Housing Bureau**
Ms Ophelia TSANG, Principal Assistant Secretary (Acting)

Housing Department

Mr Marco WU, Deputy Director (Management)

Mr K N CHEUNG, Assistant Director/Operations &
Redevelopment

Attendance by invitation : **Concern Group on the Rights of Residents affected by
Diamond Hill Squatter Area Clearance**

Mr HO Kim-chint
Mr CHOY Shun-ming
Miss LAM How-fong

Action

Joint Council on Squatter Areas in Hong Kong

Mr WONG Tai
Mr WONG Kwan-wing
Ms THOI Chi-hei

Clerk in attendance : Mrs Mary TANG, Chief Assistant Secretary (1)6

Staff in attendance : Miss Becky YU, Senior Assistant Secretary (1)3

I Meeting with deputations

The Concern Group on the Rights of Residents affected by Diamond Hill Squatter Clearance (the Concern Group)
(LC Paper No. CB(1) 1321/99-00(01))

Mr CHOY Shun-ming drew members' attention to the difficulties faced by affected residents of the Diamond Hill Squatter Clearance who were forced to move to Interim Housing (IH) units in Tuen Mun, as explained in the submission of the Concern Group. He said that the affected residents, particularly those who were not covered by the 1984/85 Squatter Occupancy Survey, were left with few choices for urban units. They would have to face financial and adjustment difficulties if they were to move to IH units in Tuen Mun. He pointed out that although the affected residents of Diamond Hill Squatter Area Clearance were exempted from the comprehensive means test, the residents rehoused to IH units would ultimately be required to pass the means test when their Waiting List (WL) applications matured and they were due for consideration for rehousing to public rental housing (PRH) units.

2. Mr HO Kim-chint requested the Administration to consider converting Block 23 of Tung Tau Estate to IH. He said that due to the recent piling scandals, the public had lost confidence in the quality of public housing. Therefore, it would be undesirable at this point in time to redevelop Block 23 of Tung Tau Estate. The Block should best be converted to IH units in the interim until public confidence in public housing was restored. The affected residents of Diamond Hill Squatter Area Clearance would welcome rehousing units in Block 23 of Tung Tau as this would relieve them of their difficulties. The said conversion would also relieve the rehousing problem of the residents affected by redevelopment of South East Kowloon.

3. Miss LAM How-fong summarized the requests made by the affected residents of Diamond Hill Squatter Area Clearance as follows -

- (a) Provision of in-situ rehousing or rehousing to Block 23 of Tung Tau Estate for the affected residents;

Action

- (b) Delayed clearance to tie in with rehousing to Block 23 of Tung Tau Estate;
- (c) Abolition of the comprehensive means test;
- (d) Increased compensation for removal expenses; and
- (e) Continuation of the work of the Subcommittee on the Rehousing Arrangement of Residents Affected by Squatter Area Clearance until the Diamond Hill Squatter Area Clearance was completed.

The Joint Council on Squatter Areas in Hong Kong (the Joint Council)
(LC Paper No. CB(1) 1321/99-00(02))

4. Mr WONG Tai said that the Joint Council comprised residents from squatter areas in Lei Yue Mun, Cha Kwo Ling, Lo Wai Tsuen, Fu Yung Shan and Diamond Hill. The purpose of setting up the Joint Council was to unite squatter residents in their plight for improvements in the living environment of squatters and in the rehousing policy for affected clearers. The Joint Council objected to the implementation of the comprehensive means test since it would diminish the rights of rehousing of squatter clearers to PRH units. Mr WONG said that it was not the intention of squatter clearers to compete with WL applicants for PRH. They were evicted out of their homes and were forced to accept public rehousing. The Joint Council therefore requested that clearers be provided with in-situ rehousing with exemption from the comprehensive means test. It also requested that the work of the Subcommittee on Rehousing Arrangements of Residents Affected by Squatter Areas should continue even after the completion of clearance of the Diamond Hill Squatter Area.

5. Ms THOI Chi-hei said that clearers were dissatisfied with the offer of IH units in Po Tin as they would be facing immense adjustment difficulties with the move to rural areas.

6. Mr WONG Kwan-wing urged the Administration to provide squatter clearers with urban IH units. These units could be made available through the conversion of urban PRH Blocks awaiting redevelopment, such as Ngan Tau Kok Estate, Sha Tin Ngau Estate and Tung Tau Estate. He also reiterated the Joint Council's request to continue with the work of Subcommittee on Rehousing Arrangements of Residents Affected by Clearance of Squatter Areas.

7. The Chairman informed the deputations that the purpose of setting up the Subcommittee was to identify the means to address the housing needs of residents affected by clearance of squatter areas and therefore its ambit was not confined to the Diamond Hill Squatter Area Clearance alone. However, as all Panels/Committees/Subcommittees would be dissolved upon the dissolution of the Legislative Council on 30 June 2000, this Subcommittee would be no exception. Whether a new Subcommittee would be set up in the next LegCo session would be a matter for the Housing Panel of the new Legislative Council.

II Meeting with the Administration (LC Paper No. CB(1) 1321/99-00(03))

Comprehensive means test

8. The Principal Assistant Secretary for Housing (Acting) (PAS/H(Atg)) said that the squatter clearance policy was meant to improve the living environment of Hong Kong. The rehousing arrangements were made on a fair and equitable basis. The introduction of the comprehensive means test would ensure that public housing resources would only be allocated to those in genuine housing need. The Deputy Director of Housing (Management) (DDH(M)) added that the comprehensive means test was one of the recommendations of the White Paper on the Long Term Housing Strategy and was introduced after a period of public consultation. The implementation of the means test would allow a rational allocation of housing resources to those who were in genuine need for subsidized housing. The comprehensive means test was not only applicable to squatter clearances but was applicable to all WL applicants.

Rehousing to urban units

9. DDH(M) said that clearances would be offered PRH or IH according to their eligibility. For clearances eligible for PRH, they would be rehoused in the same or nearby districts as far as practicable subject to availability of resources. As regards the conversion of Block 23 of Tung Tau Estate to IH, DDH(M) said that this would not be desirable as the Block was scheduled for redevelopment under the Comprehensive Redevelopment Programme (CRP) and any delay in the demolition of the Block would affect the overall CRP. There would be sufficient numbers of IH units in Tuen Mun and other parts of the New Territories (NT) for rehousing affected residents of squatter clearance.

10. Miss CHAN Yuen-han stressed that the affected residents of squatter area clearance did not choose to be rehoused. It was not their intention to infringe upon rehousing resources available to WL applicants. They were simply forced out of the homes as a result of Government's clearance operations. She further pointed out that all along affected residents of squatter areas were rehoused to urban IH units and urban rehousing was applicable to those affected by the first and second clearance operation of the Diamond Hill Squatter Area Clearance. However, due to a policy change, affected residents of the third clearance operation were no longer given a choice of urban rehousing and most of them were rehoused to IH units in Tuen Mun and other parts of NT. Miss CHAN urged the Administration to review the policy on the rehousing of squatters and consider providing urban units to affected residents.

11. DDH(M) responded that the available IH units were mainly situated in NT, Shek Lei Estate and Kwai Shing Estate. These units were more improved and would provide temporary housing to those awaiting PRH. He also pointed out that since eligible applicants on WL were allocated PRH blocks in the extended urban area and NT, likewise ineligible squatter clearances would be rehoused to these areas.

Action

12. Responding to Mr LEUNG Yiu-chung's concern about the current policy of non-provision of IH units in the urban area, DDH(M) said that the new purpose-built IH units in the extended urban area and NT were much more improved than the traditional Temporary Housing Units in the urban areas. These IH units were developed in accordance with new planning principles and were equipped with facilities which were comparable to PRH developments. As there were sufficient numbers of new purpose-built IH units for rehousing affected clearerees, there was no need to further provide additional IH units in the urban areas.

Social Impact Assessment

13. Mr LEUNG Yiu-chung considered that the Administration's policy of provision of IH units in rural areas constituted a case of discrimination. Under such a policy, urban squatters would be cleared making available more precious urban area to be sold for redevelopment. With the provision of IH units in rural areas, the Administration had ignored the rights of squatter clearerees to be rehoused in the urban areas. There was a need to assess the social impact on the affected residents, who would be facing serious adjustment difficulties in uprooting their families to rural areas. There was also the concern about the lack of primary school places for affected students, the increased transportation costs, as well as the long travelling time between places of residence and the places of work/study. Sharing the same concern, the Chairman enquired whether a social impact assessment had been undertaken in the overall town planning process. Miss CHAN Yuen-han pointed out that the problem with rural rehousing was the lack of job opportunities and school places in rural districts. She was of the view that with the available housing resources, the Administration should be able to provide urban rehousing to the affected clearerees.

14. In response, DDH(M) said that in its planning for IH developments, the Administration had taken into account the needs of the residents and supporting facilities such as schools, shopping and community centres were provided. There would also be improved transport arrangements to facilitate traffic. Where necessary, compassionate rehousing would be granted upon the recommendation by the Social Welfare Department. The Assistant Director of Housing (Operation and Redevelopment) (AD/OR) added that sufficient numbers of school places were provided in the IH development areas to meet the needs of the residents. The recent shortfall in school places at Kwai Shing and Shek Lei Estate could be due to fluctuations in demand.

15. AD/OR further supplemented that as the Government had pledged to shorten the waiting time for rehousing to PRH, squatter clearerees who were registered on WL might only need to wait for a short time before they were rehoused to PRH units. For those squatter clearerees whose WL applications had been accepted for allocation, their rehousing would be advanced for a maximum of 12 months under the Anticipatory Housing Scheme in order to avoid double-move.

Action

16. Mr LEUNG Yiu-chung further enquired about the possibility of identifying urban areas for IH purposes, e.g. the use of the Kai Tak area in the South East Kowloon Development. The Chairman also asked if consideration could be given to converting urban refurbished units for use as IH. DDH(M) replied in response that IH units were meant for affected clearerees who were ineligible for PRH units. If new urban IH units were to be provided to these affected clearerees, this would create unfairness to the eligible WL applicants who had to await their turn for rehousing to urban PRH units.

17. The Chairman urged the Administration to review the present rehousing policy as he was aware that there would be quite a number of clearance operations on the pipeline, as well as redevelopment projects to be undertaken with the setting up of the Urban Renewal Authority.

Compensation for removal expenses

18. On the deputations' request for increasing the amount of domestic removal allowance (DRA), AD/OR replied that DRA rates were reviewed annually.

Diamond Hill Squatter Area Clearance
(LC Paper No. CB(1) 1380/99-00(02))

19. At the invitation of the Chairman, AD/OR briefed members on the latest progress report (as at 10 April 2000) on the clearance of Diamond Hill Squatter Area. Members noted that 1,232 households representing 57.1% of the affected households eligible for rehousing had accepted the rehousing arrangement. Of the 926 households awaiting rehousing offers, 105 were eligible for PRH while 821 were eligible for IH. Much progress had been made since the situation was last reported to the Subcommittee in February 2000. There were still some 400 or more IH units available in the extended urban areas in Shek Lei and Kwai Shing awaiting allocation. Once these units were depleted, the awaiting clearerees would have no choice but to be rehoused to IH units in Po Tin.

20. The Chairman noted that some of the households were reluctant to accept the available IH units in Shek Lei, Kwai Shing and Po Tin. AD/OR said that these households were hopeful that more choices within the same district could be made available. They had been reminded that the longer the wait, the lower the chances of having rehousing units in Shek Lei and Kwai Shing, since some of these units would also be made available to affected clearerees in Tsuen Wan. He added that even though urban IH units were available, affected residents would only occupy them on a temporary basis as they would ultimately be rehoused to the extended areas or NT when their WL applications matured. With more convenient transport facilities, the IH units in Tuen Mun would be easily accessible. Miss CHAN Yuen-han expressed concern that the existing arrangement was unsatisfactory and that affected residents should be given more choices to be rehoused in urban areas. She forewarned the Administration about the undesirable consequences in pushing forward its rural rehousing policy against the wishes of the affected residents.

Action

Meeting with the key decision makers in housing policies

21. Noting the futility of further discussions, members considered it necessary to escalate the matters to at a higher level. As agreed at the last meeting, they requested the Administration to arrange a meeting with the Chairman of the Housing Authority (HA), the Chairman of the Rental Housing Committee of HA, the Secretary for Housing and the Director of Housing to discuss and review the rehousing arrangements for residents affected by squatter clearance. PAS/H(Atg) agreed to relay the Subcommittee's request to the Administration and to inform the Secretariat of the meeting arrangements.

(Post-meeting note: PAS/H(Atg) informed the Secretariat that the Chairman of HA, the Chairman of Rental Housing Committee of HA, the Secretary for Housing and the Director of Housing had declined the Subcommittee's invitation to attend the meeting. However, the Administration was prepared to send the Deputy Secretary for Housing and the Acting Director of Housing to meet the Subcommittee in late May. As the Subcommittee had already met with the representatives of the Housing Bureau and the Housing Department, the Chairman considered it meaningless to continue discussion with the same level of officers. He instructed that a meeting would be held on 29 May 2000 to conclude discussion on the subject but the Administration needed not be invited to attend.)

III Any other business

22. There being no other business, the meeting ended at 6:00 pm.

Legislative Council Secretariat

27 September 2000