

立法會
Legislative Council

LC Paper No. CB(1) 1976/99-00
(These minutes have been seen
by the Administration and
cleared by the Chairman)

Ref : CB1/PL/HG/1

LegCo Panel on Housing

Minutes of meeting
held on Monday, 3 April 2000, at 4:30 pm
in the Chamber of the Legislative Council Building

Members present : Hon LEE Wing-tat (Chairman)
Hon Gary CHENG Kai-nam, JP (Deputy Chairman)
Hon David CHU Yu-lin
Hon Edward HO Sing-tin, SBS, JP
Hon Fred LI Wah-ming, JP
Hon NG Leung-sing
Hon Mrs Selina CHOW LIANG Shuk-ye, JP
Hon Ronald ARCULLI, JP
Hon James TO Kun-sun
Hon CHAN Yuen-han
Hon CHAN Kam-lam
Hon LEUNG Yiu-chung
Dr Hon YEUNG Sum
Hon SZETO Wah

Members absent : Hon Ho Sai-chu, SBS, JP
Hon Albert HO Chun-yan
Hon LEE Cheuk-yan
Hon Andrew WONG Wang-fat, JP

Public officers attending : **For item IV**

Housing Bureau

Ms Ophelia TSANG, Principal Assistant Secretary (2)
(Acting)

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Housing Department

Mr K N CHEUNG, Assistant Director/Operations and Redevelopment

Ms Rosman WAI, Chief Architect/Design and Standards (Acting)

For item V

Housing Bureau

Ms Ophelia TSANG, Principal Assistant Secretary (2) (Acting)

Housing Department

Mr FUNG Ho-tong, Assistant Director/Management (3)

Mr SUM Chak-loong, Chief Manager/Management (Support Services 2) (Acting)

For item VI

Housing Bureau

Mr H W TIN, Principal Assistant Secretary (Project Management)

Housing Department

Mr K N CHEUNG, Assistant Director/Operations and Redevelopment

Mrs Connie LAI, Chief Planning Officer

Attendance by invitation

: For item IV

Joint-Estate Action Group on Equitable Housing Allocation for Two-Person Elderly Households

Mr HO Nung-lai

Ms KO Wai-fong

Ms CHEUNG Yin

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For item V

Society for Community Organization

Miss FOK Tin-man, Community Organizer
Ms LEUNG Mei-kuen, Community Organizer
Ms MO Oi-so, Representative
Mr LAM Chi-ching, Representative
Ms YIP Siu-kuen, Representative

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

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

As the Chairman was late for the meeting, the Deputy Chairman took over the chair at the beginning of the meeting.

I Confirmation of minutes of previous meetings
(LC Paper Nos. CB(1) 1260 and 1261/99-00)

2. The minutes of the meetings held on 9 and 12 December 1999 were confirmed.

II Information paper issued since last meeting

3. Members noted that no information papers had been issued since last meeting.

III Date of next meeting and items for discussion

4. As the next regular meeting fell on 1 May 2000 which was a public holiday, members agreed to reschedule the meeting for Thursday, 4 May 2000, at 8:30 am to discuss the following:

- Problem of site settlement in housing estates in Tseung Kwan O;
- Shek Yam Estate Redevelopment Project Phase 2; and
- Policy on splitting of tenancy upon redevelopment.

5. Members noted that a special meeting would be held on Friday, 7 April 2000, at 9:00 am to receive a briefing by the Administration on the Sales Descriptions of Uncompleted Residential Properties Bill. They also noted that a joint meeting with the

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Planning, Lands and Works Panel had been scheduled for Tuesday, 18 April 2000, at 10:45 am to discuss "Unauthorized building works".

IV Provision of one-bedroom flats for two-person elderly households upon redevelopment

Meeting with the Joint-Estate Action Group on Equitable Housing Allocation for Two-Person Elderly Households

(LC Paper No. CB(1) 1263/99-00(01))

6. Representatives of the Joint-Estate Action Group highlighted the salient points in their submission. They considered that the existing housing policy under which two-person non-elderly households were eligible for re-housing to one-bedroom flats upon redevelopment while two-person elderly households were deprived of such an opportunity was discriminatory and at variance with the Chief Executive's pledge to care for the elderly. Instead of one-bedroom flats, two-person elderly households were allocated small flats of internal floor area (IFA) of 16 square metres (m²) in Harmony Blocks. As the toilet and kitchen had already occupied half of the space of the flats, the remaining space in the living area was insufficient for manoeuvring. They therefore held the view that the Administration should re-house all two-person elderly households to one-bedroom flats.

(The Chairman took over the chair at this juncture)

Meeting with the Administration

(LC Paper No. CB(1) 1263/99-00(02))

7. Members questioned the rationale behind the difference in eligibility for one-bedroom flats between two-person elderly and non-elderly households upon redevelopment. The Assistant Director/Operations and Redevelopment (AD/O&R) explained that according to the current allocation standard of seven m² IFA per person, small flats of 16-17 m² in Harmony Blocks were designated for allocation to one to two-person households. Subject to the availability of resources, two-person households with prospect of family growth might be allocated one-bedroom flats of 34 m². Based on the said policy, two-person elderly households were re-housed to small flats in the reception estates upon redevelopment. However, if the affected two-person elderly households chose to be re-housed to other vacant or refurbished flats, they might be allocated flats ranging from 15-33 m² depending on the availability of suitable flats. The Chairman expressed concern that the elderly households concerned would be deprived of the opportunity of living in new flats under such circumstances.

8. Dr YEUNG Sum did not agree that the allocation of one-bedroom flats should be based on the prospect of family growth. He considered it discriminatory that two-person non-elderly households with family members aged over 50 who had little prospect for family growth as their elderly counterparts were eligible for one-bedroom flats while the latter were re-housed to small flats of 16 m² upon redevelopment. AD/O&R stressed that

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there was no question of discrimination. As two-person non-elderly households included those with two generations, the younger generation would have a prospect of family growth. The allocation of one-bedroom flats to these households would obviate the need for double removal of the households in the event of family expansion.

9. As regards small flats of 16 m², Mr LEUNG Yiu-chung cautioned that elderly households might have to use bunk beds in view of the limited space in these flats which might jeopardize their personal safety. Dr YEUNG Sum echoed that the situation would be further aggravated if the elderly households concerned had to use walking aids or wheelchairs. Mr CHAN Kam-lam considered that the Administration should review the design of the small flats taking into account the specific needs of elderly households. The Chief Architect/Design and Standards (Acting) confirmed that efforts had been made to improve the design of small flats in standard Harmony Blocks. For those projects under construction since February 2000, the size of small flats had been increased to 17.8 m² with the living area increased from 9.86 m² to 11.43 m². The width of the living area would be increased from 2,130 mm to 2,300 mm which was adequate for placing two single beds. In addition, some newly designed small household flats for two to three persons of 22 m² and Harmony Annex flats of 20.63 m² for two persons were under construction with the first batch completed in early 1998.

10. Apart from improving the design of small flats, Mr Edward HO opined that consideration should be given to excluding the toilet and kitchen from the total IFA of flats in calculating the living area for tenants to ensure that there was sufficient space in the flats for manoeuvring. The Principle Assistant Secretary for Housing (2) (Acting) replied that as there was still a substantial outstanding demand for public rental housing (PRH), the current allocation standard and re-housing arrangements were necessary to ensure the rational allocation of limited housing resources for people in genuine housing need, including applicants on the Waiting List (WL) and those affected by clearance and redevelopment. She nevertheless advised that while it was difficult to relax the space allocation standards for two-person households, the Administration would adopt a sympathetic and flexible approach to those re-housing cases that merited compassionate consideration,

11. In view of the limited space in small flats of 16 m², Mrs Selina CHOW considered that these should only be allocated to one-person households rather than two-person elderly households. AD/O&R cautioned that any change in the current space allocation standards would affect the delivery of the Chief Executive's pledge for reduction of the average waiting time for WL applicants to three years by 2005. The Chairman however pointed out that sufficient PRH flats could be made available to meet the outstanding demand by 2004 if the Administration could allocate additional land to the Housing Authority (HA) now. To facilitate members' understanding, Mr NG Leung-sing requested and the Administration undertook to advise on the impact on WL applicants if small flats of 16 m² were allocated to one-person households while one-bedroom flats or flats of 22 m² were allocated to two-person elderly households.

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12. Members remained unconvinced that elderly households should be re-housed to small flats of 16 m². As a consolidated view of the Panel, Mr CHENG Kai-nam moved

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the following motion-

“That the LegCo Panel on Housing requests the Housing Department (HD) to stop allocating small flats of 16 to 17 square metres to two-person elderly households as such flats should be allocated to single-person households only. HD should also review the method of calculating the living space and the space allocation standards, with a view to formulating a set of criteria for determining the minimum living space which should exclude the total area of kitchen and toilet.”

The motion was unanimously passed by all members present. The Chairman instructed that the motion be conveyed to the Administration. In addition, the Clerk was asked to write to the Chairman of HA Rental Housing Committee requesting for the inclusion of the discussion on the provision of flats for two-person elderly households in the agenda of the forthcoming meeting of the Committee.

(Post-meeting note: Two letters were issued to the Administration and the HA Rental Housing Committee on 5 and 6 April 2000 respectively.)

V Problems arising from shared accommodation in public rental housing

Meeting with the Society for Community Organization

(LC Paper No. CB(1) 1263/99-00(03))

13. Representatives of the Society for Community Organization (SOCO) briefed members on their submission. They cautioned that disputes among household members living in shared accommodation might lead to tragic consequences. In view of the limited number of some 2,000 shared tenancies at present, additional re-housing resources should be made available to tackle the problems arising from shared accommodation.

Meeting with the Administration

(LC Paper No. CB(1) 1263/99-00(04))

14. Mr LEUNG Yiu-chung noted that under the existing housing policy on shared accommodation in PRH, only the principal tenants would be allocated new PRH flats upon redevelopment while the sharers would be re-housed to refurbished flats or interim housing where appropriate. He considered such an arrangement unfair to the sharers as many singletons were not aware of the different arrangements between principal tenants and sharers before they moved into the shared accommodation in PRH and decided who should be the principal tenants.

15. In response, the Chief Manager/Management (Support Services 2) (Acting) (CM/M (SS2) (Ag)) clarified that there were two categories of households living in shared accommodation, namely, sharing arranged by HD and sharing with prior consent. The former was made at a time when there was an acute shortage of one-person flats for singletons affected by clearance who submitted individual applications for PRH. The latter referred to households in a non-nucleus or partially nucleus family setting who were

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willing to live together under one roof for mutual care and support. On the difference between the two categories in respect of addition policy, CM/M (SS2) (Ag) advised that for households under the “sharing arranged by HD” category, addition of spouse, dependent children under the age of 18 and dependent parents were allowed upon marriage or family reunion, irrespective of whether they were tenants or sharers. However, as households under the “sharing with prior consent” category applied for PRH under one application form, they were allocated one PRH flat and treated as ordinary households. As such, only the principal tenants’ spouse, dependent parents or dependent children under the age of 18 whose parents were authorized occupants could be added into the tenancy.

16. Mr SZETO Wah was not convinced of the Administration’s response. He opined that as the sharers under the “sharing with prior consent” category had to pay the same rent as the principal tenants, they should have the same rights in respect of addition of family members. To this end, consideration should be given to re-housing sharers to casual vacancies in PRH estates due for redevelopment so that they could be allocated new PRH flats upon redevelopment. The Assistant Director/Management (3) (AD/M (3)) advised that splitting of tenancy was normally not allowed in view of the additional public housing resources involved. Given the scarcity of public housing resources, the Administration held the view that priority to PRH should be given to applicants on WL rather than to existing PRH tenants requesting for splitting of tenancy. Some of these cases might be resolved through redevelopment. Moreover, as households under the “sharing with prior consent” category applied for PRH under one application form, they were subject to the same restrictions on addition of family members and splitting of tenancy as other ordinary households. It was unfair to grant them equal status as those households under the "sharing arranged by HD" category bearing in mind that some of them (especially the elderly) had already enjoyed shorter waiting time through such allocation.

17. Miss CHAN Yuen-han cautioned that the rigid housing policy might encourage households members living in shared accommodation to arouse disharmony in order to split from the tenancy. AD/M (3) advised that in case of disputes, staff of HD would mediate and assist in resolving the differences, and where necessary, the Social Welfare Department would be asked to provide counselling service. To ensure equitable allocation of public housing resources, requests for splitting of tenancy would only be considered on individual merits under exceptional circumstances. Mr CHAN Kam-lam however remarked that this was not a question of equity. The allocation of additional resources was worth pursuing to prevent the occurrence of tragedy as a result of disputes among households members in shared accommodation.

18. As to whether there was an established policy on splitting of tenancy for households living in shared accommodation upon redevelopment, AD/M (3) confirmed that requests for splitting of tenancy and allocation of separate flats from households under the “sharing arranged by HD” category would be acceded to upon redevelopment. In view of the importance of such a confirmation, the Chairman specifically instructed that this should be recorded in the minutes of meeting.

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19. Miss CHAN Yuen-han remained concerned about those households living in shared accommodation in PRH not due for redevelopment with family members coming from the Mainland for reunion. The Chairman enquired about the measures in place to tackle the problem. AD/M (3) advised that members of a PRH household might apply for allocation of separate flats through WL. Tenants or sharers who had submitted individual applications for PRH but were subsequently allocated shared accommodation under the arrangement of HD might separately apply for various forms of subsidized housing, such as Home Ownership Scheme (HOS) and Home Purchase Loan Scheme using Green Form.

20. Dr YEUNG Sum urged the Administration to exercise flexibility in dealing with cases of households living in shared accommodation taking into account their difficulties, particularly on requests for temporary stay of adult children from elderly households. AD/M (3) assured members that the subject of temporary stay for adult children would be included in the context of a review of the addition policy.

21. While acknowledging that households living in shared accommodation in PRH due for redevelopment might be allocated separate flats upon redevelopment, Miss FOK Tin-man/SOCO remained concerned about those living in PRH not due for redevelopment. She pointed out that the offer of a larger flat in the event of overcrowded condition as a result of addition of family members of households was not the solution to the problem of shared accommodation. It was also unfair to require households to apply for allocation of separate flats through WL, particularly to those who were arranged to live together by HD. She added that the problem of shared accommodation could not be resolved through the purchase of subsidized housing flats as the tenants and the sharers were required to submit joint application for the purchase. In view of the limited number of some 2,000 shared tenancies at present, Miss FOK urged that the Administration should make available additional resources to tackle the problem at root.

22. To facilitate future discussion, the Chairman requested and the Administration undertook to -

- provide a breakdown on the number of shared tenancies of unrelated members and the number of these households which were staying in PRH blocks due for redevelopment; and
- advise on the measures which would help to resolve the problem of shared accommodation.

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Members agreed to follow up the issue after receipt of the Administration's response.

VI Redevelopment of North Point Estate

(LC Paper Nos. CB(1) 1263/99-00(05), (05), (07) and 1286/99-00)

23. Members noted with concern that unlike other redevelopment projects under the Comprehensive Redevelopment Programme (CRP) which were announced in the form of

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five-year rolling programmes to keep the public informed of the planned redevelopment for the next five years, the redevelopment of North Point Estate (NPE) came as a surprise. They questioned the rationale behind such an arrangement. AD/O&R explained that the current CRP was drawn up consequent upon the endorsement of the Long Term Housing Strategy (LTHS) in March 1987, under which all Marks IV to VI and Former Government Low Cost Housing Estates would be redeveloped by 2005. In the review of LTHS published in 1998, it was also decided that redevelopment of older housing estates after the completion of CRP should be considered on a selective estate by estate basis. In the case of NPE, AD/O&R clarified that was not included in CRP. Although structurally safe, NPE required extensive strengthening and major building service maintenance works of as much as \$25 million in order to bring it up to the required standard. In view of the high maintenance cost, HA considered it more cost-effective to redevelop than maintain the estate. Thus, HA announced on 2 March 2000 the redevelopment of NPE by February 2002. This was in line with the prevailing CRP practice of formally announcing individual redevelopment project about 18-24 months before the target evacuation date.

24. Members did not accept the Administration's explanation. Dr YEUNG Sum and Mr LEUNG Yiu-chung remained of the view that the redevelopment of NPE was at variance with other CRP projects, under which a five-year pre-redevelopment period would be given to allow ample re-housing opportunities for the affected tenants. In reply, AD/O&R reiterated that the redevelopment of NPE was an individual case and did not form part of CRP. Besides, the pre-redevelopment period of 24 months would allow sufficient time for the tenants to move. Mr Fred LI however pointed out the redevelopment of Shatin Pass Estate was also an individual case, under which a pre-redevelopment period of five years was provided. AD/O&R clarified that Shatin Pass Estate was one of the Former Government Low Cost Housing Estates to be redeveloped under CRP by 2005.

Redevelopment options

25. Mr SZETO Wah asked if the Wider Redevelopment Option referred to in paragraph 11(b) of the Administration's paper would be carried out in connection with other developments within the district. The Chief Planning Officer (CPO) explained the option would cover NPE and the adjacent Government land, such as the bus terminus, the two passenger ferry piers, the queuing area to the vehicular ferry pier and its adjacent local open spaces. Such an approach had the potential for a much greater community gain in terms not only of additional housing units, but also efficient use of land, better integration of transport and commercial facilities and the provision of new district facilities. Although this wider approach had the in-principle support of other Government bureaux and departments, its feasibility had yet to be determined pending further discussion and collaboration on resolving technical and planning details. Members were not convinced that HA should announce the redevelopment of NPE before a decision on the redevelopment option to be adopted was made. They were skeptical that such an arrangement was to facilitate participation of private developers in the redevelopment. CPO confirmed that there was no negotiation between HA and private developers in this respect.

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Re-housing arrangements

26. As NPE was built by the former Hong Kong Housing Authority (FHA), Mr CHENG Kai-nam opined that HD should take into account this special historical background in considering the re-housing arrangements for the tenants. While agreeing that NPE was built by FHA, AD/O&R advised that it had been vested under HA since its establishment in 1973. Besides, special arrangements such as the allocation of one and two-bedroom reception flats to two and four-person households respectively would be made in the light of the supply/demand position of housing resources and the consultation with the relevant District Council members. In addition, NPE tenants would be given top priority over and above other CRP tenants in purchasing Private Sector Participation Scheme (PSPS) flats at Aldrich Garden in the next HOS sale exercise. They would be accorded first priority Green Form status in purchasing other HOS/PSPS flats.

27. Mr Fred LI however pointed out unlike tenants affected by CRP who would be offered second priority in HOS/PSPS flat selection in the initial three years of the five-year rolling programme, NPE tenants were deprived of the opportunity of purchasing flats in the previous HOS sale exercises since the redevelopment was only announced in March 2000. Expressing similar concern, Dr YEUNG Sum opined that HD should issue an undertaking to NPE tenants assuring them that they could choose to move back to the subsidized housing flats after completion of the redevelopment. AD/O&R explained that letters of assurance would only be issued under exceptional circumstances, such as the landslide in Shek Kip Mei Estate where tenants concerned had to be re-housed to other estates instead of the designated reception estates for the redevelopment of Shek Kip Mei Estate. Given that sufficient local re-housing resources had been earmarked to re-house NPE tenants, the issue of letters of assurance would not be necessary. The Chairman however pointed out that letters of assurance had been issued in a number of occasions, including the redevelopment of Kwai Chung Estate.

28. Noting that HA had yet to decide on the approach to be adopted in redeveloping NPE, Mrs Selina CHOW questioned the need for re-housing the tenants now. CPO clarified that HA would proceed to redevelop the NPE site in the normal manner if the wider redevelopment approach proved infeasible. AD/O&R supplemented that it was the responsibility of HA to re-house tenants affected by redevelopment. He said that apart from the reception flats in Hing Wah Estate Phase 1 in Chai Wan and Oi Tung Estate in Aldrich Bay, there would not be any new public housing production in the Eastern district for reception purpose in the coming few years. HA therefore took the decision to re-house NPE tenants now. The Chairman opined that HA should have announced the redevelopment of NPE during the course of construction of Oi Tung Estate. This would allow sufficient time for tenants to prepare for the redevelopment.

29. Mr CHENG Kai-nam asked if HA would consider redeveloping NPE by phases so that tenants could be re-housed within the same estate. AD/O&R advised that due to site constraint, phased redevelopment would restrict disposition of the blocks and affect comprehensive planning as well as delay re-housing of tenants concerned. Mr CHENG was not convinced of the Administration's response since phased redevelopment would be possible in the case of the Wider Redevelopment Option. He did not agree that HD

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should preclude the possibility of re-housing NPE tenants within the same estate before a decision on the redevelopment approach was made.

30. Members were generally opposed to the approach being adopted in the redevelopment of NPE. The Chairman expressed dissatisfaction that HA should announce the redevelopment without prior consultation with members nor tenants. Mr Fred LI echoed that this would set a bad precedent for future planning of redeveloping estates outside CRP. As a consolidated view of the Panel, Dr YEUNG Sum moved and Mr CHENG Kai-nam seconded the following motion-

“That the LegCo Panel on Housing requests the Housing Department to suspend the redevelopment of North Point Estate until the arrangements for the redevelopment was finalized.”

The motion was unanimously passed by members present. The Chairman instructed that the motion be conveyed to the Administration.

(Post-meeting note: A letter on the motion was issued to the Administration on 5 April 2000.)

31. The Administration was requested to revert back to the Panel on its position in respect of the redevelopment of NPE. Meanwhile, HD was asked to shelve the freezing survey scheduled for 6 April 2000.

V Any other business

32. There being no other business, the meeting ended at 7:20 pm.

Legislative Council Secretariat
24 July 2000