立法會 Legislative Council

LC Paper No. CB(1)1347/17-18 (These minutes have been seen by the Administration)

Ref: CB1/PS/1/17

Panel on Housing

Subcommittee to Follow Up the Issues Related to the Wang Chau Development Project

Minutes of second meeting held on Wednesday, 25 April 2018, at 8:45 am in Conference Room 2 of the Legislative Council Complex

Members present: Hon Alice MAK Mei-kuen, BBS, JP (Chairman)

Hon Wilson OR Chong-shing, MH (Deputy Chairman)

Hon LEUNG Yiu-chung

Hon Abraham SHEK Lai-him, GBS, JP

Hon CHAN Kin-por, GBS, JP Hon Paul TSE Wai-chun, JP

Hon CHAN Chi-chuen

Hon LEUNG Che-cheung, SBS, MH, JP

Dr Hon KWOK Ka-ki

Dr Hon Fernando CHEUNG Chiu-hung

Hon Andrew WAN Siu-kin

Hon CHU Hoi-dick

Dr Hon Junius HO Kwan-yiu, JP

Hon HO Kai-ming Hon SHIU Ka-fai

Hon CHEUNG Kwok-kwan, JP

Hon LAU Kwok-fan, MH Dr Hon CHENG Chung-tai Hon KWONG Chun-yu

Hon Tony TSE Wai-chuen, BBS

Members absent: Hon WONG Kwok-kin, SBS, JP

Ir Dr Hon LO Wai-kwok, SBS, MH, JP

Hon SHIU Ka-chun Hon LUK Chung-hung

Public Officers attending

Agenda item I

Transport and Housing Bureau

Dr Raymond SO, BBS, JP

Under Secretary for Transport and Housing

Housing Department

Mr IP Shing-tim

Chief Civil Engineer (2)

Civil Engineering and Development Department

Mr Gabriel WOO

Deputy Head of Civil Engineering Office (Project & Environmental Management)

Mr Edward CHAN

Chief Engineer (Housing Projects 2)

Lands Department

Mr Albert CHEUNG

Assistant Director (Specialist 3)

Mr Vincent WONG

Senior Manager (Clearance) (Atg.)

Clerk in attendance: Mr Derek LO

Chief Council Secretary (1)5

Staff in attendance: Mr Fred PANG

Senior Council Secretary (1)5

Ms Michelle NIEN

Legislative Assistant (1)5

Action

I. Update on the Wang Chau development project

(LC Paper No. CB(1)849/17-18(01) — Paper provided by the Administration

LC Paper No. CB(1)628/17-18(01) — Background brief prepared by the Legislative Council Secretariat)

The Subcommittee deliberated (index of proceedings in the **Appendix**).

2. At 10:29 am, the Chairman announced that the meeting would be extended for five minutes to 10:35 am.

Follow-up actions to be taken by the Administration

- 3. The Administration was requested to provide information as follows:
 - (a) the number of land plots, if any, which had originally been planned to be sold under the Land Sales Programme/earmarked for private housing developments but were designated for providing public housing in the past five years;
 - (b) of the 12 households affected by the Wang Chau Phase 1 Development which had been allocated public rental housing units, the respective numbers of households residing in (i) licensed domestic structures or surveyed domestic structures covered by the Squatter Control Survey ("SCS") conducted in 1982; (ii) licensed non-domestic structures or surveyed non-domestic structures covered by the 1982 SCS; and (iii) unlicensed structures or structures that were not registered by the SCS; and
 - (c) regarding informal consultations conducted by the Administration on land development projects, details of the following:

Action -4-

- (i) the steps and procedures to be followed by the Administration in conducting these consultations in future; and
- (ii) the mechanism for declarations of interests for the consultees and the measures to prevent situations of conflict of interests of the consultees; and review/improvement on these mechanism/measures since 2016, if any.

(*Post-meeting note*: The Administration's supplementary information was issued to members vide LC Paper No. CB(1)1003/17-18(02) on 23 May 2018.)

4. <u>The Chairman</u> advised that the date of the next meeting would be decided in due course.

II. Any other business

5. There being no other business, the meeting ended at 10:31 am.

Council Business Division 1 <u>Legislative Council Secretariat</u> 24 August 2018

Panel on Housing

Subcommittee on Follow Up the Issues Related to the Wang Chau Development Project

Proceedings of second meeting of the on Wednesday, 25 April 2018, at 8:45 am in Conference Room 2 of the Legislative Council Complex

Time marker	Speaker	Subject(s)	Action required
Update on	the Wang Chau	development project	
000730 – 001319	Administration	Briefing by the Administration on LC Paper No. CB(1)849/17-18(01)	
001320 - 001833	Mr CHU Hoi-dick Administration	Mr CHU Hoi-dick enquired about — (a) the details of the Administration's advice in paragraph 20 of LC Paper No. CB(1)849/17-18(01) that the 4 000 public housing units in the Wang Chau Phase 1 development might not be able to be completed in 2024/2025 according to the current situation; and (b) whether there would be a gap in supply for housing land, and whether the Administration would designate the land sites in the current financial year's Land Sales Programme for providing public housing. The Administration advised that — (a) as mentioned in paragraph 19 of LC Paper No. CB(1)849/17-18(01), the design work for the site formation and infrastructure works for the Phase 1 development had been substantially completed, and the Administration would submit funding application to LegCo for the works and tender out the related works in accordance with established procedures; (b) inadequacy of land supply was an important factor that constrained public housing supply, and the Task Force on Land Supply would commence a five-month public consultation on 18 land supply options; (c) the Transport and Housing Bureau ("THB") would continue to liaise with the Development Bureau ("DEVB") on allocation of more land plots for providing public housing, and the two bureaux had been collaborating closely on the matter; and (d) there were successful cases where the Administration had increased the supply of public housing land by way of changing land uses.	

Time marker	Speaker	Subject(s)	Action required
		Mr CHU Hoi-dick opined that the Administration should improve the prevailing compensation and rehousing arrangements offered to households affected by the Government's development clearance exercises with a view to addressing the adverse impacts of such exercises on the living quality of the affected households.	
001834 – 002554	Chairman Mr SHIU Ka-fai Administration	In view that of the about 180 households registered in the pre-clearance freezing survey in the concerned area in Wang Chau, the Lands Department ("LandsD") had met with 156 households, Mr SHIU Ka-fai enquired about the situation of the remaining households.	
		The Administration advised that –	
		(a) LandsD had met with 156 registered households to explain to them the relevant compensation and rehousing arrangements; and	
		(b) LandsD had not met with about 20 households either because the department was unable to contact some of them and some of these households were unwilling to meet with LandsD.	
		Discussion on why some of the households were unwilling to meet with LandsD and whether the progress of public housing development of providing the about 4 000 public housing units in Wang Chau would be affected.	
		In response to Mr SHIU Ka-fai's enquiry on why the site formation and infrastructure works for the Phase 1 development would not be able to commence in mid-2018 as scheduled, the Administration advised that —	
		(a) relevant government departments had to complete certain established procedures, such as seeking funding approval, tendering out the related works, etc. before proceeding to the implementation of Phase 1; and	
		(b) the Administration had been communicating closely with land owners and occupants affected by the Government's development projects and would report to members any new information in this regard.	
		Discussion on why the Panel on Housing had yet to decide whether to support the submission of the Administration's proposal for site formation and infrastructure works for Phase 1 to the Public Works Subcommittee for consideration.	

Time marker	Speaker	Subject(s)	Action required
002555 – 003110	Dr Junius HO Administration	Dr Junius HO expressed regret that the Administration had yet to confirm the situation of all the affected households in Wang Chau, such as the number of households eligible for rehousing to public housing; the compensation and rehousing arrangements that would be offered to the households residing in squatter structures; whether the Administration would put in place a discretionary mechanism allowing affected households to apply for compensation and rehousing arrangements on compassionate grounds; and whether the Administration would provide a village site for rehousing affected villagers. The Administration advised that —	
		(a) 12 households affected by the Phase 1 development had been allocated public rental housing ("PRH") units; and	
		(b) since some households had not submitted any information or had not provided sufficient information to LandsD, the department had not completed the vetting for the households' eligibility for compensation and rehousing arrangements.	
		Dr Junius HO opined that for the households which had provided sufficient information to LandsD and had not been allocated PRH units, the Administration should confirm the rehousing arrangements that would be offered to them in a timely manner.	
003111 – 003614	Mr LAU Kwok-fan Administration	Mr LAU Kwok-fan opined that households affected by the Administration's development projects moved out from their homes to make way for the projects, and the Administration should provide them non-means tested rehousing to public housing before taking forward any development clearances in the concerned area.	
		Mr LAU Kwok-fan enquired whether –	
		(a) most of the 156 registered households had yet been allocated PRH units because they could not meet the relevant income and asset limits; and	
		(b) whether THB and the Hong Kong Housing Authority would support the suggestion of offering non-means tested rehousing to public housing for the households affected by the Government's development clearance exercises.	

Time marker	Speaker	Subject(s)	Action required
		The Administration advised that — (a) relevant government departments followed the existing mechanism in dealing with the rehousing of the remaining registered households; and (b) THB understood the worries of the households affected by the Phase 1 development about the rehousing arrangements available to them, and would consider and follow up Mr LAU's suggestion about offering clearees non-means tested rehousing to public housing.	
003615 - 004159	Chairman Administration	The Chairman enquired about — (a) the LandsD's progress of meeting with the about 180 affected households since the Panel on Housing's discussion on the matter in November 2017; and (b) whether THB considered it appropriate that the relevant bureau should put in place new compensation and rehousing arrangements for households affected by the Government's development clearances in future, including affected residents in Wang Chau, to facilitate the smooth implementation of public housing development projects involving resumption of land. The Administration advised that — (a) after the Government had published the land resumption associated with Phase 1 in the gazette in October 2015, LandsD had conducted a pre-clearance freezing survey in the concerned area; (b) LandsD had met with more households after the Panel on Housing's meeting in November 2017; (c) as at end-March 2018, LandsD had met with 156 households registered in the freezing survey, and of which, 12 households which had provided sufficient information to LandsD had been allocated PRH units, and LandsD would complete the eligibility vetting of the remaining households for rehousing to PRH after receiving sufficient information from them; and (d) the Administration would consider and actively follow up members' views and concerns on the compensation and rehousing arrangements for households affected by the Government's development clearances.	

Time marker	Speaker	Subject(s)	Action required
004200 - 004705	Mr Tony TSE Administration	Mr Tony TSE opined that — (a) the Administration should implement the Phase 1 development as early as possible to help increase the supply of public housing units to meet the imminent demand; and (b) the Administration should consider conducting a review on the existing ex-gratia compensation and rehousing arrangements for households affected by the Government's development clearance exercises, and ensure that the review would not cause delay to the public housing development in Wang Chau. Mr Tony TSE enquired about the time of the last review on the ex-gratia compensation and rehousing arrangements, and whether the Administration would work out proposals to appropriately improve the compensation and rehousing arrangements offered to residents affected by land clearances. The Administration advised that — (a) DEVB reviewed the ex-gratia compensation and rehousing arrangements for domestic occupants of squatters from time to time, and the last time of review had been conducted in 2013; and (b) at this stage, LandsD followed the existing mechanism in dealing with the compensation and rehousing issues arising from land resumption for the Wang Chau Phase 1 development.	required
004706 – 005325	Chairman Mr Andrew WAN Administration	Mr Andrew WAN enquired about — (a) the progress that had been made by the Administration in taking forward the Phase 1 development to provide about 4 000 public housing units after the Panel on Housing's discussion on the Administration's proposal for site formation and infrastructure works for Phase 1 in November 2017; and (b) the progress of the Wang Chau Phases 2 and 3 development which provided about 13 000 public housing units. The Chairman reiterated the reason why the Panel on Housing had yet to decide whether to support the submission of the Administration's proposal for site formation and infrastructure works for Phase 1 to the Public Works Subcommittee for consideration.	

Time marker	Speaker	Subject(s)	Action required
		The Administration advised that –	
		(a) the design work for the site formation and infrastructure works for Phase 1 had been substantially completed, and after completing other relevant procedures, the Administration would seek funding approval for the works and tender out the related works; and	
		(b) the Administration had commissioned a consultancy in July 2017 for an engineering feasibility study for site formation and infrastructure works for the Phases 2 and 3.	
		In response to Mr Andrew WAN's enquiry on whether the Administration would not take forward Phase 2 and 3 after carrying out the relevant study, the Administration advised that –	
		(a) the preliminary finding of the engineering feasibility study indicated that the development was technically feasible;	
		(b) as the study included various assessments which would take time to complete, the final outcome of the study was expected to be available in early 2019; and	
		(c) subject to the outcome of the feasibility study, the Administration would proceed to the detailed study for the two phases of development.	
005326 -	Dr CHENG	Dr CHENG Chung-tai enquired about –	
005847	Chung-tai Administration	(a) whether the Administration had fully grasped the situation of the households affected by the Phase 1 development; and	
		(b) whether the Administration would be unable to follow the original timetable for taking forward the land resumption for the Phase 1 development, in view of the progress of its vetting of affected households' eligibility for ex-gratia compensation and rehousing arrangements.	
		The Administration advised that –	
		(a) of the about 180 households registered in the pre-clearance freezing survey in Wang Chau, LandsD had met with 156 households;	

Time marker	Speaker	Subject(s)	Action required
		(b) some of the 156 households had provided sufficient information to enable LandsD to assess their eligibility for compensation or rehousing arrangements, and of them, 12 households had been allocated PRH units;	
		(c) since some households had not provided sufficient information to LandsD, the compensation and rehousing arrangement that could be offered to them were pending confirmation;	
		(d) about 20 households could not be contacted and LandsD would continue to contact them; and	
		(e) as mentioned in paragraphs 19 and 20 of LC Paper No. CB(1)849/17-18(01), the design work for the site formation and infrastructure works for Phase 1 had been substantially completed, and according to the current situation, the works would not be able to commence in mid-2018 as scheduled.	
005848 – 010403	Mr CHU Hoi dick Administration	In response to Mr CHU Hoi-dick's enquiry, the Administration advised that the 12 households which were affected by the Phase 1 development and had been allocated PRH units were part of the about 100 households residing in licensed domestic structures or surveyed domestic structures covered by the Squatter Control Survey ("SCS") conducted in 1982.	
		Mr CHU Hoi-dick expressed concern that –	
		(a) the amount of ex-gratia compensation offered to the affected households which were residing in licensed/surveyed domestic structures and were not allocated PRH units would not be sufficient for these households to afford renting an alternative accommodation; and	
		(b) the about 80 affected households which were not residing in licensed/surveyed domestic structures would not be eligible for any rehousing and compensation arrangements, and would be provided domestic removal allowance only.	
		Mr CHU Hoi-dick opined that certain land sites in the current financial year's Land Sales Programme were suitable to be designated for providing public housing. In response to Mr CHU's enquiry, the Administration undertook to provide information about the number of land plots, if any, which had originally been planned to be sold under the Land Sales Programme / earmarked for private housing developments but were designated for providing public housing in the past five years.	The Administration to follow up as stated in paragraph 3 (a) of the minutes.

Time marker	Speaker	Subject(s)	Action required
010404 – 010909	Mr SHIU Ka-fai	 Mr SHIU Ka-fai opined that – (a) the amount of ex-gratia compensation offered to the affected households based on the prevailing rates was too small; and (b) the Administration should address the compensation and rehousing issues arising from the Phase 1 development in a timely manner to facilitate the implementation of the public housing development project to meet the demand of PRH waiting list applicants. 	
010910 - 011420	Dr Junius HO	Dr Junius HO said that – (a) he had made visits to Wing Ning Tsuen, Fung Chi Tsuen and Yeung Uk Tsuen of Wang Chau in August 2017, and villagers expressed concern about the compensation and rehousing arrangements that the Administration would offer to existing occupants of squatters who purchased the structures from other people and had resided in the structures for a long time; (b) the Administration should offer rehousing to PRH for these squatter occupants, and the rehousing should be non-means tested; and (c) the Administration should make clear its position towards the affected villagers' request for providing a resite area for clearees.	
011421 - 012005	Dr Fernando CHEUNG Administration	Dr Fernando CHEUNG noted that only 12 out of the about 180 households affected by the Phase 1 development had been allocated PRH units, and enquired about the reason for the slow progress of rehousing the affected residents and taking forward the project to develop public housing. The Administration advised that — (a) it was the target of the Administration to take forward the Phase 1 development to provide the about 4 000 public housing units as early as possible; and (b) the Administration would report to members any new information about its progress in dealing with the issues arising from Wang Chau development when appropriate.	

Time marker	Speaker	Subject(s)	Action required
012006 – 012641	Chairman Mr LEUNG Che-cheung Administration	 (a) the prevailing compensation and rehousing arrangements could not meet the aspirations of the affected villagers in Wang Chau, and the Administration should formulate in a timely manner new arrangements taking into account public views and concerns on the matter; (b) before working out new compensation and rehousing arrangements for further discussion with members, the Administration should suspend any action to resume land in the concerned area in Wang Chau; (c) the Administration should offer non-means tested rehousing option in the form of rental units and subsidized sale flats for households affected by the Wang Chau development, as these households sacrificed their own interests and moved out from their homes to make way for the development; and (d) the Administration should make reference to the compensation arrangements offered to residents of Choi Yuen Tsuen when working out the arrangements for affected households in Wang Chau. The Administration advised that it had noted and would actively follow up members' views on issues relating to land resumption, compensation and rehousing arrangements for Wang Chau development. The Chairman said that – (a) the meeting was held to facilitate members to discuss with the Administration the updated progress of Wang Chau development since the last discussion on the subject matter; and (b) the Administration should report to members in a timely manner any new measures to deal with the issues arising from Wang Chau development. 	required
012642 – 013159	Dr KWOK Ka-ki Administration	Dr KWOK Ka-ki enquired about the obstacles that the Administration encountered in providing suitable rehousing and compensation arrangements for the about 180 households affected by the Phase 1 development, and when the Administration would resolve the obstacles.	

Time marker	Speaker	Subject(s)	Action required
		The Administration advised that it had noted members' views regarding the concerns of the affected households in Wang Chau over compensation and rehousing arrangements, and the Administration would report to members any new information regarding the progress of dealing with the matters when appropriate.	
013200 – 013729	Mr KWONG Chun-yu Administration	Mr KWONG Chun-yu enquired about the progress and timeframe for following up and putting in place measures to address the needs and concerns of the households affected by the Phase 1 development.	
		The Administration advised that –	
		(a) 12 households affected by the Phase 1 development had been allocated PRH units;	
		(b) since some households had not submitted any information or had not provided sufficient information to LandsD, vetting had not been completed and the situation of affected households was pending confirmation;	
		(c) the Administration understood the worries of the affected households about the compensation and rehousing arrangements, and relevant government departments were exploring ways to address their concerns; and	
		(d) the Administration would organize a site visit to Wang Chau for members, which was tentatively proposed for June 2018.	
013730 – 014341	Chairman Mr CHU Hoi-dick Administration	Mr CHU Hoi-dick enquired, of the 12 households affected by the Wang Chau Phase 1 development which had been allocated PRH units, the respective numbers of households residing in (i) licensed domestic structures or surveyed domestic structures covered by SCS conducted in 1982; (ii) licensed non-domestic structures or surveyed non-domestic structures covered by the 1982 SCS; and (iii) unlicensed structures or structures that were not registered by the SCS.	
		The Administration undertook to provide supplementary information to address Mr CHU's enquiry.	The Administration to follow up as
		Mr CHU Hoi-dick opined that – (a) the current financial year's Land Sales Programme included 14.442 hectares of Residential (Group A)/Residential (Group B) sites, and the Administration	stated in paragraph 3(b) of the minutes

Time marker	Speaker	Subject(s)	Action required
		should use these lands for providing about 15 000 public housing units to address public concern that there might be a gap in supply for housing land in the next five years;	
		(b) the parties that had been consulted in the informal consultations conducted by the Administration on Wang Chau development included Mr TSANG Shu-wo, who was the Chairman of Ping Shan Rural Committee and a brownfield operator with vested interests in Wang Chau at that time, and this revealed that the Administration should put in place a mechanism for declarations of interests for the consultees and the measures to prevent situations of conflict of interests of the consultees; and	
		(c) relevant government departments had not kept records about the informal meetings for the Wang Chau development project, and the Administration should improve the system for keeping records of informal consultations.	
		The Administration replied that –	
		(a) THB would continue to liaise with DEVB on designating more land plots for providing public housing;	
		(b) apart from the availability of spade-ready sites, delivery of public housing projects also hinged on other factors;	
		(c) the Administration had not advised the public that there would be a gap in supply for housing land;	
		(d) informal consultation was a long-standing practice in the Administration's consultation system with the objective of collecting opinions, and it would not replace formal consultation; and	
		(e) the Administration had not kept official records about informal consultations, but colleagues attending informal meetings would briefly report the views gathered at the informal meetings to the senior levels of the department concerned through working documents or internal emails.	

Time marker	Speaker	Subject(s)	Action required
		Mr CHU Hoi-dick requested the Administration to provide supplementary information on, with respect to informal consultations on land development projects, the mechanism for declarations of interests for the consultees and the measures to prevent situations of conflict of interests of the consultees; and review/improvement on these mechanism/measures since 2016, if any. The Chairman requested the Administration to provide supplementary information on the steps and procedures to be followed by the Administration in conducting informal consultations in future.	The Administration to follow up as stated in paragraph 3(c) of the minutes.
014342 – 014849	Mr SHIU Ka-fai Administration	In response to Mr SHIU Ka-fai's enquiries, the Administration advised that –	
		(a) for the 50 households in licenced non-domestic structures or surveyed non-domestic structures covered by the 1982 SCS, the structures they were residing were unauthorized in nature but were tolerated on a temporary basis under the prevailing squatter control policy; and	
		(b) for the about 30 households residing in unlicensed structures or structures that were not registered by the SCS, the Administration had no information in hand regarding when they had moved to these structures.	
		Mr SHIU Ka-fai opined that	
		(a) the Administration should offer to the about 100 households residing in domestic structures and the about 50 households residing in non-domestic structures non-means tested rehousing to PRH or cash compensation, as they were forced to move out from their villages because of the implementation of the Government's development clearance, and the Administration might consider requiring the rehousing households to undergo income and asset tests after they had resided in PRH for more than ten years;	
		(b) the Administration should consider offering rehousing or compensation arrangements to the remaining 30 households if they had moved to and resided in the squatter structures for years before the Administration's announcement of the Wang Chau development proposal; and	

Time marker	Speaker	Subject(s)	Action required
		(c) the Administration should improve the existing compensation and rehousing policies so that relevant government bureaux/departments could offer the above arrangements to affected households in Wang Chau and other residents affected by the Government's development clearance exercises in other areas.	
014850 – 015011	Dr Junius HO Administration	Dr Junius HO said that the Administration should offer non-means tested rehousing to PRH to the households affected by the Phase 1 development who wished to move to PRH.	
015012 - 015020	Chairman	Next meeting	

Council Business Division 1 <u>Legislative Council Secretariat</u> 24 August 2018