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Legislative Council

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Panel on Housing

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

Purpose

This paper reports on the deliberations of the Subcommittee to Follow Up the Issues Related to the Wang Chau Development Project ("the Subcommittee") formed under the Panel on Housing ("the Panel").

Background

2. Wang Chau, a rural area of Yuen Long, has been identified by the Administration for possible public housing development and a feasibility study on the development project commenced in 2012. The Administration and the Hong Kong Science and Technology Parks Corporation jointly entrusted the Hong Kong Housing Authority ("HA") in July 2012 to commission a Planning and Engineering Study ("P&E Study") on the feasibility of the Wang Chau Housing Development and Yuen Long Industrial Estate Extension ("YLIEE") to study the technical feasibility of the development in the aspects of planning, construction and environment. The total planned development area is around 34 hectares¹, and is situated north to Long Ping Estate in Yuen Long, between Kai Shan and Fuk Hi Street.

Development approach

3. According to the Administration, different parts of the P&E Study were completed in phases and the entire study was completed in September 2015. In 2013, whilst the P&E Study was yet to be completed and data and

¹ LC Paper No. [CB\(1\)16/16-17\(01\)](#)

analyses gradually became available, the plan made public at that time was to proceed concurrently with all three phases of the public housing development to provide about 17 000 units, as well as YLIEE. In early 2014, the Administration decided to proceed with the Wang Chau public housing development Phase 1 ("Phase 1 development") first to provide about 4 000 units, and develop Phases 2 and 3 and YLIEE at later periods.²

4. The reduction of public housing units from about 17 000 to 4 000, as well as the rezoning of green belts for the development of these units instead of clearing the brownfield sites, have raised public concerns.³ Some have called on the Administration to disclose the reports of the P&E Study to allow the public to have a clearer understanding of the project. On 18 October 2016, the Administration responded with the release of the 16 reports of the P&E Study to the Legislative Council ("LegCo") and the public, after redacting the sensitive information such as land matters and financial information.⁴

Number of households affected by Phase 1 development

5. According to the Administration, the Lands Department ("LandsD") conducted a pre-clearance survey ("PCS") in the areas involved in the development plan concerned on 30 October 2015. As at the end of May 2017, a total of about 180 households, involving about 400 clearerees, were registered in the survey. It was tentatively established that among the registered households, about 100 households were residing in licensed domestic structures or surveyed domestic structures covered by the 1982 Squatter Control Survey ("SCS"); about 50 households were residing in licensed non-domestic structures or surveyed non-domestic structures covered by the 1982 SCS; and the remaining some 30 households were residing in

² See Appendices I and II to LC Paper No. CB(1)126/16-17(01) for the demarcation of the site of Phases 1, 2 and 3 of the development and the YLIEE site and the land information of the sites respectively.

³ The Chief Executive and other relevant officials held a press conference on 21 September 2016 and provided information regarding the Government's internal deliberation process for the decision to proceed with Phase 1 development first, as well as the considerations supporting the decision. The relevant press statements and transcripts of the press conference have been provided in LC Paper No. [CB\(1\)126/16-17\(01\)](#).

⁴ The reports can be accessed via:
http://www.legco.gov.hk/yr1617/english/panels/hg/papers/wang_chau_report/wang_chau_report.htm

unlicensed structures or structures that were not registered by the SCS.

6. As at the end of March 2018, LandsD had met with 156 households and 12 households of them had been rehoused to HA's public rental housing ("PRH"). All of them were residents of 1982 SCS domestic structures. They had also satisfied the relevant eligibility criteria for PRH. Since some of the other households had not provided documents or had provided insufficient documents, eligibility assessments had yet been completed. LandsD had been progressively establishing contacts with the registered households to explain to them the relevant ex-gratia allowances ("EGA") and rehousing arrangements.

Site formation and infrastructure works for Phase 1 development

7. According to the Administration's recent forecast, Phase 1 development is to be completed in 2025-26, and will provide about 4 000 units for a population of about 12 300. When discussing the funding proposal to take forward the Public Works Programme Item No. B780CL for the relevant site formation and infrastructure works for Phase 1 development ("the project B780CL") on 6 November 2017, members of the Panel urged the Administration to resolve the issues relating to the relocation, rehousing and compensation arrangements for all Wang Chau residents before commencing the project B780CL.

Enhancements to compensation and rehousing arrangements

8. On 10 May 2018, the Administration announced the proposed enhancements to the general ex-gratia compensation and rehousing ("C&R") arrangements for eligible domestic occupants in squatters and business undertakings affected by the Government's development clearance exercises. Under the proposed enhancements, a unified and enhanced general ex-gratia C&R package, instead of "project-specific" packages, would be applicable to all future Government's development clearance exercises irrespective of project scale. Apart from the existing means-tested rehousing arrangement in PRH of HA for affected eligible households, non-means tested rehousing in dedicated rehousing estates to be developed and managed by the Hong Kong Housing Society ("HKHS") would be introduced.⁵ As regards cash EGA,

⁵ One-off transitional arrangements would be offered by making use of vacant units of HKHS's rental and HA's PRH estates before the dedicated rehousing estates were completed and ready for population intake (estimated to be around 2023/2024 for the dedicated estates at Pak Wo Road, Fanling and Hung Shui Kiu New Development Areas).

the eligibility criteria would be relaxed and the EGA amount would be increased. The eligibility criteria of the EGA for business undertakings on brownfields and in squatters would also be relaxed from a minimum of 10-year continuous operation at the same land lot to a minimum of seven years.

9. In response to Members' call for greater flexibility in the implementation of the new package with a view to addressing the concerns of those affected, the Administration has undertaken, in its financial proposal for the enhancements submitted to the Finance Committee ("FC") for approval, to exercise some flexibility in the implementation of the unified ex-gratia C&R package, without prejudice to the overall policy directions. For Phase 1 development for which PCS had already been completed before the announcement of the enhanced ex-gratia C&R package on 10 May 2018, the Administration would exercise flexibility in assessing the continuous residence/occupation duration of clearerees (e.g. households, business undertakings) for determining the eligibility for EGAs and/or rehousing arrangements by counting not only the length of continuous residence/occupation immediately preceding the date of PCS but also that after the date of PCS but before 10 May 2018 (i.e. the announcement date of the proposed enhanced ex-gratia C&R package). According to the Administration, this is an exceptional implementation arrangement confined to Phase 1 development (and Kwu Tung North and Fanling North New Development Areas ("NDAs") and Hung Shui Kiu NDA as well), on the ground that the detailed assessment work which should have commenced soon after the PCS has been delayed for some time due to the review of the ex-gratia C&R package. The financial proposal was approved by FC on 18 July 2018.

The Subcommittee

10. The Subcommittee was appointed by the Panel on 15 November 2016 to study and follow up issues relating to the Wang Chau development project. The terms of reference and membership of the Subcommittee are set out in **Appendices I and II** respectively.

11. Under the chairmanships of Hon Alice MAK (for the 2017-2018 legislative session) and Hon CHU Hoi-dick (for the 2018-2019 legislative session), the Subcommittee has held a total of four meetings since the commencement of its work in February 2018. The Subcommittee has received views from 40 organizations and individuals on related issues at one of these meetings. A list of the organizations and individuals which/who

have given views to the Subcommittee is in **Appendix III**. The Subcommittee also conducted two visits to Wang Chau on 19 June 2018 and 29 January 2019 to better understand Phase 1 development and the remaining phases, i.e. Phases 2 and 3, of public housing developments at Wang Chau ("remaining phases development").

Deliberations of the Subcommittee

12. The Subcommittee has focused its work on the following areas:

- (a) progress of the Wang Chau development project;
- (b) compensation and rehousing arrangements for affected residents;
- (c) implementation issues in land development;
- (d) informal consultations with stakeholders on development projects;
- (e) pet keeping arrangement for affected residents upon rehousing to public housing; and
- (f) policy matters on and arrangements for animals affected by development projects.

Progress of the Wang Chau development project

13. The Subcommittee has closely monitored the progress of the Wang Chau development project and its impacts on the residents and operators of undertakings at relevant development sites. The Subcommittee notes that subsequent to FC's approval for the C&R package, LandsD immediately contacted and explained the C&R arrangements to the affected households and business undertakings in Phase 1 development who had registered in the PCS. On 27 July 2018, LandsD issued letters and pamphlets regarding revised ex-gratia C&R arrangement to further explain the C&R arrangements.⁶

⁶ The pamphlet and the flexibility in implementation arrangements exercised by the Government were uploaded to the webpage of LandsD for public access.

Pre-clearance survey

14. To tie in with Phase 1 development, LandsD conducted a PCS in the areas involved in the development plan concerned on 30 October 2015. A total of about 180 households, involving about 400 clearerees, were registered in the survey. Subsequently, LandsD actively invited the affected households to conduct the vetting on their eligibility for the ex-gratia C&R arrangement. By end-October 2018, 23 households had been allocated to HA's PRH units, 36 households who applied for PRH units through the comprehensive means test were being vetted by HA, 3 households had applied for the enhanced EGA and 16 households had applied for the HKHS dedicated rehousing estates through non-means test. Of those 16 households, the information of 9 households had been forwarded to HKHS to further process while provision of documentary proof by the remaining households was pending. In addition, 21 households who are either existing PRH residents or owner of residential properties, and 36 households who are residing in unlicensed structures or unregistered structures, are eligible for the enhanced Domestic Removal Allowance. The Subcommittee notes that as at the end of October 2018, as some households still had not submitted any/sufficient information to LandsD, the eligibility vetting had not been completed and the comprehensive situation of affected households was pending confirmation.

Formation and infrastructure works for Phase 1 development

15. The Subcommittee notes that the detailed design for the site formation and infrastructure works for Phase 1 development is substantially completed. The project B780CL for taking forward the relevant works (see paragraph 7 above) has since 13 February 2019 been included in the agenda of the Public Works Subcommittee for its endorsement. Subject to funding approval by FC, the Administration plans to commence the proposed works in the third quarter of 2019. The Administration expects that the site formation works would be completed in phases starting from 2022, whereas the infrastructure works would be completed in 2024.

Clearance programme

16. One of the issues of members' concern is that land clearance in development projects is implemented prematurely, forcing residents to leave their homes without proper arrangements. Regarding the land clearance relating to Phase 1 development, the Administration has undertaken that it will make reference to the established practice and will only decide the final eviction date after FC's approval of the funding for the project B780CL.

Feasibility study on remaining phases development

17. As regards the progress of the remaining phases development, the Subcommittee notes that the Administration commissioned in late July 2017 the engineering feasibility study for site formation and infrastructure works for remaining phases development ("EFS") which was scheduled for completion in early 2019. As the EFS findings are important to the formulation of the timetable of remaining phases development which can provide about 13 000 public housing units, the Subcommittee has asked for the relevant information.

18. The Administration advised on 12 February 2019 that the EFS was in its final stage. In view of its wide spectrum of development considerations and technical constraints, the Administration was finalizing the relevant reports and recommendations with the consultants, and aimed to complete the study by the first quarter of 2019. Hence, it was unable to provide the relevant information of the EFS before the expiry of the Subcommittee's work period. Notwithstanding, it has undertaken that the relevant information will be available during public consultation for rezoning application thereafter.

Compensation and rehousing arrangements for affected residents

19. In the Subcommittee's deliberations prior to the announcement of the enhanced C&R package in May 2018, members in general opined that the Administration should improve the prevailing C&R 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. Some members opined that as households affected by the Administration's development projects moved out from their homes to make way for the projects, the Administration should provide them with non-means tested rehousing to public housing before taking forward any development clearances in the concerned area. They urged the Administration to put in place new C&R 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.

Existing PRH residents or owners of residential properties

20. Members of the Subcommittee in general welcome the enhanced C&R arrangements (described in paragraphs 8 and 9 above). Some members have enquired about the implementation details of the rehousing arrangements such as how the Administration would deal with the 21 cases where the affected households in Phase 1 development were either existing PRH residents or owners of residential properties.

21. The Administration has advised that of the affected households in Phase 1 development, eight households owned residential properties and about 10 were existing PRH residents; and LandsD would provide appropriate assistance to these households as far as practicable upon their requests. About 40 affected households in Phase 1 development who have yet to provide information to LandsD are expected to provide the required information so that the comprehensive situation of all those affected households can be confirmed in due course.

Dedicated rehousing estates

22. Given that dedicated rehousing estates at Pak Wo Road, Fanling and Hung Shui Kiu NDA are estimated to be completed for population intake in 2023/2024 the earliest, some members are concerned about how the Administration can ensure that the non-means tested rehousing arrangements for the households affected by Phase 1 development who applied for these estates will be seamless.

23. The Administration has advised that households eligible for non-means tested rehousing will be offered one-off transitional units in HKHS's rental or HA's PRH estates before the concerned dedicated rehousing estates are ready for population intake. When they are subsequently ready for population intake, eligible households would be given an option to relocate to the dedicated rehousing estates. Households eligible for dedicated rehousing estates are not required to undergo the Comprehensive Means Test before rehousing to HA's transitional units.

24. Some members have sought information on whether an affected villager who jointly owned a building lot with family members was eligible for non-means tested rehousing.

25. The Administration has advised that households eligible for non-means tested rehousing arrangements must fulfill the "no-domestic-property" requirement, and such requirement has been set out in

relevant papers submitted to LegCo's committees and the pamphlet published by LandsD for on-line access and for distribution to members of the public; and affected households who do not meet the "no-domestic-property" requirement are entitled to domestic removal allowance under the enhanced C&R Arrangements.

Implementation issues in land development

Brownfield operations

26. The Subcommittee is aware that in remaining phases development there is a substantial presence of brownfield operations in the forms of car parks (including those for heavy construction vehicles), garages, open storage yards and undertakings of the logistics industry. Some members opine that these brownfield operations are providing supporting services to other industries in Hong Kong and form an important part of the supply chain. They have enquired about the reprovisioning arrangements for these operations and relevant timetables, given that some of them could not be technically accommodated in multi-storey buildings.

27. Some other members have enquired whether the Administration's progress in taking forward remaining phases development would be subject to various studies on brownfield operations/sites being undertaken by the Administration⁷, and whether the rezoning work for remaining phases development may commence before the findings of these studies are available. Some have enquired whether the Administration can compress the timetable of carrying out the various brownfield-related studies so that the issues arising from resumption of brownfield sites in remaining phases development can be addressed before seeking the Town Planning Board ("TPB")'s approval for the Administration's rezoning proposals. These members have urged the Administration to address the aspirations and concerns of the affectees of remaining phases development, such as brownfield operators, before seeking the TPB's approval for its rezoning proposals.

28. Regarding these concerns of members, the Administration has advised that it has never given up the idea of using the brownfield sites and has commenced a feasibility study in 2016 with Hung Shui Kiu New Development Area as a pilot case to explore the feasibility of accommodating

⁷ Examples of the brownfield-related studies being undertaken by the Administration included the Study on Existing Profile and Operations of Brownfield Sites, the feasibility studies on multi-storey buildings for accommodating brownfield operations, etc.

brownfield operations in multi-storey buildings. Meanwhile, the Planning Department has commenced a study on the distribution and profile of brownfield operations in the New Territories in 2017. The Administration is in the course of finalising these studies.

Agricultural rehabilitation

29. Some members have sought information on the arrangements for affected villagers in Wang Chau to resume small-scale planting and the progress made, if any, in that respect.

30. The Administration has advised that a general scheme is in place to facilitate agricultural rehabilitation through matching landowners of private farmland with prospective tenants who wish to lease farmland for agricultural activities. Genuine farmers whose domestic structures with 1982-survey/license numbers are also affected by the Government's land clearances may apply for agricultural resite under the prevailing arrangement to erect a domestic structure on their new private farmland to continue farming. The Administration has supplemented that LandsD has received requests from affected villagers in Phase 1 development for resuming farming practices and will follow up the requests with relevant government departments upon receiving further information from these villagers.

Re-allocating private housing sites for public housing

31. Some members have expressed skepticism about the urgency of developing Phase 1 development as purported by the Administration. On the sources of land for public housing, these members opine that certain land sites in the 2018-19 financial year's Land Sales Programme are suitable to be designated for providing public housing. They have requested the Administration to provide information on 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.

32. The Administration has advised that it has identified over 210 sites with housing development potential in the short to medium term in the last few years through on-going land use review. The sites are capable of providing over 310 000 flats in total, 70% of which for public housing. The Administration will also review the situation from time to time to determine the most suitable use of sites. Where appropriate, sites originally planned for private housing will be re-allocated for public housing. However, it should be noted that the planning of land for public housing has to take into

account a series of factors. Not all sites originally earmarked for private housing are suitable for high-density public housing development. In planning for the most suitable land use, a number of factors have to be taken into consideration, including local characteristics, surrounding environment, traffic impact, noise impact, community facilities, infrastructural capacities (e.g. water supply, drainage and road) of the area concerned, etc.

33. The Administration has advised that in the five years prior to May 2018, 12 residential sites originally planned for private housing were transferred for public housing development.

Informal consultations on development projects

34. Some members have expressed concern that the parties that had been consulted in the informal consultations conducted by the Administration on Wang Chau development in 2014 included the then Chairman of Ping Shan Rural Committee who was a brownfield operator with vested interests in Wang Chau at that time. These members consider that the Administration should put in place a mechanism for declarations of interests for the consultees and measures to prevent situations of conflicts of interest of the consultees, and should improve the system for keeping records of informal consultations. The Subcommittee has sought details of the steps and procedures to be followed by the Administration in conducting these consultations, the mechanism for the consultees to declare interests, and the measures, if any, to prevent situations of conflicts of interest of the consultees.

35. The Administration has advised that it works out the public consultation arrangements for collecting public views to formulate development proposals and to better address concerns from the public and locals in the light of the individual situation of the project and taking into account factors such as the planning objectives, study area, land uses, development scale and implementation programme of the projects, when preparing for development/ planning studies and land use reviews. Public consultation including informal consultation can be carried out in different forms, such as public forums, community workshops, briefing sessions, focus group meetings and collection of written submissions, etc.

36. The Administration will also consult local representatives and consultative bodies at appropriate levels, such as LegCo, District Councils, Heung Yee Kuk, rural committees, etc. For the informal consultation/lobbying issue of Phase 1 development, as the Transport and Housing Bureau mentioned in the press conference on 21 September 2016 and in the Joint meeting of Panel on Housing and Panel on Development on

15 November 2016, it is the Government's long-established consultation practice to conduct lobbying for projects that have impact to the local community with the objective to understand local concerns and gauge feedbacks on the proposals. The Administration considers the collected views useful for the Government to formulate proposals and to better address concerns from the locals during the public consultation process. However, informal lobbying is not or cannot be intended for substituting formal consultation procedures. The Administration reiterates that it has expounded the aforesaid arrangement in the reply letters to the Public Works Subcommittee dated 10 January 2017 and 17 February 2017 respectively⁸. The Administration has not responded to the question on how to avoid conflicts of interest that may arise during informal consultations.

Animal welfare issues

37. With the impending development projects in Wang Chau and North East New Territories NDAs, members are gravely concerned that animals (including pets kept by affected residents) are expected to face removal and hence will be displaced from their homes or will not be adopted. The Subcommittee discussed and received public views on the arrangements for dealing with animals affected by the Wang Chau development project at its meeting on 1 February 2019.

38. The Subcommittee received six written submissions and listened to the oral presentation of views from 36 members of the public. At the public hearing, members of the public elaborated on the threats and hardships faced by animals in NDAs in the New Territories. The Subcommittee notes from a deputation which conducted surveys in the villages that the situation concerning animals in the rural areas is complicated. The deputation visited 244 households and business undertakings in Wang Chau and North East New Territories NDAs during the period from April 2017 to September 2018 and recorded an average number of about 2.05 dogs/cats being kept by each household/business undertaking. The figure may cover free-ranging animals that have been repeatedly counted but does not include animals without an owner. Hence, the actual number may be far more than two per household/business undertaking. At the meeting, villagers from Wang Chau expressed dissatisfaction with the C&R package and commented that the current proposal forces villagers to give up their present lifestyle and abandon the cats and dogs whom they treat as family members, thereby endangering the lives of those animals. The villagers demanded the Government to

⁸ See LC Paper Nos. PWSC31/16-17(02) and PWSC74/16-17(02).

provide reasonable compensation for them so that they can continue to lead a living-cum-farming lifestyle with their cats and dogs.

39. Members of the public have requested the Government to shoulder the responsibility of settling the animals in NDAs and formulate relevant policies, including providing sterilization for animals in the rural areas immediately to reduce the number of animals to be affected; actively pursuing a zero-killing approach; revamping the existing animal management system of the Agriculture, Fisheries and Conservation Department ("AFCD"); and setting up Government-funded adoption centres to provide an interim sanctuary for affected animals before they are adopted. In the light of the discussions at the public hearing, the Subcommittee has studied the following issues:

- (a) pet keeping arrangement for affected residents upon rehousing to public housing;
- (b) adoption of animals which are affected by Government development projects;
- (c) feasibility of the "Trap, Neuter and Release" ("TNR") trial programme; and
- (d) the Government's animal welfare policy.

In particular, the Subcommittee has sought information on the number of animals, which are affected by Wang Chau development project and can be received by animal welfare organizations ("AWOs") in future. The Administration has advised that regarding government development projects except for baseline studies for wild plants and animals conducted for specific development projects on ecological grounds, relevant departments in general do not compile statistics on animals affected by development projects under the prevailing policy.

40. After deliberations and having considered deputations' views, the Subcommittee passed a motion urging the Government to:

- (a) undertake that the affected animals will not be culled;
- (b) commence immediately on a full-scale basis the "trap-neuter-return or adopt" work;
- (c) relax the restriction on dog keeping in public housing for

households affected by the development, so that dogs and their owners can be rehoused together;

- (d) assess immediately the number and situation of affected animals, and formulate policies and services (including the construction of adoption centres) for their proper settlement; and
- (e) establish an inter-departmental task force for formulating a long-term animal policy to protect the rights of animals in development areas.

Pet keeping arrangement for affected residents upon rehousing to public housing

41. Regarding pet keeping arrangement at public housing, the Subcommittee and deputations have expressed grave concern that the residents affected by development projects will be forced to separate from their pets. The Subcommittee has studied in detail the policy of animal keeping, including compassionate arrangement in the various types public housing estates of the HA or HKHS and explored whether there is room for revising or relaxing the policy for the affected residents who are eligible to be rehoused to the public housing estates of HA and HKHS.

Public rental housing of HA

42. As regards the PRH of HA, the Administration has advised that the mission of HA is to provide affordable quality housing to persons with genuine housing needs, including quality management and other related services to meet the needs of tenants. In formulating the policy of animal keeping in PRH estates, the primary consideration of HA is to build a harmonious community whereby the different interests of all PRH residents are being respected at large.

43. The Subcommittee has called on the Administration to relax the restriction on dog keeping in public housing for households affected by the development, so that dogs and their owners can be rehoused together. Some members have suggested that given the dedicated rehousing estates are constructed to accommodate eligible households affected by the Government's land clearances, the Administration/HKHS should consider allowing the affected households to continue keeping their dogs/animals after they have moved to these dedicated rehousing estates.

44. The Administration has explained that PRH estates built by HA are of multi-storey building design and densely populated. In consideration that keeping dogs in PRH estates may induce noise and hygiene nuisance, the Tenancy Agreement ("TA") stipulates that tenants cannot keep dogs in the premises without the prior consent of the landlord. As tenants are very concerned on environmental hygiene of PRH estates, HA endorsed in May 2003 the implementation of the "Marking Scheme for Tenancy Enforcement in Public Rental and Interim Housing Estates" (later renamed as the "Marking Scheme for Estate Management Enforcement in PRH estates" ("MS")) where unauthorized animal-keeping, including dogs, has been included as one of the misdeeds under MS. HA's Subsidised Housing Committee upheld on 25 September 2003 the ban on keeping dogs in public housing estates⁹ while granting a general permission for the keeping of "small household pets"¹⁰ that do not pose any health hazard and do not cause any nuisance. Other animals, including wild lives, exotic animals and domesticated farm animals are strictly prohibited.

45. The Administration has further advised that notwithstanding the above, HA has to take care of the health need of individual tenants. As far as nuisance is not created, HA will grant discretionary approval to tenants with visual/hearing impairment to keep guide dogs and to tenants with recommendation from medical practitioners to keep companion dogs for mental support. The permission of keeping service dog is not applicable to the "fighting dogs" or "known dangerous dogs" as defined under Dangerous Dogs Regulation of Dogs and Cats Ordinance (Cap. 167). Moreover, keeping of large companion dogs¹¹ is not allowed. All households approved of keeping the service dogs must strictly comply with the rules for dog keeping in public housing estates. Otherwise, the special permission may be withdrawn.

46. For prospective tenants/licensees awaiting allocation of PRH flat, the Administration considers that even if they are keeping dogs all along, they

⁹ HA endorsed the implementation of a one-off Temporary Permission Rule in 2003 allowing tenants to continue keeping their small dogs already existed in PRH flats before 1 August 2003 until the dogs' natural death.

¹⁰ "Small household pets" refer to those that are prevalent in the pet market and are generally kept in cages, display cases, aquaria or other containers so designed. Examples are birds (except pigeons), hamsters, chinchillas, guinea-pigs, rabbits, tortoises, aquatic life, desexed cats etc.

¹¹ "Large dog" means a dog having a body weight of 20kg or above as specified under Dogs and Cats Ordinance (Cap. 167).

should be treated on par with other tenants and comply with the same terms of the TA/licence after they have accepted the PRH flats such that a harmonious community can be upheld.

47. Members consider that the cases in which HA has currently exercised discretion to allow tenants with recommendation from medical practitioners to keep companion dogs for mental support are isolated ones, and such situation is tantamount to forcing the tenants to admit to having mental illnesses and evading HA's due responsibility towards the residents and animals affected by development projects.

Subsidised sales flats estates of HA

48. For Subsidised Sales Flats Estates ("SSF") estates of HA, the Administration has advised that the usual practice is that there is a general provision under the House Rules in the Deed of Mutual Covenant ("DMC") that no dogs may be brought or kept upon any part of the SSF estate but other kinds of pet can be kept in the estate with prior written consent of the Manager of the estate. Having said that, the Manager may in accordance with requirements under the DMC (e.g. obtaining the approval of the Owners' Committee) make, amend or revoke the House Rules which must not be inconsistent with the Building Management Ordinance (Cap. 344) or conditions of the Government lease and provisions of the DMC regulating the operation and management of the SSF estate.

HKHS's dedicated rehousing estates

49. The Subcommittee notes that affected residents who move into HKHS's Transitional Rental Housing units have to follow pet keeping policy of HKHS before rehousing to HKHS's dedicated rehousing estates. This includes the discretionary approval to tenants with visual impairment to keep guide dogs. HKHS will adopt the same policy in principle at dedicated rehousing estates.

50. The Administration has further advised that with reference to the examples at some of the existing HKHS's subsidised sale flats estates which allow dog keeping, the Government and HKHS will consider the relevant arrangement when reviewing the pet keeping arrangement at HKHS's dedicated rehousing estates.

Policy matters on and arrangements for animals affected by development projects

51. In the course of deliberations, the Subcommittee has taken the opportunity to examine the policies and measures on the TNR programme, settlement of animals affected by development projects, and the overall animal welfare policy. Considering the lack of coordination among government departments on these matters, members have called on the Administration to establish an inter-departmental task force for formulating a long-term animal policy to protect the welfare of animals in development areas, such as improving the animal microchip database system to allow animals without a known owner to become community animals.

52. As there are a large number of animals without a known owner in NDAs and these animals may be killed as they will not be settled under AFCD's existing policy, some members have suggested that the Administration should set up adoption centres for affected animals so that they can be trained for adoption or kept until natural death, and step up support for AWOs in enhancing animal welfare and promoting adoption.

53. On these views and suggestions, the Administration has provided response as set out in LC Paper No. CB(1)548/18-19(01).

Advice sought

54. Members of the Panel are invited to note the work of the Subcommittee.

Council Business Division 1
Legislative Council Secretariat
9 April 2019

Panel on Housing

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

Terms of reference

To study and follow up issues relating to the Wang Chau Development Project, including the rationale behind the establishment of the Chief Executive's Steering Group for this project, the details of the process of communication with various stakeholders, as well as the number of public housing units and the timetable of the Wang Chau Development Project.

Panel on Housing

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

Membership List *

Chairman	Hon CHU Hoi-dick
Deputy Chairman	Hon Wilson OR Chong-shing, MH
Members	Hon LEUNG Yiu-chung Hon Abraham SHEK Lai-him, GBS, JP Hon LEUNG Che-cheung, SBS, MH, JP Hon Alice MAK Mei-kuen, BBS, JP # Dr Hon KWOK Ka-ki Dr Hon Fernando CHEUNG Chiu-hung Ir Dr Hon LO Wai-kwok, SBS, MH, JP Hon Andrew WAN Siu-kin Dr Hon Junius HO Kwan-yiu, JP Hon SHIU Ka-fai Hon LAU Kwok-fan, MH Dr Hon CHENG Chung-tai Hon KWONG Chun-yu Hon AU Nok-hin Hon Tony TSE Wai-chuen, BBS (Total : 17 members)
Clerk	Mr Derek LO
Legal Adviser	Miss Linda CHAN

* Changes in membership are shown in Annex to Appendix II

Chairman for the 2017-18 legislative session

Panel on Housing

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

Changes in membership

Member	Relevant date
Hon Jeremy TAM Man-ho	Up to 28 February 2018
Hon Tanya CHAN	Up to 8 March 2018
Hon Tony TSE Wai-chuen, BBS	Since 21 March 2018
Hon YUNG Hoi-yan	Up to 17 April 2018
Hon KWOK Wai-keung, JP	Up to 24 April 2018
Hon CHAN Kin-por, GBS, JP	Up to 19 October 2018
Hon Paul TSE Wai-chun, JP	Up to 19 October 2018
Hon CHAN Chi-chuen	Up to 19 October 2018
Hon SHIU Ka-chun	Up to 19 October 2018
Hon CHEUNG Kwok-kwan, JP	Up to 19 October 2018
Hon LUK Chung-hung, JP	Up to 19 October 2018
Hon AU Nok-hin	Since 19 October 2018
Hon HO Kai-ming	Up to 9 January 2019
Hon WONG Kwok-kin, SBS, JP	Up to 30 January 2019

Panel on Housing

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

**List of organizations/individuals which/who have given views
to the Subcommittee**

1. A member of the public
2. Aella Asia
3. Animals Asia Foundation
4. Give Dogs A Home
5. Green Sense
6. Hong Kong Animal Welfare Law (Civil Draft) - Mongrel Dog Lovers
7. Miss Anna CHAN
8. Mongrel Club
9. Mr Raphael WONG Ho-ming
10. NENT Animal Rangers
11. Society for the Prevention of Cruelty to Animals (HK)
12. 伍靜嫻小姐
13. 何潔泓小姐
14. 余佩芸小姐
15. 劉彥昭先生
16. 動物友善政策關注小組
17. 區國權先生
18. 可持續發展關注組
19. 吉秋爽女士
20. 吳君倩小姐

21. 岑敖暉先生
22. 張婉麗小姐
23. 張貴財先生
24. 曾樂欣小姐
25. 朱智鍵先生
26. 李耀生先生
27. 林梓晴小姐
28. 橫洲動物關注組
29. 橫洲綠化帶發展關注組
30. 歐陽元先生
31. 王心龍先生
32. 祝嘉樂先生
33. 謝欣然小姐
34. 鄧貴蓮小姐
35. 陳嘉燊先生
36. 陳嘉琳小姐
37. 陳妙珠小姐
38. 陳秉鳳小姐
39. 陳靖怡小姐
40. 黃橋根先生