

## **Legislative Council Panel on Housing Supplementary Information**

### **Purpose**

At the meeting of the Legislative Council Panel on Housing on 29 March 2021, Members requested the Government to provide information on (i) the function of the Yuen Long West Nullah, and details of any Administration's measures to improve the Yuen Long West Nullah taking into account the policy of promoting water-friendly culture, and (ii) details about the compensation arrangements for the proposed land acquisition regarding Head 711 Programme Item no. B810CL – Site formation and infrastructure works for public housing development at Long Bin, Yuen Long. After consulting the relevant departments, this paper provides the relevant information.

### **Details**

#### **Yuen Long West Nullah**

2. Yuen Long West Nullah is a major drainage channel in the area for timely conveying of stormwater to the sea. With a view to taking forward the concept of "Rivers in the City", the Drainage Services Department has commenced relevant feasibility study in early 2021 to review and evaluate the revitalisation potential of the major nullahs in Hong Kong, identify suitable nullahs for revitalisation, and recommend revitalisation schemes in a timely manner for enhancing greening and aesthetic value of rivers.

#### **Compensation arrangements for the proposed land acquisition**

##### ***Compensation for private landowners***

3. When invoking the Lands Resumption Ordinance and relevant legislation to resume private land, the Government is required under legislation to make statutory compensation to the landowners. The relevant legislation stipulates the basis and principles of the compensation assessment and the procedures involved, as well as conferring on the Lands Tribunal the power over the final determination of the amount of the compensation. The amount of statutory compensation for each case shall be assessed on individual merit in accordance with the legislation.

4. The Government has also put in place an ex-gratia zonal compensation system to offer a landowner an option of receiving ex-gratia compensation as an alternative to statutory compensation. This allows land compensation to be dealt with more easily and conveniently. The ex-gratia compensation system covers four compensation zones (i.e. Zones A, B, C and D), taking into account the location of the land affected and the nature of the development plan involved. In accordance with the established practice, the Government determines the applicable ex-gratia compensation zone for each development project that involves land resumption. As regards the compensation rates applicable to each compensation zone, they are expressed in terms of different percentages of the basic rates. Under the established system, the Lands Department reviews and adjusts the basic rates on a half-yearly basis to reflect the changes of market conditions.

5. Under the ex-gratia compensation system, Zone A is applicable to New Town Development Areas designated on outline zoning plans, or those areas that are affected by essential projects with territory-wide significance, such as cross-boundary infrastructure, cross-boundary control points, etc. As the project is a public housing development and Long Bin falls outside of a New Town Development Area, Zone A is not applicable. Considering the location of the public housing developments at Long Bin, Yuen Long and that the land will be used for public housing development, the Government has adopted compensation Zone B for the project under the system. For previous similar public housing projects such as the public housing developments at Wang Chau and Kam Tin South, the Road and Sewerage Works for the site at the public housing developments at Queen's Hill, Fanling, compensation Zone B was also adopted primarily because the sites for public housing developments, though generally have potential for urban development, are not comparable to new town developments or some other previous projects with territory-wide significance.

6. Upon commencement of the statutory land resumption procedures, the Lands Department will approach the affected private landowners for making compensation offers. If the persons concerned do not accept the Government's ex-gratia compensation offers, they can opt to submit statutory compensation claims. As for the professional fees that the claimants reasonably incurred in connection with the claims, the Government has a system in place for assessment and reimbursement.

### *Ex-gratia compensation and rehousing arrangements*

7. In May 2018, the Development Bureau announced a unified and enhanced ex-gratia compensation and rehousing package, which is applicable to all subsequent development clearance exercises conducted by the Government, including the public housing development proposal at Long Bin, Yuen Long. Regarding the types of ex-gratia compensation and the eligibility criteria, please refer to the pamphlet “General Ex-gratia Compensation Arrangements for Owners, Tenants and Occupants and Rehousing Arrangements for Occupants of Squatter Structures affected by Land Resumption and Government Development Clearance Exercises” on the Lands Department’s website: <https://www.landsd.gov.hk/en/land-acq-clearance/land-resumption-clearance/rehousing.html>.

**Transport and Housing Bureau  
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