

No.	Departmental Comments	Response
A.	<p>From: Social Welfare Department (“SWD”) Contact: Miss Natalie LIU (T: 3791 2805 / E: natalie_cy_liu@swd.gov.hk) Comment Dated: 26.9.2025 / Comment Received: 30.9.2025</p>	
A1.	<p>(i) Decanting Need vis-à-vis Land Resumption Programme</p> <p>2. The Applicant is the operator of Joyful House (Rehabilitation Dormitory) (D0233) (i.e. PST in the application) and Joyful House (Rehabilitation Dormitory) (Hung Shui Kiu Branch) (D0184) (i.e. HSK in the application). Both are the private RCHDs (non-Bought Place Scheme) operating at medium care level. This planning application is intended for a subsequent short-term tenancy (STT) application to merge the two aforesaid RCHDs at a portion of the former Wa Fung School site in Lam Hau Tsuen, Yuen Long (the Subject Site). According to the application, it aims at rehousing the existing operations of RCHD (D0233), which is subject to land resumption by 10 October 2025, merging the two RCHDs (D0233 and D0184) and providing an additional 40 beds.</p> <p>3. According to information contained in the application, one of the main purposes of the proposed RCHD is to address the decanting needs of the PST residents. In this respect, it is noted that the RCHD (D0233) has activated its relocation plan for the residents upon the planned home closure on 10 October 2025 (i.e. land resumption date) in accordance with paragraph 1.6 of the Code of Practice for Residential Care Homes (Persons with Disability) June 2024 (Revised Edition) and in line with the land resumption plan. Pursuant to its latest relocation plan, the RCHD (D0233) had collected written consents from all affected residents (except one who provided verbal consent) on agreeing to be relocated to the RCHD (D0184) or other RCHDs by 5 October 2025; and SWD would provide necessary support to those residents requiring assistance on care arrangement and continue to monitor the relocation progress to ensure a smooth transition for all residents.</p> <p>4. The site currently occupied by RCHD (D0233) would have to be handed over to the Government by Q3 2025. As noted from para. 3 above, decanting plan has</p>	<p>The Applicant wishes to clarify that the primary intention of this Application is to achieve three key objectives:</p> <ol style="list-style-type: none"> Urgently Rehousing of residents of the Pak Sha Tsuen (PST) operation (26 bed spaces), necessitated by the land resumption process for the Yuen Long South New Development Area; Consolidation of the existing Hung Shui Kiu (HSK) operation (24 bed spaces) into a single facility to enhance operational efficiency and management; and Expansion of service provision by supplying an additional 40 bed spaces (compared to the total provision of PST and HSK operations) to meet the pressing demand in the community. <p>Although all PST residents have already relocated to other RCHDs on a short-term basis, the Applicant remains committed to rehousing as many of them as possible in the proposed new RCHD. Early completion of the facility will accelerate the rehousing process and ensure improved living conditions and quality of care for both existing and new residents.</p> <p>The proposed RCHD is fully aligned with Government initiatives, consistent with Government policy objectives, compatible with surrounding developments, and poses no unacceptable technical impacts. It will serve as a positive example of private-public collaboration in addressing urgent community needs.</p>

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	<p>been formulated and the affected residents of DO233 would be relocated to DO184 or other institutions by 5 October 2025. That being the case, Applicants justification of requiring the ex-Wa Fung School for decanting DO233 could not be established.</p>	
A2.	<p>(ii) Temporary Nature of Short-term Tenancy (STT)</p> <p>5. STTs are granted by LandsD by means of tender or direct grant. In general, STTs are granted for a fixed term of a duration ranging from one year to five years (in any event not more than seven years) and thereafter on a periodic basis. If, upon expiry of the fixed term or the first 3 years (whichever is the later), the sites concerned are not immediately required for permanent or other temporary uses within 3 years, they will usually be re-tendered for another fixed term (for STTs granted by tender) or continue on a monthly or quarterly basis (for STTs by direct grant). Given the short-term nature of the STT and the uncertainty or non-assurance of renewal, the residents of the RCHDs would be subject to further removal upon the expiry of the STT thus causing further disruption on the concerned residents.</p> <p>6. It should be noted that vulnerable persons with disabilities could be adversely affected by the temporary nature of STT. They may face repeated relocations when the service is suspended due to termination of STT which could result in emotional distress and difficulties in adapting to new environments.</p>	<p>In its reply to LCQ6^[1], the Secretary for Development Bureau (SDEV) noted that while Short-Term Tenancies (STTs) are limited to a maximum of seven years, continuous renewals are not unprecedented. Indeed, among direct-grant STTs, over 1,600 cases have exceeded 10 years through multiple renewals.</p> <p>The Site has remained vacant since 2008. In its review on vacant school premises, the Planning Department confirmed that the ex-Wa Fung School should be retained for Government, Institution or Community (G/IC) use (2024). Furthermore, the 2024 Policy Address announced initiatives to improve rehabilitation services and enhance support for persons with disabilities (PWDs), including an increase in service places from 37,300 in 2023-2024 to approximately 39,900 by 2028-2029.</p> <p>It is common practice for private social welfare facilities to operate under tenancy agreements without guaranteed renewal. The land resumption of the PST operation is itself an example of such uncertainty.</p> <p>The Applicant therefore confirms that, should the tenancy of the proposed RCHD not be renewed for any reasons, every effort will be made to secure an alternative site or premises nearby. All affected residents will be decanted in a smooth, responsive, and well-managed manner, ensuring continuity of care.</p> <p><u>Sources:</u> ^[1] 'LCQ: Land grant policy' 26.3.2025 (Available at: https://www.info.gov.hk/gia/general/202503/26/P2025032600566.htm)</p>
A3.	<p>(iii) Others</p> <p>7. According to SWD's record, several advisory letters were issued to PST and HSK from 1 Sep 2022 to 31 Aug 2025. Performance of the operator has been average at best and further expansion of its operation under the proposal seems not prudent.</p>	<p>The proposed new facility will significantly enhance on-site living quality, thereby supporting residents' recovery and rehabilitation. Additional space will also enable improved operational management and performance. The Applicant is confident that the new RCHD will achieve performance levels above the current "average at best" benchmark under the Social Welfare Department (SWD)'s evaluation criteria.</p> <p>The Applicant followed up the comments of advisory letter mentioned from SWD at once to ensure the quality of services provided. SWD also accepted the</p>

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	<p>8. In view of paras. 2 to 7 above, SWD does not find any merits in this planning application.</p>	<p>improvements made in both PST and HSK, no further comments have been received from SWD thereafter.</p> <p>With the SWD's ongoing monitoring and guidance through its mandatory licensing system, the Applicant is committed to maintaining and continuously improving the quality of care and operational standards at the proposed RCHD.</p>