

Viewpoints 觀點

Possible Way Forward for Increasing the Supply of Social Welfare Sites and Premises

增加社福用地及處所供應的可能進路

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The supply of social welfare sites and premises is perceived by the general public or social welfare counterparts to fall under the realm of land and urban planning. This perception is not incorrect. Yet, I wish to point out that as a pre-requisite to accomplish the concerned tasks, both planners and the Planning Department (PlanD) must secure the collaboration and cooperation of various parties. We also need to view from the perspective of social innovation in opening up our minds, broadening our horizon, triggering collective wisdom, and coordinating

the endeavours and cooperation of different parties with a view to identifying the possible way forward for increasing the supply of social welfare sites and premises.

One of the goals of urban planning is to optimise the use of our finite spatial resources to cater for both current and future societal needs. In this connection, PlanD has two roles to play. First, it coordinates the land use demand of various departments and establish a consensus on the priority for assessing the land use demand for public service facilities including social welfare facilities. Second, to reserve spatial resources (including sites and premises) responding to

societal needs in the planning and development process of land and projects. In this sense, the planning process provides a negotiation platform for various policy bureaux and government departments. It is also the arena for competing the limited spatial resources among various stakeholders.

Presetting clear quantitative indicators

In reality, the concept of “societal needs” has no absolute definition or benchmark. From the eyes of the policy bureaux and government departments demanding the sites or premises, their responsibility is merely to succeed in the quest for spatial resources with a view to constructing facilities and providing services for the “societal needs” within their policy areas. In the planning process, whether the bureaux or departments could successfully fight for their concerned spatial resources would hinge on the strength of their justifications and policy support.

The Hong Kong Planning Standards and Guidelines (HKPSG) has provided the quantitative indicators for many public service facilities, viz. the population-based requirements for the provision of relevant public service facilities. Imagining a planning process with more than one departments lodging land use requests, the one securing more detailed and clear justifications would have an edge. For example, in the latest version of HKPSG, the requirement of providing one local centre for the elderly for every 170 000 people has been added. As such, the District Planning Officers of PlanD would be conversant with the requirement, which could in turn facilitate them to proactively provide for such facility when opportunities arise in the course of carrying out their regular district planning duties. This would also serve to remind the departments to uphold their responsibilities of implementing their preset quantitative indicators. In the planning process, the Social Welfare Department (SWD) could use population figures as the thresholds bidding for cogently required spatial resources.

Advance planning to minimise local resistance

Nevertheless, the inclusion of preset quantitative indicators in HKPSG does not imply that all the

valves in planning for social welfare premises would be soothed. One of the hurdles is the “Not in My Backyard - NIMBY Syndrome”. We must acknowledge that for some kinds of social welfare facilities such as halfway houses for the rehab and ex-mentally ill persons, some members of the community would raise strong objections out of their worries. It is certainly difficult to introduce these facilities in a neighbourhood as addressing the NIMBY Syndrome is not easy. Residents’ concerns about the NIMBY effects of social welfare facilities are actually originated more from their psychological concerns instead of tangible implications. It is important to patiently explain to those with a NIMBY mindset so as to promote a rational exchange and facilitate improvement measures rather than giving in without any grounds.

A better way is to reserve space for these more sensitive facilities in planning for larger scale residential estates and to integrate these facilities into the master plan through design measures. By doing so, the residents would be well aware of the existence of such facilities before purchasing or moving into their residential apartments. The premises of these facilities would be suitably segregated from the daily activity spaces of the residents. Such approach may make these facilities more likely be acceptable to the neighbourhood. To achieve this, the type, scale, special requirements, and financial support at the construction and operational stages of the required facilities would have to be ascertained at the early planning stage of the project.

Flexible use of “clustering” and “dispersing” spatial models

Social welfare services are mainly provided at the neighbourhood and community levels. These facilities should be easily accessible to the service users or the communities. Nevertheless, the scale of individual premises may not justify the construction of a standalone building. The provision of these facilities should thus flexibly apply the “clustering” and “dispersing” spatial models.

The “clustering” spatial model is to assemble various social welfare services and accommodate

them in a government complex. In accordance with the "single site, multiple use" principle, it is inevitable for the facilities in the service complex to involve various government departments as well as different services and facilities. The Government Property Agency would coordinate with the relevant departments to set the policy priority, schedule the resource allocation, consult the public, and resolve the complicated design requirements. The process is time consuming and susceptible to complaints about the sluggish progress. The siting of this type of service complex would usually undergo a stringent planning study. The selected site is often located at the node of the patron population, accessible through public transport and has good pedestrian flow in the vicinity. Once built, it would usually become the landmark of the district capable of providing suitable services to the public, and is generally popular with the communities.

Social welfare facilities could also be accommodated in different parts of a commercial complex or the lower levels of public and private housing estates by means of the "dispersing" spatial model. This could expand the overall coverage of the social welfare facilities. In urban areas where suitable government land is lacking, we would often need to capitalise on large-scale redevelopment projects or land sale opportunities to incorporate the requirement for the provision of social welfare premises in the planning conditions or land sale conditions. However, there would be an intervening period of several years before project completion. A more viable way to provide the facilities in the short term is to rent or buy the existing premises. In the 2019-20 Financial Budget, the Financial Secretary announced the reservation of 20 billion dollars for the Labour and Welfare Bureau and the SWD to purchase 60 properties for the provision of more than 130 social welfare facilities. This shows the determination of the Government in addressing the shortage of social welfare facilities, which is praise worthy and deserves support.

No matter whether it is the "clustering" or

"dispersion" spatial model, fire safety requirements are often the major constraints. For example, according to the Child Care Services Regulations, child care centres for children under two should be located at a height of not more than 12 metres above ground level; and not more than 24 metres above ground for child care centres for children above two; and all types of elderly centres and day care centres for the elderly should not be situated more than 24 metres above ground¹. In addition, the requirements for providing parking and loading/unloading spaces would also pose constraints on the site selection of various types of social welfare facilities. While both "clustering" and "dispersing" spatial models are comparable in terms of advantages and disadvantages, it is most important for the relevant government departments to effectively coordinate and strengthen cooperation to optimise the site potential and reap the opportunities.

Create a 5% potential from public housing

The available spatial resources for development in Hong Kong would be in very tight supply for a prolonged period of time in the foreseeable future, and a huge supply gap is envisaged for social welfare facilities, particularly for all types of residential care homes due to the rapid ageing population. We need a social innovation mindset to think out of the box and garner sustainable social resources to face this onerous challenge.

First of all, let's take a look at some of the prevailing practices in the residential development projects. To encourage private residential developers to provide recreational facilities such as clubhouses, gyms, multi-purpose rooms, etc. solely for residents' use, the floor area of these facilities could be exempted from the gross floor area (GFA) calculation, with a maximum allowable exemption of 5% of the total domestic GFA². Under this policy, most private residential developers are willing to incorporate recreational facilities in the development package. This would not affect the saleable total GFA, but could boost the attractiveness of the development

¹ HKPSG, Chapter 3: Community Facilities https://www.pland.gov.hk/pland_tc/tech_doc/hkpsg/full/pdf/ch3.pdf

² www.bd.gov.hk/doc/en/resources/codes-and-references/practice-notes-and-circular-letters/pnap/APP/APP104.pdf

Lands Department Practice Note 4/2000(B): Recreational Facilities in Residential Development <https://www.landsd.gov.hk/en/legco/lpn.htm>

Buildings Department, Lands Department and Planning Department Joint Practice Note No.4: Development Control Parameters <https://www.landsd.gov.hk/en/legco/jpn.htm>

to the buyers. From the perspective of district planning, this would not only increase the supply of recreational facilities but would also enhance the living quality of the residents. Through co-using the recreational facilities, social cohesion could also be fostered in the neighbourhood. The policy has been implemented for nearly 20 years, and the relevant departments have been carefully vetting every individual case to guard against abuse. It has not induced any adverse impacts on urban and property development, and is considered a benevolent policy.

If private residential developments under the prevailing development control policy could obtain a maximum exemption of 5% of the total GFA for the provision of ancillary recreational facilities, for the sake of public interest, should the Government consider formulating a policy to require the allocation of a maximum 5% of the total GFA for the use of social welfare facilities in public housing? My answer is affirmative, and it is also technically feasible.

The policy has four major merits: (1) there would be steady and more sustainable supply of social welfare premises with the progressive completion of public housing development; (2) public housing development is generally accessible and conveniently served by public transport, and the estates usually have more spacious public spaces to share with users of the social welfare premises; (3) early planning would allow new residents to anticipate the existence of certain types of social welfare premises for easing the NIMBY resistance; and (4) it could create jobs for residents nearby, releasing the employment potential of women and the retired. This would not only increase their family income but also alleviate labour shortage in elderly homes. The policy could hit several birds with one stone and create a win-win scenario for various parties.

In terms of statutory planning, the public housing sites are usually included in the “Residential (Group A)” (“R(A)”) zones. According to the Master Schedule of Notes to Statutory Plans, “social welfare facility” is regarded as a “use always permitted” under this zone³. “Social welfare facility” includes social welfare premises

for “boys’/girls’ home, residential care home for the elderly, residential home for people with disabilities, drug treatment and rehabilitation centre, halfway house, long stay care home, centre for community support services for elders, child care centre, children and youth centre, community centre, counselling centre for drug abusers, rehabilitation centre for offenders, day activity centre, sheltered workshop, social and recreational centre for the disables, etc.”⁴.

Due to the wide ranging uses covered, it would be more complicated to include social welfare premises in new public housing estates as compared to incorporating recreational facilities in private residential redevelopment, especially at the initial planning stage when the ultimate use of the social welfare premises could not be determined. Yet, we could use the elderly caring home requirements as the bench-mark planning and design requirement to maximise the spatial flexibility for the ultimate uses to be decided. It would take at least two to three years to move from the initial planning stage of a public housing development to the stage of detailed technical assessment, building design, and then works commencement. During this period, the concerned social welfare department should have ample time to decide on which types of facilities to be included in the social welfare premises.

With the policy of allowing a maximum of 5% GFA for social welfare premises, at the initial planning stage of public housing projects, the relevant departments would no longer need to spend time in arguing on whether social welfare facilities should be included. Instead, they could focus on formulating the most suitable planning and design scheme to accommodate this essential 5% provision even though the exact type of social welfare facilities cannot be determined at the early planning stage of the development project. This is challenging task but I am fully confident of the expertise of our urban planners and architects. As long as we have a lucid policy and set a clear goal, they would certainly be able to accomplish the tasks.

The Government would also need to consider the implementation mechanism of this “5%”, whether

³ Town Planning Board (TPB). Master Schedule of Notes (MSN). https://www.info.gov.hk/tpb/tc/forms/master_schedule.html

⁴ TPB MSN. Definition of Terms. https://www.info.gov.hk/tpb/tc/forms/dot_revised_broad.html

it would be a development control policy by means of an exemption from the total GFA calculation (similar to the exemption of ancillary recreational facilities in private residential developments) or by means of an application for the additional “5%” in accordance with section 16 of the Town Planning Ordinance (if a maximum total GFA restriction is stipulated for the concerned “R(A)” zones on the statutory plans). The detailed implementation mechanism could be carefully deliberated and decided by the relevant bureaux/departments.

Lastly, the Government should make a policy commitment and allocate adequate financial resources to provide for the additional construction costs induced by this “5%”, thereby relieving the financial burden of the authorities tasked to build public housing.

Conclusion

I have recently been invited to join the Standing Committee of Social Welfare Facility Development of the Hong Kong Council of Social Service. I am touched by the passion of the social welfare counterparts in serving the public and the needy. I also sympathise with their helplessness and anxiety in face of the severe shortage in the supply of social welfare premises.

During my exchange with the social welfare counterparts, I have shared some of my planning experiences and suggested the above “5%” policy from the social innovation perspective with a view to optimising the land resources allocated for public housing development and progressively tackling the root problem in the supply of social welfare premises. This could help our social welfare colleagues focus their resources and expertise on the provision of social welfare services, and alleviate their disturbance and destitution engendered by inadequate spatial resources.

This “5%” policy initiative will induce a lot of technical, policy and political problems that would need to be resolved. However, problems should not become excuses to maintain the status quo and against any change. Instead, it should become the drive to seek possible way forward for the benefit of the community. In the

course of resolving the problems and ironing out the obstacles, we can put social innovation into action, nurture the ability to think out of the box, consolidate determination and perseverance, and let more people become social innovators.

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社福用地和處所的提供，給予一般人或社福同工的印象，是屬於土地及城市規劃工作的範疇。這個印象沒有錯。但筆者希望指出的，是規劃師及規劃署必須得到各方面的配合和合作，才能做好這方面的工作。我們也要從社會創新的角度，開拓思維、擴寬視野，啟動集體智慧，協調各方努力和合作，才能找到增加社福用地及處所供應的可能進路。

城市規劃其中一個目標，便是善用有限的空間資源，去滿足各項現時及未來的社會需要。規劃署主要發揮兩大作用，一是協調各部門的用地需要和建立優次共識，以評估包括社福設施在內的公共服務設施的土地需求；二是在土地開發和發展項目的規劃過程中預留空間資源(包括用地和處所)以回應社會的需要。規劃過程既是各政策局和政府部門的協商場所，也同時是各持份者競逐有限空間資源的角力場。

預設明確量性指標

現實上「社會需要」這概念並無絕對定義或基準。在各要求用地或處所的政策局和部門眼中，他們的責任就是要成功取得空間資源，用以建造設施和提供服務回應「社會需要」。在規劃過程中，局或部門能否成功爭取相關的空間資源，與他們所能憑藉的理據

及政策支持力度有著很大關係。

《香港規劃標準與準則》為很多公共服務設施訂立了量性指標，即是按人口數目提供相應公共服務設施的要求。試想像一下在規劃過程中，有多於一個部門提出用地要求，部門手握愈具體清晰的憑據，其處境則愈為有利。例如最新修訂的《香港規劃標準與準則》加入了每17萬名人口就要設置1間長者地區中心的要求。這樣，規劃署各區的規劃專員便能較為心中有數，在日常的地區規劃工作中便可以較主動地為這類設施尋找機遇，也可以提醒各部門有責任落實文件中的預設量性指標，而社署在規劃過程中，就可以利用人口數目作為標準提出要求，更有力地爭取需要的空間資源。

超前籌劃減低地區反對

不過，即使在《香港規劃標準與準則》加入預設量性指標，不代表就能打通社福處所用地規劃的所有關節。其中一個難題便是「避鄰效應症候群」(Not In My Backyard - NIMBY Syndrome)。我們必須承認，有些社福設施，如更新人士或精神病康復者的中途宿舍等，確會引起部分社區人士擔憂而提出強烈反對。在現有鄰舍內加設這類設施確有難度，要克服「避鄰效應症候群」確是難關處處，並不容易。居民對一些社福設施的

NIMBY反應，其實是出於心理擔憂多於實質影響。對NIMBY心態要耐心解釋，鼓勵理性交流，可協調改善，但不能無原則退讓。

較佳的做法便是在規劃發展較大規模的屋苑時，預留空間容納這類較敏感的設施，並利用設計技巧把這類設施融合在發展總綱圖(Master Plan)內。這樣，居民在購買或遷入相關住宅單位前，便已知悉這類設施的存在，而這類設施的處所與居民日常活動空間既有合理分隔，也有巧妙的融合，他們便會較易接受。要做到這個成果，在發展項目的早期規劃階段，便須確定所需設施的種類、規模、特殊設計要求，和該設施在興建階段和操作階段的財政支持。

靈活運用「集中」與「分散」空間模式

社福服務多數在鄰舍層面及社區層面提供，設施應位於服務使用者或社區人士能夠便捷到達的地點，個別處所的規模未必需要動輒興建一幢獨立建築物。有關設施的配置，應該彈性運用「集中」與「分散」的空間模式。

「集中」的空間模式，便是把多項社福設施集中容納在一幢綜合政府服務大樓內。按「一地多用」善用空間資源的原則，服務大樓的設施不可避免要牽涉多個政府部門，多項服務設施。政府產業署往往要協調各部門的政策優次，資源調配的時序，亦要諮詢民意，理順複雜的建築設計要求，過程需時甚久，常被埋怨進度緩慢。這類服務大樓的選址會經過嚴謹的規劃研究，其位置多處於服務人口的地理中心點，有便利的公共交通，附近人流暢旺，一經建成往往成為當區的地標，能為市民提供適切的服務，一般來說也廣受市民歡迎。

社福設施也能以「分散」的空間模式容納在社區不同角落的商場、公營和私人屋苑的低層，這可擴大社福設施的整體覆蓋範圍。在城市建成區常欠缺恰當的政府用地，往往便要掌握較大規模的重建項目或政府賣地的機會，在規劃申請或賣地條款中列明提供社福處所的要求，但這要等待項目完成，會有好

幾年的時間差。較能在短期取得成果的方法，便是租用或購買現成的物業。財政司司長在2019-20年度財政預算案中公佈預留200億予勞福局和社署購置60個物業，供營辦130多項社福設施，這可見政府解決社福設施不足的決心，值得讚賞與支持。

無論是「集中」與「分散」的空間模式，消防安全規定往往成為主要制約，例如根據《幼兒服務規例》，為兩歲以下兒童提供服務的幼兒中心不得距離地面超過12米，而為兩歲或以上兒童提供服務的幼兒中心則不得距離地面超過24米；各類長者中心和長者日間護理中心/安老院舍不應距離地面超過24米¹。再加上泊車位和上落客貨位置的要求等，都對不同類型的社福設施選址構成一定限制。「集中」與「分散」空間模式之間並沒有優劣之分，最重要是政府相關部門要有效協調，加強合作，因地制宜，掌握機遇。

創造來自公營房屋5%的潛力

香港可供發展之用的空間資源，在未來相當長的日子裏都會非常緊絀，而社福設施的供應，特別是因人口急速老化的趨勢，各類院舍都有巨大的供應缺口。我們需要社會創新的思維，尋求突破，發掘可持續的社會資源應對這個艱難的挑戰。

首先，讓我們看看現時住宅項目的一些做法。為鼓勵私人住宅發展商向住戶提供康樂設施，例如只供住戶使用的會所、健身室、多用途室等，這些設施的面積可獲豁免計算在總樓面面積內，最多可寬免的面積為住用總樓面面積的5%²。在此政策下，私人住宅發展商大多樂意在屋苑設計上加入康樂設施，這既不影響可出售的總樓面面積，又可以增加對買家的吸收力。從社區規劃的角度來看，此舉不但可增加康樂設施的供應，提升居民的生活質素，亦可透過鄰里之間共享康樂設施，提升社區凝聚力。這項政策已經實施了近20年，相關部門都以謹慎的態度審核每宗豁免個案，不容濫用，因而對城市及物業發展並沒有產生不良影響，堪稱德政。

如果私人住宅發展項目在目前的發展管制政

¹ 《香港規劃標準與準則》第三章：社區設施 https://www.pland.gov.hk/pland_tc/tech_doc/hkpsg/full/pdf/ch3.pdf

² Buildings Department PNAP APP-104 Exclusion of Floor Area for Recreation Use <https://www.bd.gov.hk/doc/en/resources/codes-and-references/practice-notes-and-circular-letters/pnap/APP/APP104.pdf>
Lands Department Practice Note 4/2000(B): Recreational Facilities in Residential Development <https://www.landsd.gov.hk/en/legco/lpn.htm>
Buildings Department, Lands Department and Planning Department Joint Practice Note No.4: Development Control Parameters <https://www.landsd.gov.hk/en/legco/jpn.htm>

策下，能讓附屬康樂設施取得最多5%總樓面面積豁免，那麼基於公眾利益，政府應不應該考慮制訂政策規定在公營屋邨的總樓面面積上，再加最多5%樓面面積撥作社福設施用途呢？筆者的答案是應該，而且技術上可行。

這項政策有四大好處：主要是社福處所會隨著公營房屋陸續落成而有穩定和較大量的持續供應；二是公營屋邨一般都有方便的公共交通服務，屋邨內有比較寬裕的公共空間可以和社福處所的使用者共享；三是及早籌劃，讓新遷入居民預早知道某類社福設施的存在，可減低NIMBY阻力；四是能為屋邨住戶創造就近的工作機會，釋放在家婦女和退休人士的勞動力，既可增加他們的家庭入息，也可舒緩院舍的服務人手短缺。這可以是一舉多得，多方皆贏的政策。

在法定規劃層面，公營屋邨的地盤一般會被包括在「住宅用途(甲類)」(“R(A)”)的法定土地用途分區之內，按法定圖則註釋表，在此用途分區內「社會福利設施」是「經常准許的用途」³。而「社會福利設施」則「包括男/女童院、安老院、殘疾人士住宿院舍、戒毒治療及康復中心、中途宿舍、長期護理院、老人社區支援服務中心、幼兒中心、兒童及青年中心、社區中心、濫用藥物者輔導中心、違法者自新服務中心、展能中心、殘疾人士庇護工場、殘疾人士社交及康樂中心等」⁴等社福處所。

因涉及的種類非常廣泛，在新的公營屋邨內容納社福處所，比在私人屋苑內設置康樂設施要複雜得多，特別是在規劃初期，社福處所的最終用途可能仍未能決定。但是，我們能以安老住宿院舍的使用要求作為規劃及設計基準，這便能為最終的決定用途提供最大的空間彈性。一個公營屋邨由初期規劃階段，到進行詳細技術評估、建築設計，再到破土動工，快者往往涉時二、三年。在這時段內，社福部門應有充裕時間，決定該社福處所應用作那一類的社福設施了。

有了這個最多5%總樓面面積用作社福處所的政策，在公營屋邨項目的初期規劃階段，相關部門便不用再花時間爭議要不要容納和要容納哪類社福設施，反而可以聚焦為這必定要提供的「5%」做出最恰當的規劃和設計。

筆者對我們的城市規劃師和建築師的專業能力滿有信心，只要政策清晰，目標明確，他們一定可以完成任務。

政府還要考慮這「5%」的處理辦法，是用發展管制政策豁免計算在總樓面面積內(類似豁免私人住宅項目的附屬康樂設施)，還是根據《城市規劃條例》第16條申請增加這「5%」(如果法定圖則有對相關的R(A)地盤訂明最高樓面面積的管制)。具體的處理方法可由相關的局、署詳細考慮。

最後，政府亦應該作出政策承諾和財政撥備，全面承擔這「5%」引致的額外建築開支，減輕公營屋邨建造機構的財政負擔。

總結

筆者最近被邀加入香港社會服務聯會的社福設施發展常設委員會，深感社福同工服務大眾，扶助貧弱的熱誠。筆者也對他們因社福處所供應嚴重不足而產生的無奈和焦慮，感同身受。

筆者與社福同工的交流中，分享了一些規劃工作的經驗，也從社會創新的角度，提出了上述「5%」的政策建議，希望能善用撥給公營屋邨的土地資源，較根本地逐步解決社福處所的供應問題，讓社福同工能把他們的專業資源和才幹，聚焦於提供社會服務，減低空間資源不足對他們帶來的困擾和無奈。

這「5%」的政策建議，必然會引出大量需要解決的技術、政策、政治考量等難題。但難題不是原地踏步的藉口，反而是尋找解決辦法的動力。在解決問題、克服困難的過程中，我們能以社會創新的實踐，培育破格思維的能力，凝聚迎難而上的決心，讓更多人成為社會創新的行動者。

³ 城市規劃委員會法定圖則註釋總表 https://www.info.gov.hk/tpb/tc/forms/master_schedule.html

⁴ 城市規劃委員會法定圖則註釋詞彙釋義 https://www.info.gov.hk/tpb/tc/forms/dot_revised_broad.html