

For discussion
on 21 November 2000

**LEGISLATIVE COUNCIL
PANEL ON PLANNING, LANDS AND WORKS**

Building Safety and Timely Maintenance
To promote timely maintenance

PURPOSE

This paper seeks Members' views on ideas for promoting timely maintenance for private buildings.

BACKGROUND

2. Hong Kong aspires to be a major city in China and also one of the most cosmopolitan cities in Asia. To attain this status, we must have a pleasant and safe living environment. We must promote proper management and timely maintenance of our buildings.

3. Some of the problems Hong Kong faces in the older urban areas are:

- buildings in disrepair;
- unauthorized building works on external walls;
- illegal rooftop structures posing fire and structural risks; and
- signboards neglected or abandoned.

These are symptoms of an aging built environment.

4. Reinforced concrete construction generally has a design life of 50 to 80 years. However, maintenance problems often surface in buildings over 20 years old, particularly those without effective management. Such problems can be arrested, and even avoided, by due care for their buildings.

5. It is, therefore, in the interest of property owners to take up their responsibility for their own building management and maintenance. Government's role is to support owners in shouldering their responsibility, particularly those in need.

NEED FOR NEW CULTURE

6. Government is committed to ensuring building safety. In February this year, Government set up a task force under the Secretary for Planning and Lands to work out a comprehensive strategy for public consultation:

- (a) to promote timely maintenance;
- (b) to tackle unauthorized building works; and
- (c) to control advertisement signboards.

The team has trawled records over the years, (including Hansard, other Legislative Council records, media reports and other commentaries). It has also taken reference from overseas practices.

FOCUS ON TIMELY MAINTENANCE

7. This paper outlines ideas on the first of the three areas above.

To enhance support for property owners

8. At present, Government helps owners through advisory and liaison services, training programmes and financial assistance. The Home Affairs Department motivates and mobilizes owners to organize themselves. The Buildings Department has been re-organized to provide a building coordinator system for better technical advice and services to owners and owners' corporations. Other departments (Fire Services, Electrical and Mechanical Services and Civil Engineering) prepare and update user-friendly layman's guides.

Financial assistance

9. Two loan funds exist to help owners:

- (a) the Building Safety Improvement Loan Fund of \$500 million under the Buildings Department; and
- (b) the Fire Safety Improvement Loan Fund of \$200 million under the Fire Services Department.

The task force sees scope for merging the two loan funds to provide more effective support to owners in need.

Support for owners' corporations

10. Owners' corporations are required under the Building Management Ordinance to perform certain duties on behalf of individual owners. They may also act on matters of common interest. In this connection, they may sell or register charges against flats, but only in certain circumstances specified in the law.

11. In executing their duties, owners' corporations often encounter difficulties with irresponsible or uncooperative owners, particularly when raising funds for major repairs and maintenance. To help them to act for the willing and responsible owners, the task force suggests that owners' corporations be allowed to apply for loans for maintenance.

Regional one-stop shops

12. District Offices offer advisory, liaison and mediation services to their local community. The Home Affairs Department has also set up two Building Management Resource Centres to provide comprehensive information on standards of safety, management and maintenance. To further assist owners, some District Councils have called for enhancement of these Centres to act as regional one-stop shops for referring enquiries and complaints to enforcement departments and to complement the efforts of District Offices. In consultation with the Home Affairs Department, the task force warmly supports the proposal.

To improve buildings with maintenance problems

13. Existing, even older, buildings are not necessarily dilapidated. Most of them can be repaired and maintained to reasonable standards. The Buildings Department has recently launched a pilot on “Coordinated Maintenance of Buildings Scheme” under the existing laws for joint action with other departments and for assistance to owners. The department has powers under the Buildings Ordinance to order owners to investigate, and as necessary repair, any defect in a building.

14. Proper management is essential to ensure continuing care and regular monitoring of building conditions and to keep up the economic value of properties. The Secretary for Home Affairs has introduced measures to improve management standards and to assist formation of owners’ corporations. In June, the Building Management (Amendment) Ordinance 2000 was passed.

15. These measures are steps in the right direction. Further possibilities include registration of building management companies for quality assurance to owners and recourse to market forces.

To take a long-range view

16. For new buildings, it is necessary to take a long-range view to ensure from the outset that they can be easily maintained. The responsibilities among developers and property owners should be more clearly defined for timely maintenance and good management throughout the life cycle of buildings.

Quality construction

17. The Director of Buildings has announced plans to motivate developers and professionals to design buildings and use methods and materials with an eye to longer-term durability and maintainability. Earlier, Government has appointed a Construction Industry Review Committee to make recommendations on various construction-related issues for long-term and broad-based improvement to the future development of the industry.

Fresh start from land leases and deeds of mutual covenant

18. The task force believes that maintainability of new buildings should start well before construction, with land leases and deeds of mutual covenant. These documents govern the relationships among developers, property owners and building management.

To partner with our community

19. To foster more responsible and proactive attitudes towards building safety and maintenance, we need a community-wide culture change.

Cooperative partnership

20. Success can be achieved only if all concerned in our community play their part. Property owners and occupants, the Legislature and District Councils, professionals and contractors, politicians and the media and Government must together take up the challenge of awakening a responsible concern for our built environment. In particular, District Councils have a vital role: promoting the well-being of our community is an integral part of their functions.

Public education for culture change

21. Good building care requires community participation and more positive attitudes, particularly among owners and occupants. To publicize the risk of neglect, to promote timely maintenance and to change attitudes, the departments concerned should:

- (a) coordinate and sustain a multi-media public education programme; and
- (b) target clear messages for different groups.

These messages should be repeated and refreshed from time to time, to foster a culture of care for building safety and timely maintenance.

CONCLUSION

22. Members' views are invited on the ideas for promotion of timely maintenance:

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| <i>paras 8 to 12</i> | To enhance support for property owners; |
| <i>paras 13 to 15</i> | To improve buildings with maintenance problems; |
| <i>paras 16 to 18</i> | To take a long-range view; |
| <i>paras 19 to 20</i> | To partner with our community; and |
| <i>para 21</i> | To sustain public education. |

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