

立法會
Legislative Council

LC Paper No. CB(1)2787/09-10
(These minutes have been seen
by the Administration)

Ref: CB1/PS/2/09/2

Panel on Development

Subcommittee on Building Safety and Related Issues

Third meeting on
Tuesday, 27 July 2010, at 4:30 pm
in Conference Room A of the Legislative Council Building

Members present : Prof Hon Patrick LAU Sau-shing, SBS, JP (Chairman)
Hon KAM Nai-wai, MH (Deputy Chairman)
Hon James TO Kun-sun
Hon LEE Wing-tat
Hon CHEUNG Hok-ming, GBS, JP
Hon Starry LEE Wai-king, JP

Members absent : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Dr Hon Priscilla LEUNG Mei-fun
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Tanya CHAN

Public officers attending : **Agenda item II**

Mrs Carrie LAM CHENG Yuet-ngor, GBS, JP
Secretary for Development

Mr Tommy YUEN Man-chung, JP
Deputy Secretary for Development
(Planning and Lands) 2

Mr AU Choi-kai, JP
Director of Buildings

Mr HUI Siu-wai
Assistant Director / Existing Buildings 2
Buildings Department

Agenda item III

Mr NG Kuen-chi
Chief Fire Officer (Fire Safety)
Fire Services Department

Mr LAU Sing-wah
Divisional Officer (Building Improvement) 2
Fire Services Department

Mr HUI Siu-wai
Assistant Director / Existing Buildings 2
Buildings Department

Clerk in attendance: Mr WONG Siu-yee
Chief Council Secretary (1)4

Staff in attendance : Mr Daniel SIN
Senior Council Secretary (1)5

Ms Christina SHIU
Legislative Assistant (1)7

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- I Confirmation of minutes**
(LC Paper No. CB(1)2314/09-10 -- Minutes of meeting on 27 April 2010)

The minutes of the meeting held on 27 April 2010 were confirmed.

- II Enforcement against unauthorized alteration works inside individual private premises and unauthorized buildings works**
(LC Paper No. CB(1)2605/09-10(01) -- Administration's paper on enforcement against unauthorized alteration works inside private premises)

2. The Subcommittee deliberated (Index of proceedings attached at **Appendix**).

3. The Administration was requested to clarify whether drainage works within individual units, being exempted works currently, were previously subject to regulation under the Buildings Ordinance (Cap. 123).

III Assistance to residents to comply with the latest requirements of the Fire Safety (Buildings) Ordinance (Cap. 572)

(LC Paper No. CB(1)2605/09-10(02) -- Administration's paper on assistance for the implementation of the Fire Safety (Buildings) Ordinance)

4. The Administration was requested to provide information on granting exemption for cases from installing water tanks under the Fire Safety (Buildings) Ordinance (Cap. 572).

IV Any other business

5. There being no other business, the meeting ended at 6:30 pm.

Council Business Division 1
Legislative Council Secretariat
31 August 2010

**Proceedings of the
Subcommittee on Building Safety and Related Issues
Third meeting on Tuesday, 27 July 2010, at 4:30 pm
in Conference Room A of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 – 000112	Chairman	<p>(a) The meeting was declared open, and was then suspended to allow the Panel on Development to finish its outstanding business. The meeting was resumed at 5:15 pm.</p> <p>(b) Confirmation of minutes of meeting on 27 April 2010 (LC Paper No. CB(1)2314/09-10)</p>	
000113 – 001433	Chairman Administration	<p>(a) Briefing by the Administration on LC Paper No. CB(1)2605/09-10(01) with the aid of a Powerpoint presentation (LC Paper No. CB(1)2668/09-10(01))</p> <p>(b) The Administration advised that it was looking into the building safety issues, including those arising from sub-divided units inside private premises, and sought members' views to facilitate its review.</p>	
001434 – 002252	Ms Starry LEE Administration	<p>(a) Ms LEE said that many residents suffered from water seepage from upper storey premises with sub-divided units, and the investigation and law enforcement action usually took a long time. The Administration should at least tackle water seepage problems first if it could not solve flat subdivision completely at present.</p> <p>(b) The Administration recognized that water seepage, whether arising from sub-divided units or</p>	

Time Marker	Speaker	Subject(s)	Action Required
		<p>not, was a difficult issue, and advised that how it could be better handled was under review.</p> <p>(c) Ms LEE suggested that the Administration could consider requiring all plumbing works to be carried out by technically competent workers, and occurrences of water seepage should be reported to the Administration.</p> <p>(d) The Administration explained that being exempted works under the Buildings Ordinance (Cap. 123) (BO) at present, internal plumbing works would be governed by the minor works control system to be commenced in late 2010. Whether the scope of the control system should be extended to cover other building works in relation to sub-divided units was being reviewed.</p> <p>(e) Ms LEE suggested that registered inspectors (RIs) or qualified persons should report to the Building Authority (BA) if they discovered any unauthorized alteration works in private premises during an inspection under the Mandatory Building Inspection Scheme (MBIS) or Mandatory Window Inspection Scheme (MWIS).</p>	
002253 – 002957	Mr LEE Wing-tat Administration	(a) Mr LEE suggested that all interior alteration works should be registered and BA notified. The respective property owners and works contractors should be liable for any damages arising from the works.	

Time Marker	Speaker	Subject(s)	Action Required
		<p>(b) Mr LEE asked how the Administration would allay residents' concerns about the possible danger that alteration works being carried out inside buildings might cause.</p> <p>(c) The Administration advised that staff of Buildings Department (BD) will inspect the works site upon complaint. Law enforcement action could be initiated if any building works posed danger to residents.</p>	
002958 – 004937	Mr James TO Administration Chairman	<p>(a) Mr TO said that the Administration should set technical standards for plumbing works that could assure residents that no water seepage would occur within the normal wear and tear cycle, and that the contractor's liability for damages arising from seepage could be clearly defined. The Administration agreed to consider the suggestions.</p> <p>(b) Mr TO further suggested that RIs should be asked to cover, in the course of an inspection carried out under MBIS, certain building issues that BD had previously received complaints about. The Administration noted Mr TO's views.</p> <p>(c) The Chairman said that the Administration's way of handling unauthorized works relating to sub-divided units was unfair to Authorized Persons (AP) because BA would most likely reject building plans if the necessary requirements were not met, but unauthorized works relating to</p>	

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		<p>sub-divided units were tolerated despite that they might have breached BO.</p> <p>(d) The Chairman requested the Administration to clarify whether drainage works within individual units, being exempted works currently, were previously subject to regulation under BO. He considered that the control of minor works inside buildings should be tightened, and that workers should have a licence to operate heavy equipment such as pneumatic drill.</p> <p>(e) The Administration advised that some interior alteration works might be unauthorized building works (UBWs) under BO, but under the current policy, enforcement priority would be accorded to handling UBWs that posed an obvious or imminent danger to life or property.</p>	<p>The Administration to take action as required in paragraph 3 of the minutes</p>
004938 – 005238	Ms Starry LEE Chairman Administration	<p>(a) Ms LEE suggested that the Administration should streamline the procedure in following up complaints against water seepage arising from sub-division of flats.</p> <p>(b) The Administration noted Ms LEE's view and advised that the issue was under review.</p>	
005239 – 005433	Chairman Administration	Briefing by the Administration on LC Paper No. CB(1)2605/09-10(02)	
005434 – 011448	Deputy Chairman Administration Chairman	<p>(a) The Deputy Chairman said that many rooftops in old tenement buildings were privately owned, and there was insufficient public area to install a water tank as required under the current fire</p>	

Time Marker	Speaker	Subject(s)	Action Required
		<p>safety standards. Many elderly property owners found the required installations and facilities too expensive. He asked if the Administration could exempt old tenement buildings from the fire safety requirements.</p> <p>(b) The Administration explained that buildings that were accessible by fire engines would only need a 2 000-litre tank to be installed. Since the statutory requirements took effect in July 2007, some targeted buildings had installed water tanks as required.</p> <p>(c) The Administration further advised that financial and technical assistance schemes were available to help owners to comply with the statutory requirements.</p> <p>(d) The Deputy Chairman asked if exemptions for installing water tanks had ever been granted. He suggested that BD could help property owners assess whether a water tank could be installed in their building so that they needed not engage an Authorized Person to conduct the assessment.</p> <p>(e) The Administration explained that if owners could not find a suitable spot to install the water tank, sufficient fire fighting equipment such as fire extinguishers could be provided as an alternative.</p> <p>(f) The Chairman asked if the fire fighting hose could be directly connected to fresh water mains.</p>	

Time Marker	Speaker	Subject(s)	Action Required
		<p>The Administration explained that the differences in the cost and the scale of works involved were small. The water pressure from fresh water mains might not be sufficient to meet the prescribed requirement.</p> <p>(g) The Chairman asked whether staff of the Fire Services Department (FSD) or BD could inspect a building to see if a water tank could be installed. The Administration explained that FSD staff did not have expertise in structural engineering and BD could only have the manpower to review the relevant building plans. Owners would receive a statutory notice from FSD if they needed to install a water tank and other fire fighting equipment, and FSD staff would handle enquiries and provide assistance. Talks and seminars could be organized for owners if necessary. Such fire safety works were eligible items under various building maintenance assistance schemes.</p> <p>(h) In response to the Deputy Chairman, the Administration advised that there was so far one case of exemption from installing a water tank.</p> <p>(i) The Deputy Chairman maintained that the Administration should inspect a building and advise the owners whether exemption from compliance with the fire safety requirements could be granted.</p>	

Time Marker	Speaker	Subject(s)	Action Required
		(j) The Deputy Chairman asked the Administration to provide information on granting exemption for cases from installing water tanks under the Fire Safety (Buildings) Ordinance (Cap. 572).	The Administration to take action as required in paragraph 4 of the minutes
011449 – 011507	Chairman	(a) The Chairman asked how many buildings would be affected by the new fire safety requirements under the Fire Safety (Buildings) Ordinance (Cap. 572). (b) The Administration explained that the new requirements would initially apply to about 9 000 composite buildings built in or before 1987. Affected buildings would be served a statutory notice and would be allowed six to nine months to comply with the statutory requirements. (c) The Administration expected that it would take about nine years for all the affected buildings to comply with the requirements.	