

立法會
Legislative Council

LC Paper No.
CB(1)1508/09-10
(These minutes have been seen
by the Administration)

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Panel on Development

Minutes of meeting
held on Tuesday, 26 January 2010, at 2:30 pm
in Conference Room A of the Legislative Council Building

Members present : Hon LAU Wong-fat, GBM, GBS, JP (Chairman)
Prof Hon Patrick LAU Sau-shing, SBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Albert CHAN Wai-yip
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon CHEUNG Hok-ming, GBS, JP
Hon KAM Nai-wai, MH
Hon Starry LEE Wai-king
Hon Tanya CHAN
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP

Member attending : Hon IP Wai-ming, MH

Members absent : Hon Timothy FOK Tsun-ting, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon Cyd HO Sau-lan
Dr Hon Priscilla LEUNG Mei-fun
Dr Hon Samson TAM Wai-ho, JP

Public officers attending : **Agenda item IV**

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

Mr Thomas CHOW Tat-ming, JP
Permanent Secretary for Development
(Planning and Lands)

Miss Diane WONG Shuk-han
Principal Assistant Secretary for Development
(Planning and Lands)¹

Miss Annie TAM Kam-lan, JP
Director of Lands

Mrs Ava NG TSE Suk-ying, JP
Director of Planning

Mr AU Choi-kai, JP
Director of Buildings

Agenda item V

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

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

Mr Paul PANG Tat-choi
Assistant Director of Buildings/Existing Buildings (1)

Attendance by invitation : Agenda item IV

Mr Rocco S K YIM
Executive Director
Rocco Design Architects Limited

Mr Martin K H FUNG
Senior Associate
Rocco Design Architects Limited

Mr Wallace P H CHANG
Associate Professor
School of Architecture
The Chinese University of Hong Kong

Mr Ronald S C LAI
Senior Estate Surveyor
LandElite Surveyors Limited

Agenda item V

Mr IP Kam-shing
Director (Property Management)
Hong Kong Housing Society

Ir Calvin LAM Che-leung
Executive Director (Operation and Project Control)
Urban Renewal Authority

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

Staff in attendance : Mr Simon CHEUNG
Senior Council Secretary (1)5

Ms Christina SHIU
Legislative Assistant (1)7

I Confirmation of minutes

- (LC Paper No. CB(1)911/09-10 -- Minutes of meeting on 27 October 2009
LC Paper No. CB(1)931/09-10 -- Minutes of special meeting on 8 December 2009)

The minutes of the meetings held on 27 October 2009 and 8 December 2009 were confirmed.

II Information papers issued since last meeting

- (LC Paper No. CB(1)547/09-10(01) -- Administration's response to submission on compensation and rehousing arrangements for tenants affected by land acquisition by the Urban Renewal Authority and the Lands Department (LC Paper No. CB(1)158/09-10(01))
- LC Papers No. CB(1)548/09-10(01), (02), (03) and (04) -- Submissions on water conservation, land use planning and Government land sale
- LC Paper No. CB(1)621/09-10(01) -- Administration's paper on 334WF – Expansion of Tai Po water treatment works and ancillary raw water and fresh water transfer facilities – part 1 works
- LC Paper No. CB(1)824/09-10(01) -- Administration's paper on proposals to lower the application threshold under the Land (Compulsory Sale for Redevelopment) Ordinance
- LC Paper No. CB(1)835/09-10 -- Paper on continuation of work of the Joint Subcommittee on Amendments to Land Titles Ordinance prepared by the Legislative Council Secretariat)

2. Members noted that the above information papers had been issued since the meeting on 24 November 2009.

III Items for discussion at the next meeting

- (LC Paper No. -- List of outstanding items for

CB(1)930/09-10(01)	discussion
LC Paper No. CB(1)930/09-10(02)	-- List of follow-up actions
LC Paper No. CB(1)812/09-10(01)	-- Letter dated 31 December 2009 from Dr Hon PAN Pey-chyou and Hon IP Wai-ming on removal of unauthorized building works
LC Paper No. CB(1)969/09-10(01)	-- Letter dated 22 January 2010 from Hon LEE Wing-tat on North East New Territories New Development Areas Planning and Engineering Study)

3. Members agreed that the following items should be discussed at the regular meeting scheduled for 23 February 2010 --

- (a) Review of the Urban Renewal Strategy; and
- (b) Progress of enforcement action against unauthorized building works.

4. Referring to the letter of 31 December 2009 from Dr PAN Pey-chyou and Mr IP Wai-ming, the Chairman advised that the concerns about the staffing situation of the Buildings Department (BD) could be discussed under item (b) above. Members also agreed to include the item on North East New Territories New Development Areas Planning and Engineering Study as suggested by Mr LEE Wing-tat in the list of outstanding items for discussion.

IV Public open space in private developments

(LC Paper No. CB(1)930/09-10(03)	-- Administration's paper on provision of public open space in private developments
LC Paper No. CB(1)930/09-10(04)	-- Paper on public facilities in private developments prepared by the Legislative Council Secretariat (Background brief)

5. The Secretary for Development (SDEV) said that there were some recent media reports that the Administration would cease to provide public open space (POS) in private developments and such reports were incorrect. The existing policy of providing POS in private developments had helped achieve integrated design, optimization of land use, better site planning and utilization, and synchronization of the provision of POS with the envisaged population intake of

private development projects. The policy had its merits and should continue, although there was still room for improvement in the implementation process.

6. SDEV further said that the Administration recognized the importance of adequate POS in the making of a quality city. The only policy change was that the Administration would refrain from requiring the provision of POS on private land in residential developments in future so that those owners would not have to bear the recurrent management and maintenance responsibilities. Under the refined arrangements, the Administration would still provide POS on private land in commercial developments or on government land adjacent to residential or commercial developments.

7. On construction and maintenance of POS on private land, SDEV advised that since the capital cost of POS was modest as compared with the overall capital cost of a development, the Administration considered it reasonable for the developer to bear the cost. As for POS on government land adjacent to private residential developments, the POS should be handed back to the relevant government departments for management and maintenance. As regards POS on government land adjacent to commercial developments, the developer would be invited to manage and maintain the POS for public use. For POS on private land in commercial developments or Urban Renewal Authority (URA) projects, the developer or URA should manage and maintain the POS for public use. The consultants commissioned by the Administration had proposed a set of clear and practical guidelines on the design and management of POS in private developments. The management guidelines aimed at striking a proper balance between public use of POS and the owners' management responsibilities.

8. Regarding cases of existing POS in private developments, SDEV advised that of the 56 private developments with POS, the public accessibility requirement was upheld in most cases. While the Administration would continue to require the owners to comply with the requirement, it would consider waiving the public accessibility requirement in exceptional and justified cases on compassionate grounds. For existing POS on government land where owners were required to bear the recurrent management and maintenance responsibilities, the Administration would, subject to resource availability and individual circumstances, consider taking over the POS.

(Post-meeting note: SDEV's speaking note (LC Paper No. CB(1)1011/09-10(01)) was circulated to members on 27 January 2010.)

9. Mr Rocco S K YIM, Executive Director, Rocco Design Architects Limited, briefed members on the Consultancy Study on Public Open Space in Private Developments and the set of proposed guidelines on the design and management of POS in private developments. He said that the purpose of the study was to evaluate existing cases of POS in private developments; build on their

strength or learn from their experience; identify ways to achieve quality design; enhance planning and better use of POS; and draw up a set of clear and practicable design and management guidelines. These guidelines aimed at striking a balance of the various considerations. The design guidelines would be applicable to POS in future private developments, and there would be adequate flexibility so as not to stifle design creativity. The management guidelines aimed at establishing a balance between public use and management responsibilities of the owners.

10. Mr Wallace P H CHANG, Associate Professor, School of Architecture of The Chinese University of Hong Kong, said that according to spatial characteristics, POS could be categorized into public green, plaza, courtyard, pocket space and promenade. In drawing up the design and management guidelines, the consultants had made reference to the experience of New York, Singapore and other Southeast Asian countries. The design guidelines provided standards and guidance on better quality design based on three major principles, viz. connectivity, appropriateness and quality. On the design elements, the consultants considered it necessary to adopt a holistic approach in designing POS, taking into consideration local conditions in Hong Kong. The management guidelines provided a clearer guide for three types of activities that could be held at the POS, (a) activities always permissible; (b) non-commercial activities; and (c) commercial activities. The consultants were seeking the views of District Councils (DCs) and professional bodies on the proposed guidelines.

Design and management guidelines

11. Referring to SDEV's explanation in paragraph 6 above, Mr WONG Kwok-hing welcomed the policy change of not requiring the provision of POS on private land in residential developments, as this would allay the worries of owners of such developments. He requested SDEV to provide the Chinese version of the proposed guidelines. He noted that for some existing cases, the Administration could only encourage owners to follow the guidelines. He queried whether this would achieve the intended purposes of enhancing the design and management of existing POS in private developments. He further asked whether the Administration could require the developer concerned to put up a notice at the entrance of the POS specifying the boundaries and conditions of use, and whether the Administration would introduce measures to prevent developers from abusing their powers when managing POS.

(Post-meeting note: the Chinese version of the proposed guidelines (Annex C to LC Paper No. CB(1)930/09-10(03)) was circulated to members on 17 February 2010.)

12. SDEV responded that it would be difficult to require owners of existing POS to comply with the proposed design guidelines but such guidelines would apply to new POS. As for the management guidelines, the Administration could

still require the developers of existing POS to follow these guidelines if the lease conditions specified that the developer was required to manage "to the satisfaction of the Director of Lands". Some non-compliance cases in the past had been dealt with under such a clause. As regards public information on POS, the Administration would continue to enhance transparency by providing information on the location, size and opening hours of POS through various means. Members of the public could lodge complaints and the departments concerned would take necessary follow-up actions.

13. Prof Patrick LAU considered that the management guidelines should be made simpler and clearer. For instance, POS on government land should be managed by the Administration, and POS on private land should be managed by a single party instead of involving many parties. He further asked about the role of the DCs in this regard.

14. SDEV responded that the management guidelines would serve as a set of clear and practicable guidelines for owners and developers. DCs would not be involved in the daily management of POS. In some cases such as Grand Millennium Plaza, the DC concerned would be consulted when there was a request for granting a waiver, the reason being that the waiver, if granted, would lead to reduction in open space in the district.

15. Mrs Sophie LEUNG said that after years of economic development, Hong Kong people were getting more concerned about the quality of their living environment. The design and management guidelines showed significant progress in the handling of POS. On the design of POS, she said that there could be different types of POS to cater for different purposes and POS could be made more inviting.

16. Mr Rocco S K YIM, Executive Director, Rocco Design Architects Limited agreed with Mrs Sophie LEUNG. He said that the design guidelines aimed at facilitating quality design and enhancing planning and good use of POS, while not stifling creativity. A successful design of POS would count heavily on individual designers. In future, the Design Panel on Greening and Landscape comprising professionals from the sector would vet all POS proposals to ensure a quality design.

17. Ms Starry LEE queried whether the management guidelines could effectively deal with non-compliance cases and the conflicts between owners/residents and other users of POS. She said that certain activities, such as fishing at the promenade and art performances, might pose safety hazards and noise nuisances.

18. SDEV responded that for serious cases of non-compliance, the Administration could take enforcement actions and re-enter the premises as a last

resort. In most cases, serving reminders and warnings would suffice. If the owner/developer failed to observe the management guidelines, POS users could lodge complaints with the departments concerned. She said that the guidelines were formulated with a view to balance the interests of all parties concerned, and conflicts between owners and POS users could not be entirely prevented. In cases of serious conflicts, assistance from the Police should be sought.

Public open space on podiums

19. Mr LEE Wing-tat said that he was not as optimistic as the Administration, especially in the management of POS located on podiums, because it would be very difficult to ensure good public accessibility to such POS. As a long-term measure, he considered it necessary for the Administration to reduce the density of the city by turning vacated land into open space. Although such a move would reduce public revenue, this was a price that the community as a whole had to pay.

20. SDEV acknowledged that POS on podiums had accessibility and utilization problems. She advised that among the 40 existing POS on private land, 18 were located on podiums. Except for a few exceptional and justified cases for which granting of a waiver could be considered, the Administration would strive to ensure that POS would continue to be open for public use by requiring the developers to install on site clear directory signs and location maps, etc. With the design guidelines, public accessibility to future POS should be enhanced. She assured members that the Administration would continue to address the shortfall of open space in some districts, and some valuable lots at the waterfront had already been reserved for the construction of waterfront promenades.

Public passage

21. Mr CHAN Kam-lam expressed support for the Administration's move to deal with POS in a flexible manner. However, he was concerned that the owners of residential developments were required to bear the management and maintenance costs for the provision of public passage. He cited some cases in which there were disputes between owners and the developer. For example, owners of Sceneway Garden had disputes with the MTR Corporation Limited concerning the former's responsibilities to manage and maintain the escalators linking the residential development with Lam Tin MTR Station. A similar problem existed in Tsz Oi Court Phase II where the owners were required to manage and maintain an escalator between the court and another residential development. Mr CHAN asked whether the Administration would address these problems.

22. SDEV responded that the numbers of POS and public passage concerned were 56 and some 260 respectively. The Administration's main concern for the time being was POS. In a bid to enhance connectivity, the requirement of

providing public passage such as escalators or pedestrian footbridges had been included in the lease of some private developments. As such, the Administration would not take over the management and maintenance responsibilities of these facilities, although there might be a few public passage cases which justified sympathetic consideration for the granting of a waiver.

23. Mr KAM Nai-wai referred to the case of Hollywood Terrace where the owners refused to open a lift for public use because they were unwilling to bear the relevant maintenance costs. He asked how the Administration would handle the case. SDEV responded that the Administration would continue to liaise with Hong Kong Housing Society (HKHS) to find a solution.

Waiver

24. Mr James TO sought clarification on the meaning of "waiving the requirement in the lease" in paragraph 23 of the Administration's paper, and asked whether the Administration would assume the responsibility of managing and maintaining POS for which a waiver was granted. As for paragraph 23(b) in the paper, he asked whether the consent of all owners of a residential development was required for applying for a waiver. Mr TO said that it would be very difficult to obtain the consent of all owners, and some developers even prevented owners from forming owners' corporations (OCs). He asked whether it was legitimate for OCs to apply for a waiver even if some owners did not agree to such an act.

25. SDEV responded that the waiver was for POS on private land and the management and maintenance responsibilities rested with the owners. There might be a few exceptional POS cases where there might be justifications to waive the public access requirement by the granting of a waiver. As regards paragraph 23(b) which specified that a request for the waiver must be submitted by all the owners or through OCs, the Director of Lands (D of L) advised that according to section 18(2) of the Building Management Ordinance (Cap. 344), OCs might "act on behalf of the owners in respect of any other matter in which the owners have a common interest". Accordingly, OCs could apply for a waiver on behalf of the owners. For private developments without OCs, consent from all the owners would be required for applying for the waiver but the number of such private developments would not be many. After noting Mr TO's suggestion that the Administration should consider the feasibility of relaxing the requirement from unanimous consent to majority consent, D of L said that the matter had been considered within the Administration and the view was that since the waiver touched upon the rights and obligations of all the owners, all the owners should jointly apply for the waiver and jointly execute the waiver if approved by the Lands Department.

Funding arrangements

26. Mr KAM Nai-wai sought clarification on paragraph (b)(ii)(4) in Annex B to the Administration's paper where the Administration indicated that it would consider meeting part or all of the costs (capital and recurrent) of the POS on a discretionary basis. He asked whether the Administration would take up the management and maintenance responsibilities of POS in private developments without a waiver, and whether the Administration would provide recurrent funding to owners/developers for managing and maintaining such POS.

27. SDEV explained that the POS referred to large and expensive POS, the cost of which was substantial and disproportionate in comparison to the overall development costs. In these cases, the Administration should not take advantage of the developer, and would consider meeting part or all of the capital and recurrent cost of the POS on a discretionary basis. Nevertheless, past experience showed that the number of such POS would be small. In most cases, the developer would be required to bear the capital and recurrent costs. On recurrent responsibilities, the developer/owner would be required to manage and maintain the POS on private land throughout the term of the lease. For POS on government land, the developer was expected to hand it over to the Administration upon completion and the latter would be responsible for ongoing management and maintenance. At present, there were cases where POS on government land was maintained by the owners. The Administration would consider taking over such POS at an appropriate time, subject to resource availability and individual circumstances.

Promenades

28. Ms Starry LEE enquired about the Administration's plan in developing promenades as a kind of POS along the waterfront and involving private residential developments in such plans.

29. By way of illustration, SDEV said that for the Tsing Yi Promenade, three of the four sections of the promenade were constructed by private developers of residential developments and handed over to the Leisure and Cultural Services Department upon completion. The remaining section was constructed and managed by the MTR Corporation Limited. The arrangement was satisfactory and the Administration might adopt the same arrangement for new promenades.

Provision of open space

30. Prof Patrick LAU enquired about the districts that fell short of the open space provision standards specified in the Hong Kong Planning Standards and Guidelines, and suggested that the Administration should keep the public informed of the existing position.

31. Mr Albert CHAN said that the implementation of the Kai Tak Development provided an opportunity to redevelop the nearby areas of Kowloon City, Wong Tin Sin and Kwun Tong. The Administration should have made use of the opportunity to use the land so vacated as open space to improve the living environment in those areas.

32. SDEV responded that Annex A to LC Paper No. CB(1)319/08-09(03) for the Panel meeting on 8 December 2008 provided information on the provision of open space in the 18 districts. The Administration had disseminated the information to the public through its website.

Sales brochures

33. Prof Patrick LAU enquired whether it was a requirement for the developer to indicate in the sales brochures that the OCs or owners would be required to provide ongoing maintenance of POS in their developments.

34. D of L responded that developers had to provide the details on the size and exact location(s) of the POS which owners were required to maintain, manage and operate at their expenses in a conspicuous manner in the sales brochures so that prospective buyers were aware of their responsibilities vis-a-vis the POS concerned.

Cheung Kong Center in Central

35. Mr Albert CHAN said that when the Cheung Kong Center development was implemented, some government land in the development was intended to be POS and public passage. However, the POS turned out to be like the backyard of the development and the public passage was managed like a private one. He asked whether the Administration would rectify the present situation.

36. D of L advised that Cheung Kong Center was on private land. As regards the POS thereat, Mr Rocco S K YIM, Executive Director, Rocco Design Architects Limited, said that while it might have some shortcomings, the greening efforts were still praiseworthy. Entrusting developers with the responsibility to design and build POS had the benefit of achieving integrated and interactive designs. The proposed design guidelines were meant to improve the different aspects of POS design, such as connectivity and green coverage, to address inadequacies in some of the existing POS.

Outstanding cases

37. Mr Albert CHAN expressed support for the Administration's decision of not providing POS in private residential developments in future, since experience showed that developers would reap all the benefits at the expense of

Admin the community. As regards some existing problem cases, he requested the Administration to provide information on those cases where requirements for the provision of public open space/public access in private developments had not yet been complied with and how those cases would be handled. The Administration should consider recovering the POS or granting a waiver as appropriate.

38. SDEV assured members that the Administration would continue to attend to problem cases, and would consider taking over POS on government land. As for POS on private land which justified sympathetic consideration, the Administration would consider granting a waiver on compassionate grounds.

39. Miss Tanya CHAN said that owners of Coastal Skyline were required to manage and maintain a public passage passing through the development on podium level and linking other residential developments. She enquired whether the Administration could consider the owners' suggestion of fencing off one side of the passage or providing an alternate passage for public use. SDEV responded that the Administration was aware of the case and was considering a feasible way to resolve the matter.

V Operation Building Bright -- progress and update

(LC Paper No. CB(1)930/09-10(05) -- Administration's paper on Operation Building Bright -- progress and update

LC Paper No. CB(1)930/09-10(06) -- Paper on Operation Building Bright prepared by the Legislative Council Secretariat (Background brief)

40. SDEV said the one-off \$2 billion Operation Building Bright (the Operation) was one of the Administration's job-preserving initiatives. The Operation provided subsidies and one-stop technical assistance to help owners of about 2 000 old and dilapidated buildings carry out repair and maintenance works over a two-year period. The Operation covered buildings where owners' corporations (OCs) had been formed (Category 1 target buildings), and buildings having difficulties in co-ordinating repair works, such as buildings without OCs (Category 2 target buildings). So far 1 623 buildings had benefited from the Operation, and 4 700 job opportunities had been created. On the average, about 20 job opportunities were created for each target building, exceeding the original estimate. The Operation had significantly reduced unemployment in the construction sector, and had raised awareness among public and the construction industry of the latest best practices, as well as the general concepts and procedures of good building management and co-ordination of building repair works. As a result of the Operation, 32 OCs were established in Category 2 target buildings, which helped speed up the implementation of repair works.

41. SDEV further said the Operation had also created much synergy among the Buildings Department, HKHS and URA in promoting building safety. The same approach of partnership would be adopted in implementing other policy initiatives in future, such as the proposed Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme. As the Operation might have some remaining funds after the repair works for the 1 623 buildings had been completed, she sought members' advice on whether the remaining funds should be spent on repairing more Category 1 or Category 2 target buildings, and whether the current criteria, such as the "no more than 400 residential units" limit, should be relaxed if it was decided that more Category 1 target buildings should be supported.

42. Mr WONG Kwok-hing welcomed the implementation of the Operation as it had helped create job opportunities for the construction sector. He said that more efforts should be made to increasing job opportunities as the 4 700 jobs created so far still fell way below the target number of 20 000 jobs. He suggested that rather than prioritizing the types of buildings to be benefited from the remaining funds, the Administration should seek additional resources to continue and expand the Operation so that more buildings of both categories could be covered. This would benefit Category 1 target buildings which could not apply in time during the previous round. For Category 2 target buildings having difficulties in co-ordinating repair works, unless timely repair works were carried out, building debris might fall off from those buildings, putting pedestrians under risks.

43. SDEV responded that more jobs would be created as repair works for buildings came on stream. The Operation's objective was to preserve jobs. As building maintenance and repair were primarily the owners' responsibilities, it was inappropriate to subsidize private property owners with public funds in the long run. There were other schemes, such as the Building Maintenance Grant Scheme for Elderly Owners, the loan and incentive schemes of HKHS and URA, as well as the Comprehensive Building Safety Improvement Loan Scheme of BD, which could help property owners with financial difficulties to effect maintenance and repair of old buildings.

44. Mr CHAN Kam-lam expressed support for the Operation. He, however, remained concerned about the future management of the Category 2 target buildings because, in the absence of an OC, it would be difficult for owners to properly manage their buildings. The one-off maintenance carried out under the Operation would eventually wear off and, by then, another round of action from the Administration might be warranted. He suggested that HKHS could be invited to carry out building management for those properties. Alternatively, professional institutes or accredited professionals could be employed to undertake such tasks. Where it was not feasible to employ a management agent for individual tenement building, a management agent could be engaged to look after a group of similar buildings in one street block.

45. Mrs Sophie LEUNG suggested that management and maintenance of old buildings could be undertaken by social enterprises. Such an approach could provide business opportunities for local and small scale operators who were equally competent but were not able to compete with companies of a larger scale.

46. SDEV responded that the Administration would look further into the question of how to facilitate property owners in carrying out building management and maintenance. Subject to the agreement of the Chairman, the Panel on Home Affairs and Panel on Development could consider arranging a joint meeting to discuss the relevant issues. As regards finding a management agent or non-governmental organization to handle building management, the issue was how owners would empower these bodies to carry out the tasks. She said that it might not be necessary to entrust social enterprises to carry out building repair and maintenance, as they should not compete directly with small and medium sized contractors in the market. In fact, many of the maintenance contracts under the Operation were already awarded to small and medium sized contractors. On the other hand, there were merits if non-profit making social enterprises would participate in building management, especially for those buildings which were not capable of forming OCs.

47. Mr IP Kwok-him said that many of the target buildings were in Yau Tsim Mong district and suggested that more focused efforts should be put to tackling the building management problems in the district, especially for buildings without OCs. He considered that the Panel on Home Affairs and Panel on Development could discuss relevant building management and maintenance issues. The Administration should also consider assisting owners to install gates in the buildings to step up security. He urged the Administration to expedite the repair progress for buildings where approval-in-principle had been granted or where works were being co-ordinated.

48. SDEV responded Yau Tsim Mong was on the top among districts in receiving assistance under the Operation, with 271 Category 1 and 89 Category 2 target buildings among the total of 1 623 buildings. As regards the progress of implementing repair works, Mr IP Kam-shing, Director (Property Management) of HKHS said that HKHS received 707 applications under the Operation, of which 622 were qualified. All but about 20 applicants had been given approval-in-principle, and they could start to invite tenders for the repair works. The property owners needed sufficient time for appointing an authorised person, preparing tender documents and conducting the tendering and procurement procedures for appointing contractors. Ir Calvin LAM Che-leung, Executive Director (Operation and Project Control) of URA said that approval-in-principle for applications handled by URA had been issued to almost all eligible applicants. Downstream work was in smooth progress but the procedures would need to go through safeguard measures to prevent corruption and other malpractices in the

tendering process. As regards the suggestion of installing metal gates, Deputy Secretary for Development (Planning and Lands) 2 said that the item was not directly related to building safety and hence not included as an item for receiving subsidy under the Operation.

49. Ms Starry LEE shared the view that the Panel on Home Affairs and Panel on Development could discuss issues on improving building management and maintenance. She suggested that another round of the Operation should be considered if the Administration was to introduce further job-preserving initiatives, and that any remaining funds from the Operation should be used to effect repairs to more old buildings, including those with more than 400 residential units, which were not eligible for assistance under the current criteria of the Operation.

50. SDEV responded that she supported relaxing the limit of "no more than 400 residential units" in principle. Such relaxation might however lead to a reduction of the total number of buildings that could be assisted under the Operation. The Administration would review whether application should be open to old buildings with more than 400 residential units in the middle of the year when the financial position was clearer. She advised that the construction sector had suggested that the repair and maintenance works under the Operation should be spread out more evenly to avoid intensifying the competition for manpower in the construction sector and pushing up the cost.

VI Any other business

51. There being no other business, the meeting ended at 4:41 pm.