

立法會
Legislative Council

LC Paper No. CB(1) 2426/11-12
(These minutes have been seen
by the Administration)

Ref : CB1/PL/HG/1

Panel on Housing

Minutes of meeting
held on Monday, 7 May 2012, at 2:30 pm
in Conference Room 3 of the Legislative Council Complex

Members present : Hon LEE Wing-tat (Chairman)
Hon WONG Kwok-hing, MH (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Fred LI Wah-ming, SBS, JP
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon LEUNG Yiu-chung
Hon Abraham SHEK Lai-him, SBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Dr Hon Joseph LEE Kok-long, SBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon CHAN Hak-kan
Hon WONG Sing-chi
Hon WONG Kwok-kin, BBS
Hon IP Kwok-him, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Tanya CHAN

Member attending : Hon CHEUNG Kwok-che

Member absent : Hon Vincent FANG Kang, SBS, JP

**Public officers :
attending**

For item IV

Transport and Housing Bureau

Mr D W PESCOD, JP
Permanent Secretary for Transport and Housing
(Housing)

Housing Department

Mr Albert LEE, JP
Deputy Director (Estate Management)

Mr Tony LIU
Assistant Director (Estate Management) 3

For item V

Transport and Housing Bureau

Mr D W PESCOD, JP
Permanent Secretary for Transport and Housing
(Housing)

Housing Department

Mr Albert LEE, JP
Deputy Director (Estate Management)

Mr CHAN Siu-tack
Assistant Director (Estate Management) 2

For item VI

Transport and Housing Bureau

Mr D W PESCOD, JP
Permanent Secretary for Transport and Housing
(Housing)

Housing Department

Ms Ada FUNG, JP
Deputy Director (Development & Construction)

Miss Theresa YIM
Assistant Director (Project) 2

Mr CHIU Kin-chee
Assistant Director (Housing Subsidies)

Mr Tony LIU
Assistant Director (Estate Management) 3

Clerk in attendance : Miss Becky YU
Chief Council Secretary (1)1

Staff in attendance : Mrs Mary TANG
Senior Council Secretary (1)1

Miss Mandy POON
Legislative Assistant (1)1

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- I. Confirmation of minutes**
(LC Paper No. CB(1) 1752/11-12 — Minutes of the meeting held on 6 February 2012)

The minutes of the meeting held on 6 February 2012 were confirmed.

II. Information paper issued since last meeting

2. Members noted that the following information paper had been issued since last meeting -

LC Paper No. CB(1) 1700/11-12 — Referral arising from the meeting between Duty Roster Members and "關注新界區編配公屋居民組" on 13 March 2012 regarding the supply and allocation of public rental housing flats in Northern New Territories

III. Items for discussion at the next meeting

- (LC Paper No. CB(1) 1764/11-12(01) — List of follow-up actions
LC Paper No. CB(1) 1764/11-12(02) — List of outstanding items for discussion)

3. The Chairman advised that the Administration had proposed to discuss the following items at the next regular meeting scheduled for Monday, 4 June 2012, at 2:30 pm -

- (a) 2012 rent review of public rental housing; and
(b) Progress report on the Total Maintenance Scheme.

Mr Fred LI suggested discussing the re-organization of the Government Secretariat in relation to the housing portfolio as proposed by the Chief Executive-elect. The Chairman said that he would decide on the need for a special meeting to discuss the subject as well as the latest development of "My Home Purchase Plan".

(Post-meeting note: On the instruction of the Chairman, an additional item on "Organization structure in relation to the housing portfolio proposed by the Chief Executive-elect" was subsequently included in the agenda of the meeting on 4 June 2012. To allow sufficient time for discussion, the duration of the meeting had been extended by one hour from 2:30 pm to 5:30 pm.)

IV. Policy on display of publicity materials in public rental housing estates

- (LC Paper No. CB(1) 1764/11-12(03) — Administration's paper on policy on display of publicity materials in public rental housing estates
LC Paper No. CB(1) 1764/11-12(04) — Submission from非牟利團體租戶關注房署政策大聯盟)

4. Mr Frederick FUNG suggested holding a special meeting to invite views on allegations of self censorship by the Housing Department (HD) on display of posters by political parties. The Chairman said that Mr FUNG's request would be considered towards the end of discussion of the item.

5. At the Chairman's invitation, the Permanent Secretary for Transport and Housing (Housing) (PSTH(H)) briefed members on the arrangements for the

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display of publicity materials (PMs) in public rental housing (PRH) estates under the Hong Kong Housing Authority (HA) by highlighting the salient points in the information paper.

6. Mr LEUNG Yiu-chung said that display of PMs containing criticisms on Government officials and policies as well as promoting political activities had all along been allowed in PRH estates. However, HD seemed to have tightened its policy on display of PMs lately as evidenced by the removal of some PMs displayed by political parties from the notice boards of PRH estates. Even PMs displayed outside Members' offices were either removed or concealed by other PMs. These actions were more apparent during the election of the Chief Executive. He was concerned that PMs which had been permitted for display in the past were no longer allowed. PSTH(H) said that HD staff should not remove PMs from Members' offices, and that he would look into the matter. He stressed that there was no change in the policy on display of PMs which would be allowed so long as they did not carry any messages that were unlawful, obscene, defamatory or insinuating. Mr LEUNG said that he would follow up with the Administration through case conference under the Redress System regarding some PMs which had not been allowed for display in PRH estates.

7. Mr WONG Sing-chi considered it unacceptable for HD to disallow display of PMs containing criticisms on Government officials lest this would deprive the rights of PRH tenants to scrutinize the Administration's performance. He urged HA to review the policy on display of PMs in PRH estates, and to ensure consistent application of the policy across the board as it seemed that some political parties were accorded preferential treatment over the others. Expressing similar concerns, Mr Frederick FUNG drew members' attention to two publicity posters tabled at the meeting. Despite the similar contents of these posters, one was allowed for display while the other was not simply because these posters were submitted by different political parties. He questioned the rationale behind the discrepancy.

8. In reply, PSTH(H) said that he was not in a position to comment on individual cases, the complaints of which should be dealt with under the existing review mechanism. He stressed that HD would not by any means tamper with the rights of Members and the public to criticize the Administration. With the limited space on notice boards in PRH estates, there were often more applications than space would allow. It was necessary for HD to have a system to ensure fair allocation of the space available on the notice boards such that all eligible parties would enjoy equal opportunity to disseminate their information. The arrangements for the display of PMs had been implemented since 1999 and had been operating smoothly. Under the existing arrangements, PMs should be informative, service or welfare-providing in principle and non-profit-making in nature. They should not carry any messages that were unlawful, obscene,

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defamatory or insinuating. The relevant requirements were clearly stated in the notice given to all applicants by HD.

9. Mr LEUNG Kwok-hung expressed dissatisfaction that the same PMs which had been approved for display in the past were no longer allowed in the wake of the tightening of the policy on display of PMs. As a result, PMs containing criticisms on Government policies and officials were not allowed for display, which in his view were tantamount to political censorship and had undermined the freedom of expression. Mr LEUNG Yiu-chung enquired whether PMs on activities related to 4 June and 1 July would be censored by HD. PSTH(H) affirmed that HD did not censor the content of PMs, and that the PMs referred to by Mr LEUNG had always been allowed. Only PMs which carried negative or derogative remarks against individual persons or parties who had been named were not allowed. This also applied to PMs which contained messages of a defamatory nature against a Government official who could be clearly identified without naming. Simple and straight forward guidelines on the arrangements for display of PMs were provided to estate staff. As decisions on display of PMs were made at the estate level, Legislative Council (LegCo) Members or District Council members who were dissatisfied with the decisions could seek for a review from the Housing Department headquarters where necessary. The Chairman however found it unacceptable that PMs containing criticisms on Government officials or LegCo Members were not allowed. PSTH(H) reiterated that display of PMs in PRH would be allowed so long as these PMs did not carry any messages that were unlawful, obscene, defamatory or insinuating.

10. Mr CHEUNG Kwok-che noted that some non-government organizations (NGOs) had complained about prohibition of display of PMs on the notice boards in certain PRH estates and outside their own offices. He sought clarification on these cases. The Deputy Director (Estate Management) (DD(EM)) said that the complaints took place at Cheung On Estate which was a Tenants Purchase Scheme (TPS) estate with a mixed tenure of tenants and owners. As the owners' corporation was responsible for the management of Cheung On Estate, it had full jurisdiction over the display of PMs (including the manner in which PMs should be displayed outside NGO offices). He said that the matter was resolved at the meeting between HD and owners' corporation on 4 May 2012. In reply to Mr CHEUNG's further enquiry on the arrangements for display of PMs in other TPS estates, DD(EM) said that these would have to be looked into.

11. Noting that the policy on display of PMs in PRH estates was tightened following a complaint lodged by a LegCo Member, Mr WONG Sing-chi sought clarification on the matter. PSTH(H) said that he was not in a position to disclose details of the complaint by virtue of the Personal Data (Privacy)

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Ordinance (Cap.486).

12. In concluding The Chairman said that members generally objected to any policy on display of PMs in PRH estates which would undermine the freedom of expression, and that PMs containing criticisms on Government policies and officials as well as persons holding public positions should be allowed. PSTH(H) reiterated that PMs containing criticisms on Government policies and the Administration had always been allowed. However, PMs should not carry negative or derogative remarks against individual persons or parties.

Motion

13. Mr LEUNG Yiu-chung proposed and Mr Frederick FUNG seconded the following motion -

"That this Panel strongly condemns the Housing Department for its recent intervention on and tightening of the freedom of posting posters in public housing estates, which is a severe violation of and a blow to the freedoms of speech and information; and that this Panel requests the Hong Kong Housing Authority to immediately stop such acts of political censorship and ensure that criticisms on government officials, policy objectives and policies, as well as political publicity activities, are allowed."

14. The Chairman put the motion to vote. All members present voted for the motion. The Chairman declared that the motion was carried, and that the motion would be relayed to HA for consideration.

V. Progress report on addition of lifts and escalators to existing public rental housing estates

(LC Paper No. CB(1) 1764/11-12(05) — Administration's paper on progress report on addition of lifts and escalators to existing public rental housing estates

LC Paper No. CB(1) 1764/11-12(06) — Paper on progress of addition of lifts and escalators in Housing Authority's existing public housing estates prepared by the Legislative Council Secretariat (updated background brief)

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15. PSTH(H) briefed members on the progress of the programme on addition of lifts, escalators and footbridges to HA's existing PRH estates. The Assistant Director (Estate Management) 2 (AD(EM)2) gave a power-point presentation on the subject.

(Post-meeting note: A set of the power-point presentation materials was circulated to members vide LC Paper No. CB(1) 1804/11-12(01) on 10 May 2012.)

Addition of lifts, escalators and footbridges in external areas

16. While appreciating the progress of the programme to enhance pedestrian access in identified PRH estates, particularly the use of steel lift towers, steel footbridges and off-site prefabrication of parts to shorten the construction time on site, Mr LEUNG Kwok-hung asked why similar techniques were not adopted by the Electrical and Mechanical Services Department (EMSD) to expedite the public works projects in relation to provision of barrier-free access. DD(EM) said that the use of steel lift towers was commonly adopted in building works not only to shorten construction time on site but also minimize possible nuisances to affected residents. AD(EM)2 pointed out that the use of steel lift towers, steel footbridges and off-site prefabrication of parts would be subject to the availability of sufficient working space. PSTH(H) supplemented that while HD was responsible for the design and construction of lifts, escalators and footbridges in external areas of PRH estates, EMSD was the authority for supervision and inspection of the lifts and escalators. Other departments also relied on EMSD for the installation of lifts and escalators.

17. Mr Patrick LAU said that consideration should be given to connecting the lift/escalator networks of PRH estates with that of MTR Corporation Limited to facilitate barrier-free access. He also supported for more footbridges to be provided for the convenience of residents. PSTH(H) said that an inter-departmental task force had been set up to look into issues related to barrier-free access. These included the initiatives to be introduced to the Central-Shatin Link, Kwun Tong and Kwai Chung to facilitate barrier-free access.

Addition of lifts in existing PRH blocks without lift service

18. While welcoming the provision of new lifts in Fuk Loi Estate, Mr WONG Kwok-hing said that he had received complaints from District Council members regarding insufficient lift service at Yiu Tung Estate and Hing Tung Estate in Shau Kei Wan. He was also disappointed at the non-provision of new lifts at some of the blocks in Kwai Shing West Estate, and asked if new lifts would be added to these blocks. DD(EM) said that feasibility studies on

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the addition of lifts at Kwai Shing West Estate were underway. He also agreed to look into the complaints about insufficient lift service at Yiu Tung Estate and Hing Tung Estate.

19. Referring to Appendix B to the background brief prepared by the LegCo Secretariat, Mr WONG Kwok-hing noted with concern that Blocks 1 to 3 and 12 of Pak Tin Estate where the design and construction of new lifts were underway were about to be redeveloped. Mr Frederick FUNG was also concerned about the possible wastage since the new lifts specially designed for the low-rise blocks of Pak Tin Estate could not be reused in high-rise blocks of new PRH estates. PSTH(H) said that the decision to add new lifts to Block 1 to 3 and 12 of Pak Tin Estate was made in 2008 as part of the programme on addition of lifts in existing PRH estates without lift service. As the decision to redevelop Pak Tin Estate was taken after the completion of tender for the new lifts, HD was contractually obliged to proceed with the construction works. Besides, the provision of new lifts at Pak Tin Estate would ensure barrier-free access, particularly for elderly tenants, pending redevelopment. He added that the development gains in the redevelopment of Pak Tin Estate were quite substantial which would far outweigh the value of the new lifts. Opportunity would be taken to relocate and re-use the equipment (such as the lift car and lift driving mechanism etc) as far as possible in other estates.

20. Mr CHAN Kam-lam said that the programme on addition of lifts in existing estates without lift service was based on the assumption that these estates would not be redeveloped in 15 years' time. It would be a waste of resources, let alone the inconvenience caused to residents during the installation period, if the new lifts could only be used for a few years. He was concerned about similar recurrences since other aged estates (such as Lei Muk Shue Estate and Kwai Shing West Estate) were also vulnerable to redevelopment. PSTH(H) said that the case of Pak Tin Estate involved a policy change which came after the lift contract was entered into. There would be costs incurred from rescission of the contract. In considering the redevelopment of aged estates, HA would take into account a number of factors which included the age of these estates, state of repair, maintenance cost, redevelopment potential as well as space and transport constraints. HA would endeavour to strike a balance between the interest of tenants and the possibility of redevelopment in providing new facilities in these aged estates taking into account the capital and maintenance costs to be incurred. Mr CHAN considered that a longer term planning should be worked out for aged estates with redevelopment potential to avoid waste of resources as in the case of Pak Tin Estate. PSTH(H) said that there were established criteria for inclusion of estates in the lift installation programme. Apart from the welfare of tenants, other factors such as vertical difference of street levels, acceptability within the community, age of population, technical constraints and installation costs would also be taken into consideration. In fact,

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HD was able to stop the installation of one new lift following the redevelopment potential study at Pak Tin Estate.

VI. Redevelopment of Pak Tin Estate

(LC Paper No. CB(1) 1764/11-12(07) — Administration's paper on redevelopment of Pak Tin Estate)

21. PSTH(H) briefed members on the background to the redevelopment of Pak Tin Estate by highlighting the salient points of the information paper. With the aid of a power-point, the Deputy Director (Development & Construction) (DD(D&C)) explained HA's proposed master plan for the phased clearance and redevelopment of Pak Tin Estate.

(Post-meeting note: A set of the power-point presentation materials was circulated to members vide LC Paper No. CB(1) 1804/11-12(02) on 10 May 2012.)

Proposed redevelopment

22. While welcoming the plan to recover more sites for the development of PRH, Mr LEUNG Kwok-hung considered it necessary for the Administration to conduct a comprehensive review of land planning to optimize the use of land in Hong Kong. PSTH(H) said that efforts had been made to identify suitable sites of all sizes across the territory for the development of PRH, provided that there were sufficient decanting facilities for the affected residents. For sites which were suitable for redevelopment, it was an established policy that a planning process had to be carried out to ascertain the redevelopment gains and disturbance to affected residents.

23. Mr James TO noted that there had been calls for the Urban Renewal Authority to resume small plots of land in the urban area for the development of PRH. In view of the scarcity of land, he enquired if the plot ratio of Pak Tin Estate had been optimized with a view to providing more PRH units. PSTH(H) said that in considering ways to optimize the plot ratio of a site, factors such as height restrictions, transport constraints and capacity of the drainage systems would need to be taken into account. The plot ratio of the redeveloped site of Pak Tin Estate was about six and there would be a net increase of 2 150 PRH flats as compared to the number of flats before redevelopment. Given the height restrictions and the need to provide for transport infrastructure and other facilities (such as schools, community halls, bus terminals and retail facilities), DD(D&C) said that a higher plot ratio beyond six for Pak Tin Estate was not feasible.

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24. Mr Frederick FUNG supported the proposal as the redevelopment of the older portion of Pak Tin Estate could make way for a total build-back of over 2 000 PRH flats compared to the number of flats before redevelopment. He enquired if the proposed redevelopment of Pak Tin Estate represented a new policy on redevelopment and if so, whether this would apply to other estates such as Ma Tau Wai Estate which predominantly consisted of low-rise blocks. Expressing similar views, the Chairman said that he had been approached by tenants of 32 aged estates (including Lai King Estate, Kwai Shing West Estate, Lei Muk Shue Estate) following the announcement of the redevelopment of Pak Tin Estate requesting for redevelopment of their estates. He stressed that plot ratio should not be the only criterion in deciding the need for redevelopment. Estates of over 40 years and with dilapidated and under-provisioned flats should be accorded priority for redevelopment. Together with Mr Fred LI and Mr Wong Sing-chi, he would write to HA requesting for a review of the redevelopment potential of these aged estates.

25. In response, PSTH(H) said that as announced in the 2011-2012 Policy Address, the Administration would explore ways to appropriately increase the densities and plot ratios of PRH sites, and fully utilize the build-back potential of existing estates in order to achieve the PRH production target without compromising the living environment. The proposed redevelopment of the older portion of Pak Tin Estate was the first project under the refined policy on redevelopment. HA would continue to examine the build-back potential of other aged PRH estates in line with the refined policy on redevelopment. Apart from the build-back potential, factors such as the structural safety, economic repair and availability of suitable rehousing resources would be taken into consideration in the demolition and redevelopment of aged estates. It would take time to work out redevelopment plans for aged estates as inter-departmental efforts were required to take account of planning and other community needs. Affected tenants would be informed of the redevelopment programme in advance. A range of sizes of flats would be made available as an ongoing exercise to meet the accommodation needs of tenants who could apply for transfer to larger flats if they were currently under-provisioned.

26. Mr CHAN Kam-lam questioned why Block 12 was included in the first phase of clearance with Blocks 1-3. Given the distribution of blocks, consideration should be given to including Blocks 1-3 and 13 in the first phase and Blocks 9-12 in the second to minimize the disturbances to affected tenants. DD(D&C) explained that Blocks 9-11 would have to be cleared under one phase because they were linked blocks. Meanwhile, Block 13 was a standalone block which could be cleared separately.

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Rehousing arrangements

27. Mr CHAN Kam-lam enquired if affected tenants of the second phase could apply for early rehousing to the Shek Kip Mei Estate. DD(D&C) said that efforts would be made to expedite the relocation of affected tenants of the initial phase to Shek Kip Mei Estate. In planning for the relocation, there was a need to ensure reprovisioning of schools and shopping facilities to tie in with the intake of affected tenants. The Assistant Director (Housing Subsidies) said that HA had identified Shek Kip Mei Estate Phases 2 & 5 (with a production of about 4 050 PRH flats available in the mid-2012) as the primary rehousing resources for the initial phase of redevelopment of Pak Tin Estate. These units would not only provide rehousing for the 950 affected households of Blocks 1-3 and 12 of Pak Tin Estate under the initial phase of clearance, but also for other applicants on the Waiting List. If other tenants of Pak Tin Estate wished to be transferred to other estates, they would have to submit their own applications under the current transfer policy.

28. Given that most of the tenants affected by the redevelopment of Pak Tin Estate had requested for two-bedroom flats, Mr Frederick FUNG would support that greater flexibility should be exercised to meet their needs subject to the availability of decanting units at Shek Kip Mei Estate. He would also support the provision of special compensation to commercial tenants who had just moved to Pak Tin Estate and spent significant amount of money to renovate their shops. Efforts should be made to expedite the clearance of Blocks 9-11 and 13 to minimize the disturbances to the nearby domestic and commercial tenants. He also enquired if affected households could carry over their subsidies for electricity charges upon relocation. PSTH(H) said that HD had held meetings with affected tenants and resolved some of the issues. The Administration was still discussing with the affected domestic and commercial tenants on the relocation arrangements.

VII. Any other business

29. There being no other business, the meeting ended at 4:45 pm.