

香港特別行政區政府

The Government of the Hong Kong Special Administrative Region

發展局

香港添馬添美道二號  
政府總部西翼



Development Bureau

West Wing, Central Government Offices,  
2 Tim Mei Avenue, Tamar,  
Hong Kong

本局檔號 Our Ref. DEVB (PL-CR) 1-10/69

電話 Tel.: 3509 8852

來函檔號 Your Ref.

傳真 Fax: 2899 2916

Ms Sharon CHUNG  
Council Business Division 1  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

30 August 2017

Dear Ms CHUNG,

**Legislative Council Panel on Development  
Follow-up Actions for the Meeting on 17 July 2017**

**Proposed Amendments to the Buildings Ordinance (Cap. 123)  
for Strengthening Enforcement Action against  
Illegal Domestic Use in Industrial Buildings**

In consultation with the Transport and Housing Bureau (THB) and the Buildings Department (BD), I write to provide the following information requested by Members of the Panel at the meeting on 17 July 2017.

**Rehousing arrangement for the inhabitants affected by enforcement action against illegal domestic use in industrial buildings (IBs) to the transit centre (TC) and interim housing (IH)**

If occupants need to relocate owing to BD's enforcement actions, BD will closely liaise with the Social Welfare Department, the Home Affairs Department and the Housing Department (HD) to provide necessary assistance to those affected. Under the current government policy, inhabitants affected by government enforcement actions need to find their own accommodation.

Having said that, to ensure that no one will be rendered homeless as a result of government enforcement actions, those occupants affected by government enforcement actions and have temporary accommodation need may, through referral from relevant bureaux/departments, be accommodated in TCs operated by the Hong Kong Housing Authority (HA) temporarily while they look for alternative accommodation and awaiting eligibility vetting for future rehousing.

The Po Tin Transit Centre in Tuen Mun is equipped with bunk beds, individual lockers, shared kitchens, toilets, shower areas, etc. for the use by male singletons, female singletons and family licensees as temporary accommodation. The HA attaches importance on the management and maintenance of the TC. The TC is managed by an outsourced property services contractor (PSC) who conducts daily inspection and provides regular cleansing service to the TC. HD's Property Services Management Units (PSAU) carries out monthly audit check to the TC to ensure the PSC has performed its duty properly. The HA will carry out repair or replacement works for the facilities inside the TC according on need basis having regard to the proper use of public resources.

Public Rental Housing (PRH) and IH are both scarce housing resources. There is a need for the Government to be cautious and ensure that such valuable resources are used on persons in need. Therefore, persons staying in the TC need to stay there for three months to pass the "homeless test" proving that they do not have other accommodation to reside. Subject to their meeting the eligibility criteria for PRH, HD will arrange for such persons' admission to IH while awaiting PRH allocation through PRH application.

Allowing affected inhabitants of IBs to be admitted to IH directly without passing the eligibility vetting conducted by HD is unfair to those currently staying in TC and undergoing the "homeless test". It will also convey a wrong message to the society that living in IBs is a shortcut for admission to IH or even PRH, inducing more households to live in IBs and subjecting more to hazardous situation. It will also encourage property owners to convert their IB premises for illegal domestic use in order to achieve higher monetary gain.

The Development Bureau is now following up the drafting of the proposed legislative amendments. We noted concerns expressed by Members of the Panel on rehousing.

### **The approval of building plans and the follow-up actions taken by the BD on small workshop units in IBs**

Panel Members mentioned that small workshop units in IBs could easily

be used for illegal domestic use, and requested relevant figures. There are about 1 800 IBs in Hong Kong. The BD has not compiled statistics on the number of small workshop units in IBs.

As mentioned in our reply to the Panel of 13 July 2017, since October 2016, the BD has promulgated practice notes to building professionals registered under the BO with a view to deterring the misuse of IBs for residential use. According to the said practice notes, building plans for IBs should comply with the following requirements -

- (a) servicing arrangement for workshop units should be clearly shown, particularly the provision of loading/unloading areas and cargo lifts and their segregation from the communal circulation routes of occupiers and visitors;
- (b) natural lighting and ventilation should be provided to toilets within individual workshop units;
- (c) internal pipe ducts for toilets within individual workshop units should be accountable for gross floor area (GFA);
- (d) curtain walls for small workshop units should be accountable for GFA and site coverage;
- (e) proposed excessive storey height in small workshop units should be fully justified; and
- (f) justification for designs and facilities that are not commonly found in IBs or not commensurate with industrial use should be provided.

Should you have any enquiries, please feel free to contact the undersigned officer at 3509 8852.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'David NG', is placed over a light blue rectangular background.

(Mr David NG)  
for Secretary for Development

c.c.

Transport and Housing Bureau  
Buildings Department

(Attn: Mr Dominic YK CHAN)  
(Attn: Ms Karen YC CHEUNG)

(Fax: 2761 5390)  
(Fax: 3162 0799)