

**立法會**  
***Legislative Council***

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From : Clerk to the Legislative Council  
To : All Members of the Legislative Council

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**Council meeting of 3 March 2010**

**Proposed amendment to motion on  
“Improving the living environment in old districts”**

Further to LC Paper No. CB(3) 465/09-10 issued on 19 February 2010, Hon James TO Kun-sun has given notice to move an amendment to Hon Starry LEE Wai-king’s motion on “Improving the living environment in old districts” scheduled for the Council meeting of 3 March 2010. As directed by the President, Hon James TO’s amendment will be printed in the terms in which it was handed in on the Agenda of the Council.

2. For Members’ ease of reference, the terms of the original motion and of the motion, if amended, are set out in the **Appendix**.

( Mrs Justina LAM )  
for Clerk to the Legislative Council

Encl.

(Translation)

**Motion debate on  
“Improving the living environment in old districts”  
to be held at the Legislative Council meeting  
of Wednesday, 3 March 2010**

**1. Hon Starry LEE Wai-king’s original motion**

That, old buildings abound in Hong Kong and those of 30 years or above amount to as many as 16 000 and will increase to 26 000 in 10 years’ time; many of the old buildings are dilapidated, have poor environment and are not properly managed, giving rise to various building safety and law and order problems; as such, this Council urges the Government to take action regarding the aspects of maintenance of old buildings, building management as well as redevelopment and planning of old districts, etc., so as to improve the existing living environment of residents in old districts, and the proposed measures include:

on building maintenance,

- (a) to allocate additional funding to ‘Operation Building Bright’, and co-ordinate the various subsidy and loan schemes to provide one-stop services and perfect the relevant schemes, so as to assist more owners with financial difficulties;
- (b) to enhance regulation of renovation works which involve structural alterations;
- (c) focusing on water seepage problems of ceilings of old buildings, to review the existing practice of using colour dyes as the main testing tool and improve the relevant follow-up procedures of government departments, so as to enhance processing efficiency;
- (d) to expedite the clearance procedures for handling unauthorized building works;

on improving building management,

- (e) to actively assist owners of old buildings in organizing owners’ corporations or hiring management companies, including exploring the engagement of the Hong Kong Housing Society or other non-government organizations to act as agents and let these organizations to take over the management work or hire management companies, so as to assist the residents in resolving management and maintenance problems;

- (f) to review the existing Building Management Ordinance, so as to alleviate the problem of inefficiency in building management of ‘one building with multiple owners’ corporations’ and ‘multiple buildings with one owners’ corporation’;
- (g) to set up a ‘building affairs tribunal’ to resolve the existing problems of lengthy building management disputes, expensive legal costs, etc.;
- (h) to actively examine the creation of a commissioner for management of old buildings to co-ordinate the existing work of various departments, so as to avoid fragmented administration of such departments;
- (i) to implement a licensing scheme for property management companies to improve the quality of such management companies;

on expediting redevelopment of old districts,

- (j) when launching urban renewal projects, the Urban Renewal Authority (‘URA’) should preferably adopt a ‘bottom-up’ approach, and let owners of old buildings take the lead in that they may take the initiative to invite URA to carry out redevelopment after obtaining a certain number of ownership shares;
- (k) in order to promote urban renewal, the development mode of renewal should be diversified in that apart from financial compensations, URA may consider other compensation options, including providing flat-for-flat exchange, for owners of old buildings to choose;

on planning of old districts and enhancement of cityscape,

- (l) to improve greenery, supporting community facilities and conservation work in old districts and enhance river channels and harbourfront areas, so as to revitalize old districts and improve the quality of life of the residents;
- (m) to allocate additional resources to the Food and Environmental Hygiene Department to eradicate environmental hygiene blackspots in old districts; and
- (n) to actively explore feasible ways to properly deal with the management problem of private streets, so as to improve the street environment in the places concerned.

## 2. Motion as amended by Hon James TO Kun-sun

That, *the dilapidation of buildings and their lack of management not only pose potential danger to their residents and the public, but also hinder the sustainable development of the society*; old buildings abound in Hong Kong and those of 30 years or above amount to as many as 16 000 and will increase to 26 000 in 10 years' time; many of the old buildings are dilapidated, have poor environment and are not properly managed, giving rise to various building safety and law and order problems; as such, this Council urges the Government to take action regarding the aspects of maintenance of old buildings, building management as well as redevelopment and planning of old districts, etc., so as to improve the existing living environment of residents in old districts, and the proposed measures include:

on building maintenance,

- (a) to allocate additional funding to 'Operation Building Bright', and *relax the restrictions on application and terms of funding support for various subsidy and loan schemes, and* co-ordinate the various subsidy and loan schemes to provide one-stop services and perfect the relevant schemes, so as to assist more owners with financial difficulties;
- (b) to enhance regulation of renovation works which involve structural alterations, *and carry out extensive publicity and education work to enhance public awareness of the effect of structural alteration to units on building safety, and encourage the public to provide information on works involving structural alterations to facilitate the Government in early detection of illegal structural alteration works, so as to avoid the building structure being affected*;
- (c) focusing on water seepage problems of ceilings of old buildings, to review the existing practice of using colour dyes as the main testing tool and improve the relevant follow-up procedures of government departments, so as to enhance processing efficiency;
- (d) to expedite the clearance procedures for handling unauthorized building works, *and enhance the exercising of powers conferred on the Building Authority under section 22 of the Buildings Ordinance, in particular focussing on old and notably dilapidated buildings, to enter into units of such buildings to inspect whether there are unauthorized building works that may affect the building structure, so as to ensure building safety; and should serious cases of inter-linked unauthorized building works be detected, the Government should take the initiative to assist the affected owners in carrying out rehabilitation works together and then share the costs among the owners, so as to avoid continuous potential hazards in the building structure and safeguard building safety*;

on improving building management,

- (e) to actively assist owners of old buildings in organizing owners' corporations or hiring management companies, including exploring the engagement of the Hong Kong Housing Society or other non-government organizations to act as agents and let these organizations to take over the management work or hire management companies, so as to assist the residents in resolving management and maintenance problems;
- (f) to review the existing Building Management Ordinance, so as to alleviate the problem of inefficiency in building management of 'one building with multiple owners' corporations' and 'multiple buildings with one owners' corporation';
- (g) to set up a 'building affairs tribunal' to resolve the existing problems of lengthy building management disputes, expensive legal costs, etc.;
- (h) to actively examine the creation of a commissioner for management of old buildings to co-ordinate the existing work of various departments, so as to avoid fragmented administration of such departments;
- (i) to implement a licensing scheme for property management companies to improve the quality of such management companies;
- (j) *to establish a mechanism for modifying unreasonable provisions in the deeds of mutual covenant, so as to assist owners in managing the buildings more effectively;*
- (k) *to actively consider establishing an approval mechanism to assist small property owners under sub-deeds of mutual covenant in obtaining the right to deal with building management problems covered by sub-deeds of mutual covenant;*

on expediting redevelopment of old districts,

- (~~h~~)(l) when launching urban renewal projects, the Urban Renewal Authority ('URA') should preferably adopt a 'bottom-up' approach, and let owners of old buildings take the lead in that they may take the initiative to invite URA to carry out redevelopment after obtaining a certain number of ownership shares;
- (~~k~~)(m) in order to promote urban renewal, the development mode of renewal should be diversified in that apart from financial compensations, URA may consider other compensation options, including providing flat-for-flat exchange *and options for joint development with owners*, for owners of old buildings to choose;

***(n) to review the existing compensation measures of URA to ensure that tenants affected by the freezing survey will have reasonable compensation or rehousing arrangement;***

on planning of old districts and enhancement of cityscape,

~~(l)~~***(o)*** to improve greenery, supporting community facilities and conservation work in old districts and enhance river channels and harbourfront areas, so as to revitalize old districts and improve the quality of life of the residents;

~~(m)~~***(p)*** to allocate additional resources to the Food and Environmental Hygiene Department to eradicate environmental hygiene blackspots in old districts; and

~~(n)~~***(q)*** to actively explore feasible ways to properly deal with the management problem of private streets, so as to improve the street environment in the places concerned.

Note: Hon James TO Kun-sun's amendment is marked in ***bold and italic type*** or with deletion line.