

立法會
Legislative Council

LC Paper No. CB(1) 1752/11-12
(These minutes have been seen
by the Administration)

Ref : CB1/PL/HG/1

Panel on Housing

Minutes of meeting
held on Monday, 6 February 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 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
Hon Vincent FANG Kang, 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 absent : Hon CHAN Kam-lam, SBS, JP

Public officers : **For item IV**
attending
Mr D W PESCOD, JP
Permanent Secretary for Transport and Housing
(Housing)

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

Miss Theresa YIM
Acting Assistant Director (Project) 2
Housing Department

For item V

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

Mr Albert LEE, JP
Deputy Director (Estate Management)
Housing Department

Mr Tony LIU
Assistant Director (Estate Management)3
Housing Department

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

Action

- I. Confirmation of minutes**
(LC Paper No. CB(1) 910/11-12 — Minutes of the meeting held on
5 December 2011)

The minutes of the meeting held on 5 December 2011 were confirmed.

II. Information paper issued since last meeting

2. Members noted that the following information papers had been issued since last meeting –

LC Paper No. CB(1) 780/11-12(01) — Administration's paper on Land Registry Statistics in December 2011 (press release);

LC Paper No. CB(1) 816/11-12 — Referral arising from the meeting between Duty Roster Members and the Society for Community Organization, Christian Concern for the Homeless Association and St. James' Settlement on 10 October 2011 regarding the provision of support services for street sleepers (Chinese version only); and

LC Paper No. CB(1) 889/11-12 — Referral from the Public Complaints Office attaching a further submission from "香港社區組織協會基層市民房屋關注組" dated 2 January 2012 on the provision of housing assistance to residents affected by the clearance of subdivided flats in industrial buildings (Chinese version only).

III. Items for discussion at the next meeting

(LC Paper No. CB(1) 948/11-12(01) — List of follow-up actions

LC Paper No. CB(1) 948/11-12(02) — List of outstanding items for discussion)

3. The Chairman said that the Administration proposed to discuss the following items at the next regular meeting scheduled for Friday, 2 March 2012, at 10:45 am -

(a) Progress Report on the addition of lifts and escalators in Housing Authority's existing public rental housing estates; and

(b) Review of Waiting List Income and Asset Limits.

In view of the concerns on the need for the provision of rent subsidy to people who could not benefit from any of the relief measures announced in the 2012-2013 Budget raised at the briefing by the Financial Secretary on the 2012-2013 Budget on 2 February 2012, the Chairman suggested and members agreed to include the subject in the agenda of the meeting on 2 March 2012 to replace item (a). To facilitate discussion, Mr James TO requested the Secretariat to provide some background information on previous occasions where rent subsidy was provided to the needy.

IV. Public rental housing developments at Kai Tak Site 1A and 1B

(LC Paper No. CB(1) 948/11-12(03) — Administration's paper on public rental housing developments at Kai Tak Site 1A and 1B)

4. The Permanent Secretary for Transport and Housing (Housing) (PSTH(H)) first thanked members for taking part in the visit to public rental housing (PRH) developments at Kai Tak Site 1A on 30 January 2012. The Deputy Director of Housing (Development & Construction) (DDH(D&C)) then gave a power-point presentation on the PRH developments at Kai Tak Sites 1A and 1B, highlighting the four key features of the design theme of "Homes in the Park", namely passive building designs, green and healthy environment, environment-friendly design initiatives, and green construction techniques.

(Post meeting note: A set of the power-point presentation materials was circulated to members vide LC Paper No. CB(1) 1016/11-12(01) on 7 February 2012.)

Passive building design

5. Mr Frederick FUNG welcomed the concept of bringing life to the street level by providing retail facilities primarily in the form of street front shops in pedestrian precincts rather than shopping centres. To ensure that these retail facilities would meet the needs of residents and commensurate with their standard of living, he hoped that the rentals would be set at a reasonable level as otherwise it would not be financially viable for small and medium enterprises to operate as in the case of the retail facilities managed by The Link Management Company. Professor Patrick LAU was of the view that small enterprises should be given the opportunity to operate at the street front shops to avoid domination by chain stores. DDH(D&C) said that it was the current policy to provide retail facilities in new PRH estates in the form of street front shops.

PSTH(H) added that the retail facilities in the two new PRH estates would be managed by the Housing Department (HD) which had no plans to divest such facilities. HD would consult the relevant District Councils (DCs) and local community on the types of shops to be provided, including a wet market. Efforts would be made to make available a good range of services upon intake of residents next year to ensure that there would not be any shortage of services. As these retail facilities were meant to serve the local community, these would not be competing with the up-market shops within the Kai Tak Development and other parts of the city.

6. While supporting the provision of street front shops, Mr WONG Kwok-hing stressed the need for air-conditioning within the wet market. Mr IP Kwok-him expressed concern about the limited number of stalls in the wet market lest this might affect business viability. He considered that the number of stalls should be increased to allow more choices for residents. PSTH(H) said that while wet markets were not included in the development of PRH estates in recent years, it was believed that the capacity of the wet market in the two new estates should be sufficient to meet the demand of the Kai Tak Development as residents from neighbouring developments would be attracted to the wet market given the competitive prices. DDH(D&C) added that air-conditioning was a standard provision for wet markets within new PRH estates. There would be around 13 000 square meters of retail spaces within the two estates and sufficient space had been earmarked for the wet market. The number and distribution of stalls would be worked out at a later stage. In response to Mr WONG's further enquiry on the other community facilities to be provided, DDH(D&C) said that basket ball courts, soccer pitches, table tennis courts, badminton courts and other recreational facilities would be provided at the central park of the Kai Tak Development. Welfare facilities, including an integrated children and youth services centre as well as a neighbourhood elderly centre would also be provided. Residents could also make use of the sports and recreational facilities at the Kowloon Bay and Ngau Chi Wan nearby.

7. Professor Patrick LAU enquired if the provision of supporting infrastructure, including schools, would tie in with the first population intake of the two estates in 2013 for the convenience of residents. Sharing similar views, Mr WONG Sing-chi and Mr Alan LEONG enquired about the plans for the provision for shopping and other supporting facilities. PSTH(H) said that the Education Department had been advised to ensure the provision of sufficient schools within the district, including those in the proximity of the two estates. Meanwhile, HD would arrange for tendering of the wet market stalls and shopping facilities taking into account the anticipated completion date of the estates to ensure that these could be made available in time upon population intake in 2013. DDH(D&C) said that the retail facilities would primarily be provided in the form of street front shops while a number of restaurants would be located above the street level. She assured members that the retail facilities

would be provided in time to tie in with the intake of population.

Green and healthy environment

8. Mr Frederick FUNG opined that cycling tracks should be provided to form a network connecting all the developments within the Kai Tak Development, including the two PRH estates. In the longer term, consideration should be given to extending the network from Kai Tak to Kowloon City to facilitate interchange with other transport modes. To this end, supporting facilities, such as parking as well as rental facilities for on-street hiring of bicycles, should be provided. PSTH(H) said that there would be bicycle tracks for the old runway area, and plans were being made to extend these tracks to the Kai Tak North Apron area. As a general point, he indicated that there were however difficulties in finding spaces for bicycle hiring stations on Hong Kong streets in view of the limited space on pavements in most districts.

Environment-friendly design initiatives and green construction technologies

9. Mr WONG Sing-chi enquired about the additional cost incurred from adoption of environment-friendly design initiatives and green construction technologies for the two estates and the pay-back period for the additional cost. PSTH(H) said that the construction cost was expected to increase by 4% as a result of the low-carbon construction programme. However, the increase was worthwhile because it helped reduce the carbon footprint. Being a responsible corporate citizen, the Housing Authority (HA) had to take into account the interests of the community in discharging its duties. Besides, the adoption of environment-friendly design features would demonstrate to other developers the benefits to the community. As regards cost recovery, PSTH(H) said that there would be savings in operating costs from using renewable energy and energy-efficient installations (including photovoltaic panels and lift regenerative power), the payback period of which would vary with the different installations. Dr Joseph LEE asked if the savings could be used to reduce rents for the benefits of tenants and if not, whether these could be used to fund the application of environment-friendly design features to older estates. PSTH(H) said that while there would be savings, these would be insignificant as compared to the construction cost. Besides, the development of PRH estates was already heavily subsidized by public fund. He added that there were ongoing programmes for replacement of lifts and escalators as well as lighting systems in existing estates.

10. Mr Frederick FUNG agreed that HA should promote the adoption of environment-friendly design initiatives and green construction technologies to the building trades. He enquired about HA's plan in this respect. His views were shared by Mr Alan LEONG. PSTH(H) said that there had been

experience sharing on the use of green construction technologies with the private sector. DDH(D&C) added that HA would invite the stakeholders in the building industry to visit the Kai Tak project sites with a view to promoting the environment-friendly design initiatives and green construction technologies. DVDs containing relevant information would be distributed to the stakeholders for reference.

11. While appreciating the adoption of the theme of "Homes in the Park" and the environment-friendly features for the design and construction of the two PRH projects, Mr IP Kwok-him was concerned about the additional operating and maintenance costs to be incurred lest this might lead to rent increases. PSTH(H) said that the management and maintenance of the estates had been factored in with the introduction of the environment-friendly design features. While there was a need to assess the full life-time cost of the installations, most of these would not result in significant changes in the full life-time costs. In fact, savings could be achieved through these installations.

District Cooling System

12. Professor Patrick LAU enquired if domestic users could subscribe to the District Cooling System (DCS). DDH(D&C) said that DCS was designed to provide chilled water to the air-conditioning systems of non-domestic facilities, such as retail facilities. DCS was not intended for domestic premises as central air-conditioning system was required to facilitate connection to DCS. Given the high capital costs of central air-conditioning, DCS would not apply to the residential blocks of the two estates.

Electric vehicle charging facilities

13. Mr Frederick FUNG supported mandating the use of electric vehicles at the Kai Tak Development. To this end, more charging facilities should be provided for the convenience of drivers. PSTH(H) said that it was the Administration's policy to provide for more electric vehicle charging facilities, particularly at the Kai Tak Development which was a planned green district. To facilitate better understanding, DDH(D&C) agreed to provide information on the charging arrangements for electric vehicles at the Kai Tak Development.

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Renewable energy and energy-efficient installations

14. Mrs Sophie LEUNG considered that a macro approach should be adopted to integrate the planning of Kai Tak Development, Kowloon City and Tokwawan, with each district retaining its unique features. She welcomed the adoption of environment-friendly design initiatives and green construction technologies, particularly the use of the marine mud cement-stabilization method for backfilling, as well as ongoing efforts to improve energy efficiency

and reduce carbon emissions. On renewable energy and energy-efficient installations, she enquired if the power generated from photovoltaic panels installed in the roofs of domestic blocks were connected to the electricity grid. PSTH(H) said that the green construction technologies at the two public housing projects at the Kai Tak Development had contributed to environmental protection and energy conservation. The solar power generated from photovoltaic panels would contribute to 2% to 2.5% of the annual energy consumption in communal areas which were far from enough to achieve self-sufficiency. It was expected that better returns could be achieved through the use of light emitting diode lighting. DDH(D&C) affirmed that the solar power generated from the photovoltaic panels would be connected to the electricity grid.

Transport facilities

15. Mr Alan LEONG noted that pending the completion of the Shatin Central Link, residents of Kai Yip Estate and Richland Garden were concerned about the possible traffic jam at the transport interchange near the Telford Gardens following the population intake of the two PRH estates at the Kai Tak sites. He enquired if proper arrangements had been made to enhance the transport services in the area to cater to the increased demand. Dr Joseph LEE and Mr IP Kwok-him were also concerned about the adequacy of transport facilities upon population intake in 2013. PSTH(H) said that there would be close liaison with the Transport Department (TD) and the relevant DCs to ensure that the transport needs of the community were met. DDH(D&C) added that a traffic impact assessment had been conducted to ascertain the impact of population intake on the neighboring estates. TD would consult DCs concerned on the bus route development programme in early 2012, and increase the bus services in the Kai Tak Development to meet the increased demand. Efforts would also be made to ensure that there would be sufficient public light bus servicing the area.

V. Marking Scheme for Estate Management Enforcement in Public Housing Estate

(LC Paper No. CB(1) 948/11-12(04) — Administration's paper on Marking Scheme for Estate Management Enforcement in Public Housing Estates

LC Paper No. CB(1) 948/11-12(05) — Paper on Marking Scheme for Estate Management Enforcement in Public Housing Estates prepared by the Legislative Council Secretariat (updated background brief))

16. PSTH(H) briefly explained the progress of implementation of Marking Scheme for Estate Management Enforcement in Public Housing Estate (Marking Scheme). The Assistant Director of Housing (Estate Management)3 (ADH(EM)3) 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) 1016/11-12(02) on 7 February 2012.)

17. Professor Patrick LAU noted that of the 46 households which had accrued 16 or more points, HD had issued a total of 34 Notices-to-Quit (NTQs), approved the withholding of the issuance of NTQs on 10 cases on special grounds, and recovered two voluntarily surrendered PRH flats. He enquired about the outcome of the remaining 24 households which had received NTQs. The Deputy Director of Housing (Estate Management) (DDH(EM)) said that HD had recorded about 17 990 point-allotment cases since the Marking Scheme was first introduced in 2003, or one point-allotment case per estate per month. This had shown that PRH tenants were generally law abiding. The misdeeds of 'Smoking or carrying a lighted cigarette in estate common area' and 'Littering' continued to be the most frequently committed offences. ADH(EM)3 supplemented that tenants with tenancies terminated under the Marking Scheme would be barred from application for PRH for two years. However, if these tenants were rendered homeless upon evacuation, they would be provided with interim housing. Notwithstanding, HD would exercise discretion to withhold the issuance of NTQs on special grounds. For example, HD had withheld the issuance of a NTQ to a household which had accrued 16 points for unauthorized dog keeping after the household had decided to give up the dog. Majority of the 24 households which had received NTQs were due to the accumulation of large quantity of refuse or waste inside their premises. Some of these cases had been dropped after the misdeed had been rectified.

18. Mr LEUNG Kwok-hung said that as a PRH tenant, he found the Marking Scheme unnecessary as most of the misdeeds were punishable under the existing legal regime. The termination of tenancy under the Marking Scheme was indeed a double penalty given that the same would not apply to similar offences committed by households living in private tenements. Besides, it would be unfair to hold the entire household liable for the misdeed committed by an individual family member. He requested the Administration to list out the misdeeds which could not be dealt with under the existing legislation. PSTH(H) said that the Marking Scheme was not meant to replace the existing legislation, but to help resolve internal issues without escalating them to the courts. Given the large number of tenants living in close proximity within a PRH estate, there was a need to step up education to foster behavioural changes to ensure a peaceful environment for all tenants. The

inclusion of "keeping of animal, bird or livestock inside leased premises without prior written consent of the Landlord" as a misdeed under the Marking Scheme was a typical example of internal control necessary for PRH estates. While the allotment of penalty points was rare, the Marking Scheme did have a deterrent effect. Mrs Sophie LEUNG agreed that landlords had the rights to include specific conditions in tenancy agreements for tenants to follow.

19. Given the scarcity of public housing resources, Professor Patrick LAU stressed the need to ensure that PRH should only be allocated to those who could not afford private accommodation. He failed to see why a Legislative Council Member with high remuneration could still be allowed to stay in PRH. PSTH(H) said that there was a well established mechanism to safeguard the rational allocation of the public housing resources. Applicants on Waiting List for PRH had to meet the eligibility criteria, including the income and asset limits, before they were allocated PRH. Thereafter, households which had been living in PRH for 10 years or more were required to declare household income biennially. Those with a household income exceeding the prescribed limits were required to pay 1.5 times, double net rent plus rates or full market rent as appropriate. Households paying double net rent plus rates had to declare assets at the next cycle of declaration if they wished to continue to live in PRH. The same treatment applied to all PRH tenants.

Throwing objects from height

20. Mr IP Kwok-him noted with concern the rise in the number of point-allotment cases involving throwing objects from height which had increased from 80 cases in 2009 to 210 cases in 2011. He enquired about the measures taken to prevent the misdeed. DDH(EM) said that following a number of cases involving throwing of objects from height in 2009, HD had deployed additional Mobile Digital Closed Circuit Television sets and stepped up patrols and inspections by estate staff under the monitoring of a Task Force. The increase in point-allotment cases involving throwing objects from height was probably due to the adoption of proactive measures to tackle the problem. With the continued efforts to promote the message against throwing objects from height, there was a drop in the number of cases since the latter part of 2011. It was worth noting that some of the cases involving the throwing of objects from height were unintentional due to negligence.

Using leased premises for illegal purpose

21. Mr IP Kwok-him noted from media reports that some PRH flats had been used to house non-resident expectant women from the Mainland who planned to give birth in Hong Kong. He enquired if HD had looked into the allegation, and whether enforcement actions (including allotment of penalty points) would be taken against households which had used their units for such

purpose. PSTH(H) said that the illegal use of PRH flats to house non-residents would be regarded as unauthorized subletting and dealt with under tenancy abuse rather than misdeed under the Marking Scheme. There was very tight control on the access to PRH estates and efforts would be made to step up enforcement against tenancy abuse cases. A NTQ triggering action for termination of tenancy would be issued for tenancy abuse cases. So far, HD had not detected any such unauthorized subletting.

22. Mrs Sophie LEUNG expressed concern that offenders might circumvent the restriction by claiming that the non-resident expectant women from the Mainland were their relatives. She enquired how HD could deal with such cases. PSTH(H) said that PRH households could apply to HD if their relatives/friends wished to stay with them for a short while. The applications would be processed accordingly. However, unauthorized subletting would not be allowed in any case.

Keeping animal, bird or livestock inside leased premises without prior written consent of the Landlord

23. Mr WONG Kwok-hing enquired whether HD had stepped up publicity to discourage unauthorized dog keeping in PRH. PSTH(H) said that the keeping of animals in general was not encouraged in PRH estates and dogs were a particular problem. Tenants were made aware of the penalties for unauthorized dog keeping under the Marking Scheme. Notices had been posted within estate areas to remind tenants against unauthorized dog keeping. Estate staff would check the microchips of dogs to ensure that they were properly registered. Mr WONG further enquired if the keeping of pets, other than dogs, were allowed. ADH(EM)3 said that the keeping of cats and turtles, as well as other small caged animals were allowed in PRH estates. To facilitate better understanding, DDH(EM) agreed to provide clear guidelines on the kind of animals that could be kept in PRH.

24. Mrs Sophie LEUNG noted that under the Temporary Permission Rule (TPR), tenants were allowed to continue keeping small dogs that had been kept in the premises before August 2003 subject to the approval of HD. However, there were complaints on the adverse effect of dog keeping on environmental hygiene. Given that the average life span of dogs was between 16 and 18 years, she enquired about the time frame within which TPR dogs could be phased out. Meanwhile, HD should closely monitor the number of surviving TPR dogs through stringent control on dog licence renewal. DDH(EM) said that approval had been granted to some 13 300 dogs since TPR was first introduced in 2003. These included service dogs for the visually impaired tenants, and dogs kept by tenants who had strong special needs for the companionship of their dogs for mental support. The number of TPR dogs had been decreased with time to 7 300 with the aging of these dogs. There

was stringent control on dog licence renewal to ensure that the permitted dog was the same one which was registered under TPR and not any other dog. In addition, a series of enhanced measures had been implemented to tackle unauthorized dog keeping, including intensified patrol and enforcement actions as well as enhanced publicity.

Causing noise nuisance

25. Mr LEUNG Yiu-chung said that it was difficult to substantiate complaints about noise nuisance under the Marking Scheme because different people had different standards for noise nuisance. He enquired if more objective criteria could be adopted in dealing with noise nuisances, similar to those adopted by the Environmental Protection Department. PSTH(H) agreed that there were difficulties in dealing with noise complaints. Besides, there was a difference between noise generated during daytime and night time. Upon receipt of complaints, two management staff would visit the complainants to assess the nature of the problem. DDH(EM) added that whether the noise generated would constitute a nuisance was a subjective matter. Estate staff would try to resolve the noise complaints through mediation. Over the past year, 120 warning notices had been issued where 70 had resulted in the allotment of penalty points under the Marking Scheme.

Drying clothes in public areas

26. Mr IP Kwok-him enquired if suitable location within each estate had been identified for tenants to hang-dry their clothing and quilts during the change of seasons to prevent commitment of the misdeed of drying of clothes in public areas. DDH(EM) said that arrangements had been made twice a year to set aside certain public areas within each estate during the change of seasons for hang-drying of clothes and quilts, the timing of which would be worked out in consultation with the Estate Management Advisory Committee.

VI. Any other business

27. There being no other business, the meeting ended at 4:30 pm.