

Legislative Council
Subcommittee to Follow Up Issues
Related to Inadequate Housing and Relevant Housing Policies

Supplementary Information

The Legislative Council Subcommittee to Follow Up Issues Related to Inadequate Housing and Relevant Housing Policies (the Subcommittee) conducted a meeting on 19 March 2019. At the meeting, Members requested the Government to provide examples on modifications/ exemptions under the Building Ordinance (BO) for transitional housing projects and passed a motion. The Government's response is set out below.

Increase the Supply of Transitional Housing

2. The Task Force on Transitional Housing (the Task Force) has, over the past two months, assisted a number of transitional housing projects initiated by the community, including a project proposed by Lok Sin Tong to convert Lok Sin Tong Primary School for the provision of 45 to 55 social housing units, and a Pilot Scheme on Yan Chai Hospital Social Housing proposed by Yan Chai Hospital which will provide about 110 to 130 units. The Task Force will continue to examine the feasibility of various proposals of which the details will be announced by the project proponents at appropriate times.

3. In addition, the Government announced on 18 April 2019 that the Chief Executive in Council had approved the exemption of waiver fee, rent and associated costs for land applications related to the provision of transitional housing, with a view to facilitating more community-initiated transitional housing projects, so as to alleviate the hardship faced by families awaiting public rental housing or living in inadequate housing.

4. According to the prevailing policy, if non-profit-making organisations or social enterprises (collectively referred as NGOs) plan to utilise private non-residential sites or premises for provision of transitional housing, the owners should submit waiver applications to the Lands Department and pay the waiver fees and associated costs for a temporary permit to use the sites or premises for residential purposes if residential use is not permitted in the leases. Additionally, if the NGOs plan to use temporary vacant government sites or premises for provision of transitional housing, they also need to apply to the Lands Department for Short Term Tenancy and pay the rents and associated costs. The above facilitation measures would lessen the financial burden of NGOs and facilitate more transitional housing projects.

5. As regards the suggestion of incorporating transitional housing in the

Long Term Housing Strategy (LTHS), as set out in the document submitted by the Government to the Subcommittee in March 2019¹, given the short term nature of transitional housing, the timing and amount of its supply is unstable and subject to change in a short period of time. Hence, it is not suitable to include these housing in the ten-year housing supply target under the LTHS.

Potential Sites

6. As for potential sites, the Task Force and the Lands Department has been co-ordinating and studying with relevant departments the preliminary sites suitable for developing transitional housing, including the service period and basic restrictions of these sites. As regards the suggestion in the motion that those temporary land allocation sites used for construction works or temporary works areas under the Hong Kong Section of Guangzhou-Shenzhen-Hong Kong Express Rail Link project and the Shatin to Central Link project, which are to be returned by the Highways Department and the Mass Transit Railway Corporation Limited, should be reviewed for the provision of transitional housing, based on preliminary information, some of these sites are currently occupied by permanent facilities (such as railway associated facilities, roads, re-provisioned facilities, etc.), or may have been reserved for other long-term uses, or are relatively small in size. The Task Force and the relevant departments/ organisations are reviewing the latest situation of these sites to consider whether they are suitable for transitional housing.

Modifications/ Exemptions under the Building Ordinance

7. Taking into consideration the planning and design limitations of the old-style domestic buildings, the Buildings Department (BD) may grant some "modifications" or "exemptions" concerning the provision of transitional housing units inside old-style domestic buildings. The provision of compensatory measures will be required at the same time to ensure the "modifications" or "exemptions" granted will not affect the safety and hygiene standards stipulated in the BO, including the natural lighting and ventilation requirements for the habitable areas. The required compensatory measures are set out in the Circular Letter to the industry issued by BD on 25 October 2018.

8. BD has granted some "modifications" or "exemptions" under the BO for two transitional housing projects in October and November of 2018.

9. Taking one of the transitional housing projects as an example, alteration was proposed to facilitate the accommodation of two families in a unit. The communal living area of the unit was not in full compliance with the

¹ LegCo Paper No. CB(1)719/18-19(02)

Building (Planning) Regulations with respect to natural lighting and ventilation requirements after alteration. In this connection, the proponent of the transitional housing project applied for "modifications" to BD. Having considered that there were actual planning and design limitations of the above-mentioned unit, BD with the agreement and support from the Transport and Housing Bureau, granted the relevant "modifications" according to the Circular Letter and imposed conditions requiring the proponents to provide compensatory measures, including –

- (i) provision of artificial lighting and mechanical ventilation at a rate not less than 5 air changes per hour in the communal living area (details of the communal living area are at **Annex I** for reference); and
- (ii) authorised person is required to conduct annual inspection and submit annual inspection report to ascertain that the relevant compensatory measures and the conditions imposed in the "modifications" permit have been complied with.

10. Where it is proposed to carry out wholesale conversion of an industrial building for transitional housing of the same purpose, BD will adopt a similar pragmatic approach. As of 30 April 2019, BD has not granted any "modifications" and "exemptions" for wholesale conversion of an industrial building for transitional housing.

Transport and Housing Bureau
May 2019

Modification Granted on Natural Lighting and Ventilation Requirements for Communal Living Area in Transitional Housing Project

