

立法會
Legislative Council

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Panel on Development and Panel on Home Affairs

**Joint Subcommittee to Follow Up Issues Relating to the Redevelopment,
Maintenance and Management of Aged Buildings**

**Minutes of the fifth meeting
held on Monday, 20 January 2020, at 4:30 pm
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon LAU Kwok-fan, MH (Chairman)
Hon KWOK Wai-keung, JP (Deputy Chairman)
Hon CHAN Han-pan, BBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Dr Hon Junius HO Kwan-yiu, JP
Hon LAM Cheuk-ting
Hon Wilson OR Chong-shing, MH
Hon Jeremy TAM Man-ho
Hon Vincent CHENG Wing-shun, MH, JP

Members absent : Hon Abraham SHEK Lai-him, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon CHEUNG Kwok-kwan, JP

Public officers attending : Item I
Mr Joseph WONG Kam-man
Chief Executive and Secretary to the Board
Urban Renewal Fund

Item II

Mr Maurice LOO Kam-wah, JP
Deputy Secretary (Planning and Lands)2
Development Bureau

Ms Jenny CHOI Mui-fun
Principal Assistant Secretary (Planning and Lands)4
Development Bureau

Mr WONG Chung-wai
Assistant Secretary (Urban Renewal)1
Development Bureau

Item III

Mr Gilford LAW Sun-on
Principal Assistant Secretary (Food)2
Food and Health Bureau

Ms Jasmine CHOI Suet-yung
Principal Assistant Secretary (Planning and Lands)3
Development Bureau

Miss Diane WONG Shuk-han
Deputy Director (Environmental Hygiene)
Food and Environmental Hygiene Department

Mr TSANG Wing-lok
Assistant Director (Operations)1
Food and Environmental Hygiene Department

Mrs HUI Ming-fong
Deputy Director
Buildings Department

Mr HO Chun-hung
Assistant Director/Existing Buildings 2
Buildings Department

Mr CHAN Chung-kun
Assistant Director/New Territories
Water Supplies Department

Mr CHEUNG Yip-kui
Chief Engineer/Technical Support
Water Supplies Department

Clerk in attendance : Ms Wendy JAN
Chief Council Secretary (2) 4

Staff in attendance : Mr Roger CHUNG
Council Secretary (2) 4

Miss Alison HUI
Legislative Assistant (2) 4

Action

I. Urban Renewal Fund
(LC Paper Nos. CB(2)517/19-20(01) to (02) and CB(2)553/19-20(01))

The Joint Subcommittee deliberated (index of proceedings attached at **Annex**).

II. Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545)
(LC Paper Nos. CB(2)517/19-20(03) to (04))

2. The Joint Subcommittee deliberated (index of proceedings attached at **Annex**).

III. Briefing on the work of the Joint-Office for Investigation of Water Seepage Complaints
(LC Paper Nos. CB(2)517/19-20(05) to (06) and CB(2)553/19-20(02))

3. The Joint Subcommittee deliberated (index of proceedings attached at **Annex**).

4. Regarding the extension of new testing technologies to five districts, namely Sham Shui Po, Kwai Tsing, Tuen Mun, Tai Po and the North District, to investigate water seepage cases since September 2019, the Joint Subcommittee requested the Administration to provide the number of water seepage cases investigated by the Joint-Office for Investigation of Water Seepage Complaints in each of these districts, with a breakdown of the figures by the testing methods

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used to identify the source of seepage (i.e. new testing technologies and conventional methods).

IV. Any other business

Way forward of the Joint Subcommittee

5. The Chairman advised that the 12-month period of work of the Joint Subcommittee would expire on 21 March 2020. Members agreed that this was the last meeting of the Joint Subcommittee, and the Joint Subcommittee should conclude its work and prepare a report on its deliberations. Members noted that the draft report, once ready, would be circulated to members for consideration.

6. There being no other business, the meeting ended at 6:22 pm.

Council Business Division 2
Legislative Council Secretariat
4 March 2020

**Proceedings of the fifth meeting of the
Joint Subcommittee to Follow Up Issues Relating to the
Redevelopment, Maintenance and Management of Aged Buildings
on Monday, 20 January 2020, at 4:30 pm
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action required
<i>Agenda item I – Urban Renewal Fund</i>			
000726-001305	Chairman Urban Renewal Fund ("URF")	Briefing and powerpoint presentation by URF on its work (LC Paper Nos. CB(2)517/19-20(01) and CB(2)553/19-20(01)).	
001306-001619	Chairman	Suspension of meeting to facilitate members' voting at the meeting of the Panel on Administration of Justice and Legal Services.	
001620-002020	Chairman URF	Continuation of the briefing and powerpoint presentation by URF.	
002021-002828	Chairman Mr Wilson OR URF	<p>Mr Wilson OR's enquiries regarding:</p> <p>(a) how URF monitored the performance of social service teams ("SSTs") in the provision of assistance to residents affected by redevelopment projects implemented by the Urban Renewal Authority ("URA");</p> <p>(b) whether SSTs, in their provision of assistance to residents, had collaborated with District Councils ("DCs") and local stakeholders;</p> <p>(c) how URF promoted the Urban Renewal Heritage Preservation and District Revitalisation Funding Scheme ("the Funding Scheme"); and</p> <p>(d) whether the District Urban Renewal Forum ("DURF") had consulted the District Advisory Committees of URA and local stakeholders before providing advice on district-based urban renewal initiatives.</p> <p>URF's advice that:</p> <p>(a) URF assessed SSTs' performance in accordance with the objectives and scope of services specified in the tender documents, and SSTs had to submit reports to URF on a quarterly and annual basis regarding the service they had delivered. In addition, URF, URA and SSTs had meetings on a quarterly basis to enhance communication among themselves;</p>	

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		<p>(b) in the course of their service provision, SSTs would collaborate with local stakeholders and brief DCs as appropriate;</p> <p>(c) URF had promoted the Funding Scheme through its website, emails and newspapers. Briefing sessions were also organized for interested organizations; and</p> <p>(d) the Administration had set up the Kowloon City DURF to strengthen urban renewal planning at the district level. In this connection, URF had provided funding to support planning studies and other related activities proposed by the Kowloon City DURF.</p>	
002829-003554	Chairman Mr Andrew WAN URF	<p>Mr Andrew WAN's concern that residents in Kowloon City would get confused given that there were three different non-governmental organizations ("NGOs") operating SSTs in the area. His enquiries regarding:</p> <p>(a) whether URF would consider engaging only one NGO to operate SSTs in a designated area in the future; and</p> <p>(b) whether URF would consider extending the duration of SSTs' service contracts upon expiry of the four-year contract term.</p> <p>URF's advice that:</p> <p>(a) 24 hours before the announcement of URA's redevelopment projects, URF would be informed of the district involved but not the exact location of such redevelopment projects due to confidentiality considerations, and URF had to engage NGOs to operate SSTs before the announcement of such projects;</p> <p>(b) in 2016, URA was implementing three redevelopment projects involving six SSTs in Kowloon City. In view of the substantial number of social workers required, URF had engaged three NGOs to operate these SSTs in Kowloon City;</p> <p>(c) when URA implemented another redevelopment project in Kowloon City after 2016, URF, without information that the new project was located next to the existing projects in the area, had engaged another NGO to operate a new SST; and</p> <p>(d) URF would take into consideration the operation, manpower and resources of NGOs when engaging them to operate SSTs for URA's redevelopment projects in various districts.</p>	

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003555-004238	Chairman Mr Vincent CHENG URF	<p>Mr Vincent CHENG's declaration that he was a non-executive director of URA. His enquiries regarding:</p> <p>(a) whether DURF would be set up in Yau Ma Tei and Mong Kok districts;</p> <p>(b) how URF would monitor the activities of the approved projects under the Funding Scheme to ensure that such activities were free from political influence; and</p> <p>(c) the relationship between the approved projects under the Funding Scheme and URF upon expiry of the funding period.</p> <p>URF's advice that:</p> <p>(a) if the Administration set up a new DURF in the light of the District Study for Yau Ma Tei and Mong Kok, URF would provide funding support for the activities proposed by DURF as necessary;</p> <p>(b) URF encouraged community groups to put forward heritage preservation and district revitalization projects for consideration under the Funding Scheme. Recently, there was an approved project under the Funding Scheme to preserve small shop culture in Yau Tsim Mong District;</p> <p>(c) under the Funding Scheme, the organizations concerned should ensure that the activities of the approved projects should be free from political influence; and</p> <p>(d) upon the expiry of the funding period, the contractual relationship between the organizations and URF would cease, but the organizations concerned were encouraged to continue running the projects on a self-financing basis or with alternative sources of funding.</p> <p>The suggestion of the Chairman and Mr CHENG that URF should make clear to the applicant organizations prior to the approval of the projects under the Funding Scheme that the activities of the approved projects should be free from political influence, and the information, in particular personal data, collected under the projects during the funding period should not be used in any political activity during and after the expiry of the funding period.</p>	
004239-004300	Chairman Mr Andrew WAN	Mr Andrew WAN's remark that he might request URF to provide supplementary information after the meeting.	
<i>Agenda item II – Land (Compulsory Sale for Redevelopment) Ordinance (Cap. 545)</i>			
004301-004825	Chairman Administration	Briefing by the Administration on the implementation of the Land (Compulsory Sale for Redevelopment) Ordinance (Cap.	

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		545) ("the Ordinance") and the support rendered to minority owners through the Outreach Support Service for Minority Owners (LC Paper No. CB(2)517/19-20(03)).	
004826-005609	Chairman Mr Vincent CHENG Administration	<p>Mr Vincent CHENG's enquiries regarding:</p> <ul style="list-style-type: none"> (a) whether the measure of lowering the compulsory sale application threshold to 80% in respect of specified classes of lot had achieved the anticipated result; (b) whether all the lots subject to compulsory sale orders under the Ordinance had been successfully sold by public auction; (c) the number of compulsory sale applications withdrawn/adjourned since the lowering of the compulsory sale application threshold to 80% in respect of specified classes of lot; (d) the compulsory sale applications which were dismissed/struck out by the Lands Tribunal; and (e) whether any of the compulsory sale applications were related to the redevelopment projects implemented by URA. <p>The Administration's advice that:</p> <ul style="list-style-type: none"> (a) since the Ordinance came into operation in 1999 and up till 31 October 2019, the Lands Tribunal had received 344 compulsory sale applications, of which 279 applications were received since the lowering of the compulsory sale application threshold to 80% in respect of specified classes of lot in April 2010. Out of the 279 applications, 192 applications were filed under the 80% threshold; (b) the increase in number of compulsory sale applications in recent years might reflect an increase in the number of ageing and dilapidated buildings and a better understanding of the operation of the Ordinance; (c) of the 114 cases in which compulsory sales orders were granted by the Lands Tribunal, the lots in 107 cases were sold by auctions whereas the remaining cases were either in progress or the applicants had subsequently reached agreement with the minority owners for acquiring their properties such that auction was not proceeded with; (d) if the Lands Tribunal decided to grant a compulsory sale order after hearing the case, it would approve a reserve price, which had taken into account the redevelopment potential of the lot, for auction. This arrangement would 	

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		<p>enable the minority owners to receive a reasonable share in the potential redevelopment value of their properties. Available records showed that the proceeds apportioned to minority owners after public auction were on average about two times the then market value of their respective units, which indicated that the mechanism under the Ordinance had rendered certain protection to the interests of minority owners;</p> <p>(e) the Lands Tribunal had dismissed/struck out two compulsory sale applications at the early stage of implementation of the Ordinance;</p> <p>(f) the compulsory sale applications were not related to redevelopment projects implemented by URA. URA might apply for resumption of land for redevelopment under the Urban Renewal Authority Ordinance (Cap. 563); and</p> <p>(g) URA had implemented the Facilitating Services Scheme to help interested property owners in assembling titles for joint sale of their property interests in the market.</p>	
005610-005811	Chairman Administration	<p>The Chairman's concern about the possible abuse of the mechanism under the Ordinance for exerting pressure on the minority owners to sell their properties. His enquiry about whether the Administration had studied the reasons behind the large number of discontinued/withdrawn/adjourned compulsory sale applications.</p> <p>The Administration's advice that compulsory sale applications were considered by the Lands Tribunal, which was independent from the executive authorities. Based on publicly available information, the Administration noted that most of the withdrawn or discontinued compulsory sale applications were due to the majority owners' successful negotiation with the minority owners for acquiring their property interests after the applications for order for sale.</p>	
<i>Agenda item III – Briefing on the work of the Joint-Office for Investigation of Water Seepage Complaints</i>			
005812-011943	Chairman Administration	Briefing and powerpoint presentation by the Administration on the work progress of the Joint-office for Investigation of Water Seepage Complaints ("JO") set up with staff of the Food and Environmental Hygiene Department ("FEHD") and the Buildings Department ("BD") in handling water seepage reports (LC Paper Nos. CB(2)517/19-20(05) and CB(2)553/19-20(02)).	
011944-014257	Chairman Mr Vincent CHENG Administration	<p>Mr Vincent CHENG's concern that water seepage problems had caused nuisance to residents. His enquiries regarding:</p> <p>(a) the setting up of four regional joint offices ("RJOs");</p>	

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		<p>(b) the turnover rates of the staff of JO;</p> <p>(c) whether the use of the new testing technologies (i.e. infrared thermography and microwave tomography) would speed up the identification of water seepage sources and be extended to all districts of the territory;</p> <p>(d) the reasons behind the small number of prosecutions (i.e. 95 prosecutions) instituted among the 29 786 water seepage cases as at 31 October 2019;</p> <p>(e) the number of water seepage cases involving sub-divided units in 2019;</p> <p>(f) whether the Administration would introduce specific measures to deal with water seepage cases involving sub-divided units; and</p> <p>(g) whether the Administration would provide financial support to facilitate building owners to carry out repair works to resolve water seepage problems.</p> <p>The Administration's advice that:</p> <p>(a) JO planned to set up four RJOs with a view to strengthening communication between JO staff of FEHD and BD and enhancing work efficiency. In addition, the Administration would strengthen the manpower of RJOs and create more senior posts in RJOs;</p> <p>(b) since the Environmental Nuisance Investigators of JO were contract staff, their turnover rate was high. To maintain the smooth operation of JO and enhance the efficiency of JO in handling water seepage complaints, FEHD had been trying to create more permanent civil service posts of Health Inspector in the past few years to replace the posts of Environmental Nuisance Investigator;</p> <p>(c) the success rate in identifying water seepage sources was higher in cases using the new testing technologies than in those using conventional methods. JO would make full use of new testing technologies in pilot districts to accumulate experience for gradual extension of their application to all districts in the territory. JO had to identify service providers of such new technologies in the market before extending their application to other districts;</p> <p>(d) if the source of seepage causing health nuisance could be identified during investigation, JO would issue a nuisance notice in accordance with the Public Health and Municipal Services Ordinance (Cap. 132) to the person concerned requiring repair works to be carried out within a specified period, failing which the person would be subject to</p>	

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		<p>prosecution. In general, building owners might resolve water seepage disputes through civil proceedings, or through mutual agreements on necessary repair works to be done;</p> <p>(e) the Administration might explore the possibility of collecting information on water seepage cases involving sub-divided units in the future. The Administration would also enhance the efficiency of conventional testing methods in identifying the sources of water seepage problems in sub-divided units, e.g. using various colour dyes for identification of different testing locations;</p> <p>(f) BD would take follow-up actions against illegal sub-divided units in accordance with the prevailing enforcement policy, including issuance of removal orders;</p> <p>(g) URA had consolidated the various building assistance and subsidy schemes into an Integrated Building Rehabilitation Assistance Scheme such that owners could make one-stop application if necessary, with a view to encouraging owners to carry out repair and maintenance works, which included works to alleviate water seepage problem. For example, under the Building Maintenance Grant Scheme for Elderly Owners, eligible owner-occupiers might apply for a grant for undertaking repair and maintenance works, including repair of water-proofing membranes, within their premises. Moreover, under the Operation Building Bright 2.0, eligible owner-occupiers were provided with substantial financial and technical assistance for carrying out the requisite inspection and repair works under the Mandatory Building Inspection Scheme for the common parts of their buildings, including replacement of defective fresh water pipes;</p> <p>(h) the Administration would launch the Water Safety Plan Subsidy Scheme to provide financial assistance to property owners to initiate implementation of Water Safety Plan for Buildings at their premises, including water safety risk assessment on the internal plumbing system of the building and relevant rectification works; and</p> <p>(i) in the course of handling water seepage cases, the Administration would distribute publicity pamphlets to encourage the occupiers and owners concerned to apply for relevant financial assistance schemes.</p> <p>Mr CHENG's suggestion that the Administration should collect information on the number of persons who had been reported to JO for water seepage problems and subsequently received financial assistance from the Administration to carry out repair works to alleviate the water seepage problems.</p>	

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014258-015437	Chairman Administration	<p>The Chairman's concern that JO had successfully identified the source of water seepage in only a small number of cases and, as a result, there were a large number of outstanding water seepage cases.</p> <p>The Chairman's enquiries and the Administration's response regarding the extension of new testing technologies to five districts, namely Sham Shui Po, Kwai Tsing, Tuen Mun, Tai Po and the North District, to investigate water seepage cases since September 2019. The Administration undertook to provide the number of water seepage cases investigated by JO in each of the above districts, with a breakdown of the figures by the testing methods used to identify the source of seepage (i.e. new testing technologies and conventional methods).</p> <p>The Chairman's enquiries regarding:</p> <ul style="list-style-type: none"> (a) the up-to-date number of outstanding water seepage cases and why they were outstanding; (b) whether the Administration would allocate additional resources to JO to handle water seepage cases; (c) whether the Administration would use new testing technologies in the investigation of recurring water seepage cases; and (d) the need to screen out water seepage cases. <p>The Administration's advice that:</p> <ul style="list-style-type: none"> (a) regarding the statistics on water seepage cases handled by JO as set out in the Administration's paper (LC Paper No. CB(2)517/19-20(05)), the number of cases handled did not necessarily correspond to the cases received in the same year since some cases required longer processing time. Given the complexity of some water seepage cases, there were currently around 7 000 outstanding cases; (b) JO was now enhancing the Water Seepage Complaint Management System and would periodically generate management returns to facilitate more effective monitoring of follow-up actions of complicated water seepage cases. In addition, the Administration was currently reviewing the procedures of JO at all stages of investigation in a comprehensive manner with a view to streamlining and simplifying the procedures; (c) JO had used new testing technologies in identifying source of water seepage in suitable cases in pilot districts. For complicated cases in other districts which involved recurring water seepage, JO would consider using the new testing technologies in identifying source of water seepage depending on the circumstances of each case; and 	Admin (paragraph 4 of the minutes)

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		(d) JO would screen out and decide not to follow up on some water seepage cases. An example was where the moisture content of water seepage was less than 35%, rendering the chance of detecting its source very slim.	
<i>Agenda item IV - Any other business</i>			
015438- 015540	Chairman	Conclusion of the work of the Joint Subcommittee.	

Council Business Division 2
Legislative Council Secretariat
4 March 2020