

LCQ5: Building maintenance of TPS estates

Following is a question by the Hon Wilson Or and a reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (June 6):

Question:

Chuk Yuen North Estate is one of the housing estates under the Tenants Purchase Scheme (TPS). Some owners of the estate have relayed to me that earlier on, many cracks appeared on the external walls of the buildings in the estate. A structural engineer found after inspection that the design of eight buildings in terms of the thickness of the concrete slabs of canopies, the number and spacing of steel bars, etc. were different from the working drawings for construction approved by the Housing Department (HD), and there were extensive spalling of mosaic tiles from the external walls of the buildings due to the use of improper materials. The Owners' Corporation of the estate wrote repeatedly to HD, requesting it to take follow-up actions on the problem, but was refused. Regarding the building maintenance of TPS estates, will the Government inform this Council:

(1) of the number and contents of complaints and requests for assistance received by the authorities in the past five years concerning the structural safety of the buildings in TPS estates, with a breakdown by name of estate;

(2) whether the Hong Kong Housing Authority (HA) carried out major or estate-wide maintenance works for TPS estates in the past five years; if so, of the items of the works carried out, the number of households benefited and the criteria based on which HA decided to carry out such works; and

(3) of the current percentage of HA's ownership shares in the aggregate ownership shares of each TPS estate; the role currently played by HA, being one of the owners of TPS estates, in the maintenance of those estates; whether HA will take on more responsibility for maintenance and step up its monitoring on the structural safety of the buildings in those estates; if so, of the details; if not, the reasons for that?

Reply:

President,

My consolidated reply to the various parts of Hon Wilson Or's question is as follows.

The Hong Kong Housing Authority (HA) launched the Tenants Purchase Scheme (TPS) in 1998 to enable public rental housing (PRH) tenants to buy the flats they lived in at a discounted price, thereby helping to achieve the

then policy objective of attaining a home ownership rate of 70 per cent in Hong Kong in ten years' time. The Government subsequently re-positioned the housing policies in 2002. In keeping with the overall strategy of withdrawing from direct provision of subsidised sale flats, HA decided to cease the scheme after launching Phase 6B of TPS in August 2005. However, sitting tenants of the 39 TPS estates can opt to buy the flats they are living in.

HA has carried out comprehensive investigation and completed all necessary maintenance and repair works prior to the sale of individual TPS estates. HA also provides a seven-year Structural Safety Guarantee for TPS estates. During the guarantee period, HA is responsible for all structural repair and maintenance works relating to structural components such as columns, beams, walls and floor slabs, including repair works for spalling and cracking, in order to ensure the overall structural safety of the buildings. Besides, HA has also made a one-off injection equivalent to \$14,000 per residential unit to the Maintenance Fund for each TPS estate to meet the expenses of post-sale repairment works. Also, if a tenant reports that any installation in his/her flat is defective before purchasing the flat, HA will carry out the final one-off repair for that flat so that flats in TPS estates are sold in good condition.

As at May 1, 2018, the percentage of ownership shares of TPS estates held by HA against the total amount of ownership shares was about 26 per cent (see Annex I for details of individual estates). Regardless of the percentage of ownership shares held by HA, there is no difference between TPS estates and other private properties in terms of property management. As with private housing estates, TPS estates are subject to regulation under the Building Management Ordinance (BMO), relevant land leases and Deeds of Mutual Covenant (DMCs). Day-to-day estate management matters are discussed and resolved at meetings of management committees or general meetings convened by Owners' Corporations (OCs) pursuant to the provisions of BMO and DMCs. At present, all TPS estates have already formed their OCs, which have appointed property management companies to undertake the management and maintenance work of the common areas and facilities in the estates.

As one of the owners, apart from paying the management fee according to its ownership shares, HA also appoints representatives to take part in OC's work and liaises with other government departments in order to provide assistance when necessary. HA also gives advice to OCs on matters including the day-to-day management of the estates and requirements of DMCs and relevant legislation, etc. from time to time, as well as encourages other owners to put emphasis on the overall interests of the estates so as to safeguard the interests of all owners (including HA) and to ensure the quality and the effectiveness of estate management work. Moreover, HA will also convey the views of its tenants to OCs and encourage OCs and the property management companies to maintain communication with the tenants.

As mentioned above, TPS estates are no different from private properties. The day-to-day management and maintenance of common areas and facilities are undertaken by OCs. As one of the owners of TPS estates, HA has not, on its own, carried out any major or estate-wide maintenance works for

TPS estates in the past five years.

Currently, the Independent Checking Unit (ICU) under the Permanent Secretary for Transport and Housing (Housing) has been carrying out building control pursuant to the Buildings Ordinance over properties developed and sold by HA, including TPS buildings, in accordance with the delegated authority from the Director of Buildings and the prevailing policies and guidelines of the Buildings Department. In the past five years, ICU received about 5.5 cases of complaints and requests for assistance concerning the structural safety of the buildings in each TPS estate per year on average (see Annex II for details). ICU does not maintain any statistics on the breakdown of these cases by category.

Regarding Chuk Yuen North Estate as mentioned in the Member's question, its then construction works were undertaken by the works contractor according to the working drawings endorsed by HA, and the construction process and engineering quality control were under the direct supervision of a professional project team. HA has in place stringent regulatory procedures on the construction of reinforced concrete. Only steel reinforcing bars that have passed the relevant tests are permitted for use. In case any irregularity is identified during HA's inspection of formworks and steel fixing, the contractor will be immediately notified for rectification. HA will also conduct inspections and acceptance tests upon completion of steel fixing at the appropriate locations by the contractor. If any steel reinforcing bars are found to be non-compliant with the requirements in the working drawings, the contractor will be instructed to conduct modification works immediately. At the same time, in the course of the construction period, the contractor may occasionally put forward requests for alteration of steel reinforcing bar arrangements in the light of the actual circumstances on site, such as for addressing the position and spacing problems that may arise from pipe installation. HA would consider accepting the alteration proposals if the measures involved would not compromise structural safety. The contractor will not be permitted to commence concrete pour works until HA is satisfied with the re-examination results.

As regards the safety of the canopies at Chuk Yuen North Estate, representatives of the ICU have conducted site inspections on April 9 and April 30, 2018. Only some minor cracks and concrete spalling were observed on the top and at the bottom of the slabs of the canopies, which may probably be due to ageing of the buildings and issues relating to repair and maintenance. In respect of the opening at the canopy at Mui Yuen House, it was observed on site that the concrete was in sound condition and without signs of segregation. The steel bars were at a healthy condition, except some minor rusting. In any case, just like what I have just said, the HA has appointed representatives from the Housing Department at all TPS estates. We will offer assistance to the OC of Chuk Yuen North Estate with a view to easing the concern of the public by clarifying the facts.

Thank you, President.

Operator and managers of unlicensed guesthouses fined

Three women were fined \$7,000 to \$10,000 at Kowloon City Magistrates' Courts today (June 6) for contravening the Hotel and Guesthouse Accommodation Ordinance.

The courts heard that in November last year, officers of the Office of the Licensing Authority (OLA), the Home Affairs Department, inspected three suspected unlicensed guesthouses on Nathan Road and Reclamation Street in Kowloon. During the inspections, the OLA officers posed as lodgers and successfully rented rooms in these guesthouses on a daily basis.

According to the OLA's records, these guesthouses did not possess licences under the Ordinance on the days of inspection. The women responsible for operating and managing the premises were charged with contravening section 5(1) of the Ordinance.

A department spokesman stressed that operating or managing an unlicensed guesthouse is a criminal offence and will lead to a criminal record. Upon conviction, the offender is liable to a maximum fine of \$200,000 and two years' imprisonment.

The spokesman appealed to anyone with information about suspected unlicensed guesthouses to report it to the OLA through the hotline (Tel: 2881 7498), by email (hadlaeng@had.gov.hk), by fax (2504 5805) using the report form downloaded from the OLA website (www.hadla.gov.hk), or through the mobile application "Hong Kong Licensed Hotels and Guesthouses".

EMSD requests MTRCL to investigate staff assessment mechanism

The Electrical and Mechanical Services Department (EMSD) has grave concern about the media report of cheating by staff of the MTR Corporation Limited (MTRCL) during qualification assessments. The EMSD today (June 6) demanded that the MTRCL carry out investigation and submit detailed information to ensure that the entire process of staff assessment is conducted in strict accordance with the requirements and guidelines of the MTRCL.

The EMSD emphasised that the safety and reliability of the railway system, with a daily patronage of over 5 million, is of utmost importance. Apart from investigating the cause in the event of a railway incident and ensuring the MTRCL's full and effective implementation of all identified improvement measures, the EMSD will also conduct regular inspections and monitor the MTRCL's strict compliance with its safety management system, including staff training and competence management, so as to ensure railway safety.

CFS finds excessive coagulase-positive staphylococci organisms in fried pad thai noodle sample

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department today (June 6) announced that a sample of Thai-style fried pad thai noodles with shrimps was found to contain an excessive amount of coagulase-positive staphylococci. The CFS is following up on the case.

A CFS spokesman said, "Following up on a food complaint, the CFS took the above-mentioned sample from a restaurant in Tsim Sha Tsui for testing. The result showed that the food sample contained coagulase-positive staphylococci at a level of 5 million organisms per gram. Under the Microbiological Guidelines for Food, if ready-to-eat food contains coagulase-positive staphylococci at a level of more than 10 000 organisms per gram, it is considered unsatisfactory, i.e. potentially injurious to health and/or unfit for human consumption."

The CFS has informed the restaurant concerned of the irregularity and instructed it to suspend the sale of the food concerned. The CFS has also provided health education on food safety and hygiene to the person-in-charge and staff of the restaurant, and requested it to review and improve the food production process and carry out thorough cleaning and disinfection.

According to Section 54 of the Public Health and Municipal Services Ordinance (Cap 132), all food for sale in Hong Kong, locally produced or imported, should be fit for human consumption. An offender is subject to a maximum fine of \$50,000 and imprisonment for six months upon conviction.

"Coagulase-positive staphylococci can produce enterotoxins that cause food poisoning. Common symptoms include nausea, vomiting and abdominal pain, often accompanied by diarrhoea," he added.

The CFS will continue to follow up on the case and take appropriate action to safeguard food safety and public health.

LCQ18: Government's emergency response and preparedness for typhoons and natural disasters

Following is a question by the Hon James To and a written reply by the Secretary for Security, Mr John Lee, in the Legislative Council today (June 6):

Question:

Last year, five typhoons of tropical cyclone warning signal No. 8 or above struck Hong Kong and, among them, two typhoons respectively called Hato and Pakhar inflicted particularly serious damages. Some scientists have pointed out that global climate change will lead to increasingly frequent occurrence of extreme weather conditions (including typhoons). In this connection, will the Government inform this Council:

(1) given that during the passage of Hato through Hong Kong, seawater surged into coastal areas such as Heng Fa Chuen, Siu Sai Wan and Cheung Chau, causing flooding and serious damages, whether the Government will install more facilities for preventing flooding caused by storm surge at those coastal areas that are vulnerable to storm surge; if so, of the details; if not, the reasons for that;

(2) of the areas where the stormwater collection systems currently have inadequate drainage capacity (set out by District Council district), and whether the Government has plans to carry out improvement works to the stormwater collection systems in those areas;

(3) given that after the onslaught of Hato and Pakhar, large quantities of rubbish and other objects were found adrift in inshore waters at a number of locations across the territory and affected environmental hygiene, whether the Government will consider making it a standing arrangement to deploy workers to clean up the inshore waters and carry out disinfection after the onslaught of a typhoon; if so, of the details; if not, the reasons for that;

(4) whether the Government currently stockpiles supplies and food in preparation for the needs during a natural disaster; if so, of the types of such stockpiled items and food, and for how many days the stockpiled quantities can meet the needs of Hong Kong residents; if not, the reasons for that;

(5) given that the Macao Government held a large-scale drill on typhoon response in April this year, whether the Government currently has any plan to conduct a similar drill; if so, of the details; if not, whether the

Government will consider conducting a similar drill in view of the possibility of increasingly frequent occurrence of extreme weather conditions; and

(6) under what circumstances the Government will request the Central Government to direct the People's Liberation Army Hong Kong Garrison to assist in disaster relief and recovery efforts?

Reply:

President,

Hong Kong's geographical position makes it susceptible to weather-related threats such as tropical cyclone (TC), rainstorm and storm surge. Such threats are expected to increase in frequency and severity as extreme weather becomes more likely while climate change goes drastic. The Government maintains a Contingency Plan for Natural Disasters (CPND), which sets out the Government's alert system and organisational framework for responding to natural disasters including TCs, as well as the functions and responsibilities of Government departments and other organisations. The weather warning system, emergency response and delineation of responsibilities as laid out in the CPND are generally effective. The response procedures are well defined, ensuring prompt activation of departmental actions. The weather forecast and warning systems are based on a scientific foundation and properly administered. Departments and auxiliary services responsible for emergency rescue and relief have been professional and effective in discharging their duties. In consultation with the relevant departments, I reply to the various parts of the question as follows:

(1) As regards sea flooding in the coastal areas during TCs, various departments have measures in place. After the Severe Typhoon Hagupit in 2008, the Government has identified several locations vulnerable to sea flooding and established an early alert system with a view to alleviating the impact of sea flooding on the local residents. The Drainage Services Department (DSD) has formulated action plans for these locations and carried out relevant works. The action plans mainly involve deployment of teams to handle flooding, provision of temporary pumping facilities and carrying out temporary flood-proofing measures. Meanwhile, the Government has carried out works of rock-armoured bund, concrete walls, gabion walls and water-stop boards in several locations to alleviate the impact of the land being directly inundated by sea water and enhance the protection to the public.

(2) The public stormwater drainage systems in Hong Kong are planned and designed in accordance with flood protection standards. DSD has completed a number of flood prevention projects in various areas over the territory in the past. With the commissioning of these drainage trunk systems, flooding situations in urban areas, New Territories North and Northwest, etc. have been significantly improved. To cope with the needs of future development in various districts and having regard to the impact of climate change, since 2008, DSD has initiated reviews of the efficacy of stormwater drainage systems in all districts, and planned and carried out relevant works as required. All these works have been planned, designed and constructed

according to the said flood protection standards and taking into account the impact of climate change.

(3) Regarding the clearance of marine refuse, the Marine Department will mobilise its staff to strengthen patrols in regions likely to be affected as soon as possible once being notified under the notification and alert mechanism on marine refuse developed by the Environmental Protection Department, and deploy resources to clean up marine refuse where necessary.

(4) As for relief related to natural disasters, the Government has put in place the CPND which sets out that in case of major natural disasters or such disasters are assessed to be probable, where widespread damages will be done to Hong Kong, the Security Bureau (SB) will activate the Emergency Response System and the said CPND. The Social Welfare Department (SWD) will provide food or cash and other relief items to victims in need at the disaster scenes or temporary shelters. In emergencies, SWD may also liaise with four hospitals under the Hospital Authority to provide meals to these victims. Besides, as rice is a staple food in Hong Kong, the Government has devised the Rice Control Scheme under the Reserved Commodities Ordinance to ensure a stable supply of rice and to keep a reserve stock sufficient for consumption by the population for a reasonable period of time to cater for emergencies or any short term shortage of supply.

(5) In respect of exercises, in fact, various emergency departments and agencies of Hong Kong will put in place typhoon contingency plans prior to typhoon seasons. They will also conduct response exercises for major incidents or natural disasters in Hong Kong from time to time. In these exercises, weather deterioration and typhoon attacks in Hong Kong will be simulated to test the departments' contingency plans, with a view to strengthening officers' responsiveness and coordination capabilities in response to major disasters for protecting the life and property of the citizens. Moreover, SB convened its annual Inter-departmental Risk Assessment and Preparation Meeting in April this year. At that meeting, relevant departments and agencies reported on their pre-typhoon risk assessment and reduction work as well as their corresponding preparedness programmes, which include in-house drills and staff briefings, departmental contingency plan review, liaison with other departments and precautionary works programme against flooding. In May, SB also held an inter-departmental table-top exercise in which various extreme weather conditions caused by TCs were simulated. The exercise aims to ensure that all the participating departments understand their own and each other's roles and responsibilities in order to enhance their preparedness and the communication and collaboration among them.

(6) Under Article 14 of the Basic Law, the Government of the Hong Kong Special Administrative Region (HKSAR Government) may, when necessary, ask the Central People's Government for assistance from the garrison in the maintenance of public order and in disaster relief. That said, the HKSAR Government is fully confident of its experience, deployment and capability. The Government is capable to effectively perform disaster relief and recovery work. The Government has put in place a CPND which sets out

comprehensive emergency response arrangements in case of natural disasters. In terms of rescue, recovery and restoration of normal operation of society, all government departments and ancillary units have accumulated considerable experience, and as demonstrated in various disastrous incidents, they have the ability to respond to the damages caused by major natural disasters in a professional, timely and effective manner. Looking ahead, all departments will keep enhancing their equipment and training for major natural disasters and from time to time, review their disaster relief strategies and arrangements. The HKSAR Government is confident and capable of performing disaster relief work in the future.