

## Head 82 — BUILDINGS DEPARTMENT

**Controlling officer:** the Director of Buildings will account for expenditure under this Head.

<b>Estimate 2009–10</b> .....	<b>\$890.6m</b>
<b>Establishment ceiling 2009–10</b> (notional annual mid-point salary value) representing an estimated 884 non-directorate posts as at 31 March 2009 rising by 78 posts to 962 posts as at 31 March 2010....	<b>\$403.4m</b>
In addition, there will be an estimated 30 directorate posts as at 31 March 2009 and as at 31 March 2010.	
<b>Commitment balance</b> .....	<b>\$2.3m</b>

### Controlling Officer's Report

#### Programme

##### Buildings and Building Works

This programme contributes to Policy Area 22: Buildings, Lands, Planning and Heritage Conservation (Secretary for Development) and Policy Area 31: Housing (Secretary for Transport and Housing).

#### Detail

	2007–08 (Actual)	2008–09 (Original)	2008–09 (Revised)	<b>2009–10 (Estimate)</b>
Financial provision (\$m)	783.2	825.0	835.8 (+1.3%)	<b>890.6</b> (+6.6%)
				(or +8.0% on 2008–09 Original)

#### Aim

**2** The aim is to promote building safety, set and enforce safety, health and environmental standards for private buildings and improve the quality of building development.

#### Brief Description

**3** With this aim, the Department provides services to owners and occupants in both existing and new private buildings through enforcement of the Buildings Ordinance.

**4** As regards existing buildings, the services provided include reducing dangers and nuisances caused by unauthorised building works and advertisement signboards; promoting proper and timely repairs and maintenance of old buildings, drainage and slopes; considering and approving alteration and addition works; improving fire safety construction measures in buildings and providing advice on the suitability of premises for the issue of licences.

**5** As regards new buildings, the Department scrutinises and approves building plans, carries out audit checks on construction works and site safety and issues occupation permits upon completion of new buildings.

**6** In 2008, the Department continued to take enforcement action against unauthorised building works and to require building owners to carry out necessary repairs to dilapidated buildings. In addition, the Department:

##### *Existing Buildings*

- in collaboration with the licensing authorities, further improved the efficiency, transparency and customer-friendliness of the licensing regime for business premises with measures including streamlining licensing procedures;
- continued the enhanced service of inspecting within 48 hours unauthorised building works under construction upon receipt of complaints;
- instigated 3 091 prosecutions against failure to comply with removal orders on unauthorised building works;
- continued and streamlined the operation of the pilot joint office with the Food and Environmental Hygiene Department (FEHD) to handle public complaints about water seepage problems in the whole territory under a three-year programme which started in mid-2006, conducted an interim review for the first 18 months of operation and implemented appropriate measures to improve the efficiency of the operation;
- in collaboration with the Hong Kong Housing Society (HKHS), continued to implement the modified Co-ordinated Maintenance of Buildings Scheme to assist owners of 150 target buildings in carrying out the required repair/improvement works;

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- continued to take enforcement action to require removal of unauthorised building works and repair of buildings erected between 1946 and 1958;
- continued the operation to take enforcement action against unauthorised large glass panels, advertisement signboards and TV displays installed on the external walls of target buildings in areas with heavy pedestrian flow and commercial activities;
- initiated a special operation to remove unauthorised decorative works, some incorporating advertisement signboards, at ground floor shopfronts of target buildings in areas with heavy pedestrian flow and commercial activities; and
- worked with the Development Bureau to have the Buildings (Amendment) Ordinance 2008, introducing a minor works control system, passed by the Legislative Council in June 2008.

### *New Buildings*

- introduced revised requirements for the provision of facilities in buildings for persons with a disability in the Building (Planning) (Amendment) Regulation 2008 and published the revised Design Manual on Barrier Free Access;
- finalised a set of draft building design guidelines that support sustainable urban living space in Hong Kong for public consultation;
- continued the review of various building regulations with a view to modernising building design and construction standards;
- set up a dedicated team on heritage conservation to offer technical advice and process building plan submissions involving alteration and addition to and adaptive re-use of heritage buildings; and
- increased the number of site inspections for audit checks on new building works from 6 493 to 7 531.

7 The key performance measures in respect of buildings and building works are:

### *Targets*

	Target	2007 (Actual)	2008 (Actual)	<b>2009 (Plan)</b>
<i>24-hour emergency services</i>				
responding to emergencies during office hours (%):				
within 1.5 hours for cases in urban areas.....	100	100	99.8	<b>100</b>
within two hours for cases in new towns in New Territories (N.T.) ....	100	100	100	<b>100</b>
within three hours for cases in other areas in N.T. ....	100	100	100	<b>100</b>
responding to emergencies outside office hours (%):				
within two hours for cases in urban areas and new towns in N.T.....	100	100	95.7	<b>100</b>
within three hours for cases in other areas in N.T. ....	100	87.5	85.7	<b>100</b>
<i>Non-emergency services for reports on unauthorised building works under construction</i>				
responding to reports within 48 hours (%) ..	100	99.5	99.8	<b>99.0</b>
<i>Existing Buildings</i>				
buildings targeted for clearance of unauthorised building works.....	1 000/year	1 514	1 579	<b>1 200</b>
buildings covered by the Co-ordinated Maintenance of Buildings Scheme .....	150/year	150	150	<b>150</b>
single-staircase buildings improved under rooftop structure clearance operationsΔ.....	700/year	707	632	<b>280</b>
prescribed commercial premises inspected for improvement of fire safety measuresβ.....	150/year	150	150	<b>150</b>
specified commercial buildings inspected for improvement of fire safety measuresΨ .....	40/yearα	100	31δ	<b>40α</b>
composite buildings inspected for improvement of fire safety measures .....	1 150/year#	905	842	<b>1 000</b>

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	Target	2007 (Actual)	2008 (Actual)	<b>2009 (Plan)</b>
advertisement signboards removed/ repaired.....	1 200/year	2 428v	1 881	<b>5 350<sup>^</sup></b>
advising on restaurant and places of public entertainment licence applications under the Application Vetting Panel system within 12 working days (%).....	100	99	98	<b>98</b>
making existing building records in electronic form available for public viewing within three working days (%)‡.....	100	—	97	<b>96</b>
<i>New Buildings</i>				
processing building plans within 60 days for new submissions (%).....	100	100	100	<b>100</b>
within 30 days for re-submissions (%).....	100	99.9	99.9	<b>100</b>
processing within 28 days applications for consent to commence building works (%).....	100	99.9	99.9	<b>100</b>
processing within 14 days applications for occupation permits (%).....	100	100	100	<b>100</b>
processing applications for hoarding permits within 60 days for cases of first application (%).....	100	100	100	<b>100</b>
within 30 days for cases of re-application, fast-track processing or renewal (%).....	100	99.6	100	<b>100</b>

Δ The April 2001 target of taking enforcement action against 4 500 buildings within seven years has already been achieved in 2007. The clearance operation continues to tackle some 1 000 additional single-staircase buildings identified with illegal rooftop structures (IRS). Against this target of 1 000 buildings, the Department has cleared IRS of 720 buildings and is expected to clear IRS of the remaining 280 buildings in 2009.

α Inspection will be conducted on 40 buildings newly identified as SCBs in 2009.

δ Inspection of the 31 remaining specified commercial buildings (SCBs) under the improvement programme of the Fire Safety (Commercial Premises) Ordinance (Cap. 502) (FS(CP)O) was completed in 2008.

# The target in 2007 was 900. Following the commencement of the Fire Safety (Buildings) Ordinance (Cap. 572) (FS(B)O) in July 2007, the first phase of the implementation programme is to inspect approximately 5 000 pre-1973 target composite buildings in six years, i.e. around 840 per annum. The Department will deploy additional resources to speed up the implementation programme starting from mid-2009, with the annual target revised to 1 150 per annum and the planned achievement in 2009 increased to 1 000.

v A special operation in collaboration with the Home Affairs Department for removal of abandoned signboards was undertaken from January to July 2007, resulting in a larger number of signboards removed/repared in 2007.

^ The planned regular target for 2009 is to remove/repair 1 600 advertisement signboards. In addition, another 3 750 abandoned signboards will be removed within 2009 in a special operation to be launched, which aims to remove 5 000 abandoned signboards by March 2010.

‡ The target processing time has been shortened by six working days as from April 2008. The original target of “making existing building records available for public viewing within nine working days” has been revised to reflect the specific activity to which the performance target relates. The actual performance of the original target from January 2007 to March 2008 is 98 per cent.

### Indicators

	2007 (Actual)	2008 (Actual)	<b>2009 (Estimate)</b>
<i>24-hour emergency services</i> emergency reports attended to .....	791	1 222	<b>1 000</b>
<i>Non-emergency services for reports on unauthorised building works under construction</i> reports attended to .....	3 590	4 009	<b>3 500</b>

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	2007 (Actual)	2008 (Actual)	2009 (Estimate)
<i>Existing Buildings</i>			
unauthorised building works			
reports from members of the public attended to .....	26 009	25 804	<b>26 000</b>
warning notices issued .....	8 621	8 272	<b>8 000</b>
removal orders issued .....	32 898	32 847	<b>28 000</b>
prosecutions against failure to comply with removal orders.....	3 021	3 091	<b>3 000</b>
unauthorised structures removed and irregularities rectified .....	51 312	47 593	<b>40 000</b>
dilapidated buildings			
reports from members of the public attended to .....	8 271	11 337∇	<b>10 000∇</b>
repair orders issued.....	1 083	927∆	<b>800∆</b>
buildings repaired .....	1 211	1 060∆	<b>1 000∆</b>
dangerous slopes			
repair orders issued.....	140	140	<b>140</b>
dangerous slopes repaired.....	140	140	<b>140</b>
prescribed commercial premises <sup>β</sup>			
fire safety directions issued.....	200	200	<b>200</b>
fire safety directions discharged .....	114	115	<b>110</b>
specified commercial buildings <sup>ψ</sup>			
fire safety improvement directions issued.....	2 001	1 528	<b>800§</b>
fire safety improvement directions discharged .....	2 305	2 523	<b>2 800</b>
composite buildings <sup>Ω</sup>			
fire safety directions issued.....	2 683	4 486	<b>4 800Ω</b>
fire safety directions discharged .....	0	294	<b>600</b>
licence/registration applications processed (restaurants, places of public entertainment, tutorial schools etc.).....	9 686	10 588	<b>8 700</b>
<i>Comprehensive Building Safety Improvement Loan Scheme</i>			
loan applications processed .....	1 916	1 815	<b>1 900</b>
loan applications approved .....	1 398	1 668	<b>1 700</b>
total amount of loans committed (\$m) .....	45.2	51.2	<b>50.0</b>
<i>New Buildings</i>			
new building proposals approved .....	293	351	<b>300</b>
plans received and processed.....	13 300	14 030	<b>13 000</b>
occupation permits issued .....	166	151	<b>150</b>
gross floor area of proposed new buildings approved (in 1000 m <sup>2</sup> ).....	3 861	5 578	<b>4 000</b>
site audit checks made .....	6 493	7 531	<b>7 500</b>
sites inspected .....	1 221	1 215	<b>1 200</b>
hoarding permits issued or renewed.....	755	722	<b>700</b>

β Since the implementation of the FS(CP)O in May 1997 and up to 31 December 2008, 2 135 commercial premises have been jointly inspected with the Fire Services Department (FSD) and 1 591 premises were subsequently identified as prescribed commercial premises (PCPs). During the same period, a total of 2 203 fire safety directions (FSDns) were issued by the Buildings Department (BD) of which 1 310 FSDns were discharged and 813 PCPs have completed the improvement works.

ψ Since the implementation of the Fire Safety (Commercial Premises) (Amendment) Ordinance in June 1998 and up to 31 December 2008, 1 527 commercial buildings have been jointly inspected with the FSD and 1 391 buildings were subsequently identified as SCBs. During the same period, a total of 24 050 fire safety improvement directions (FSIDns) were issued by the BD of which 13 277 FSIDns were discharged and 367 SCBs have completed the improvement works.

∇ The number of reports received depends on reporting by members of the public to the BD. It is expected that the number of reports received in 2009 would be about the same as that in 2008.

∆ The number of repair orders issued or buildings repaired in 2009 is expected to be about the same as that in 2008. The smaller number of repair orders issued and buildings repaired in 2008 is because of the completion of the Team Clean operation.

§ The drop in the estimated number of FSIDns to be issued in 2009 is due to the small number of target SCBs to be inspected in the year and most of which are with small number of owners resulting in less number of FSIDns to be issued.

Ω New indicators as from 2007 pursuant to the implementation of the FS(B)O in July 2007. With the increase of the target for composite buildings to be inspected in 2009, the number of fire safety directions to be issued in 2009 is anticipated to increase correspondingly.

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### *Matters Requiring Special Attention in 2009–10*

- 8 During 2009–10, the Department will take forward initiatives in all areas of its work. In particular, it will:
- sustain action to improve building safety, targeting 1 200 old buildings for carrying out blitz clearance of unauthorised building works on the external walls including large glass panels, advertisement signboards and TV displays and repair of building defects;
  - in respect of the removal of unauthorised building works, take vigorous enforcement action to achieve compliance of outstanding removal orders and continue to instigate 3 000 prosecutions in 2009;
  - continue to provide assistance to building owners in maintaining their buildings under the Comprehensive Building Safety Improvement Loan Scheme;
  - launch a system for retrieval of building plans and records in the form of electronic images on the internet;
  - continue to develop a performance-based regulatory system to facilitate modern and innovative building design;
  - work with the Development Bureau to introduce subsidiary legislation concerning the minor works control system and make preparations for implementation of the system;
  - extend the operation of the joint office with the FEHD to handle public complaints about water seepage problems for three more years and continue to monitor and implement further improvement measures where necessary;
  - sustain a public education and publicity campaign on the need for periodical safety inspection and maintenance of buildings;
  - continue to develop a performance-based fire code to facilitate modern fire safety design of buildings;
  - continue to collaborate with the HKHS and the Urban Renewal Authority in speeding up the rehabilitation of old buildings by providing technical and financial assistance to owners in need;
  - in collaboration with the licensing authorities, make further improvement to the efficiency, transparency and customer-friendliness of the licensing regime for business premises;
  - continue to conduct 7 500 site audit checks on new building works for ensuring the safety of adjoining buildings, structures, land and utilities;
  - develop a set of building design guidelines for compliance with current building standards in the conservation and adaptive re-use of heritage buildings and continue to provide technical advice on compliance with the Buildings Ordinance to facilitate the approval process; and
  - continue to take enforcement action against unauthorised decorative works, some incorporating advertisement signboards, at ground floor shopfronts of target buildings in areas with heavy pedestrian flow and commercial activities.

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### ANALYSIS OF FINANCIAL PROVISION

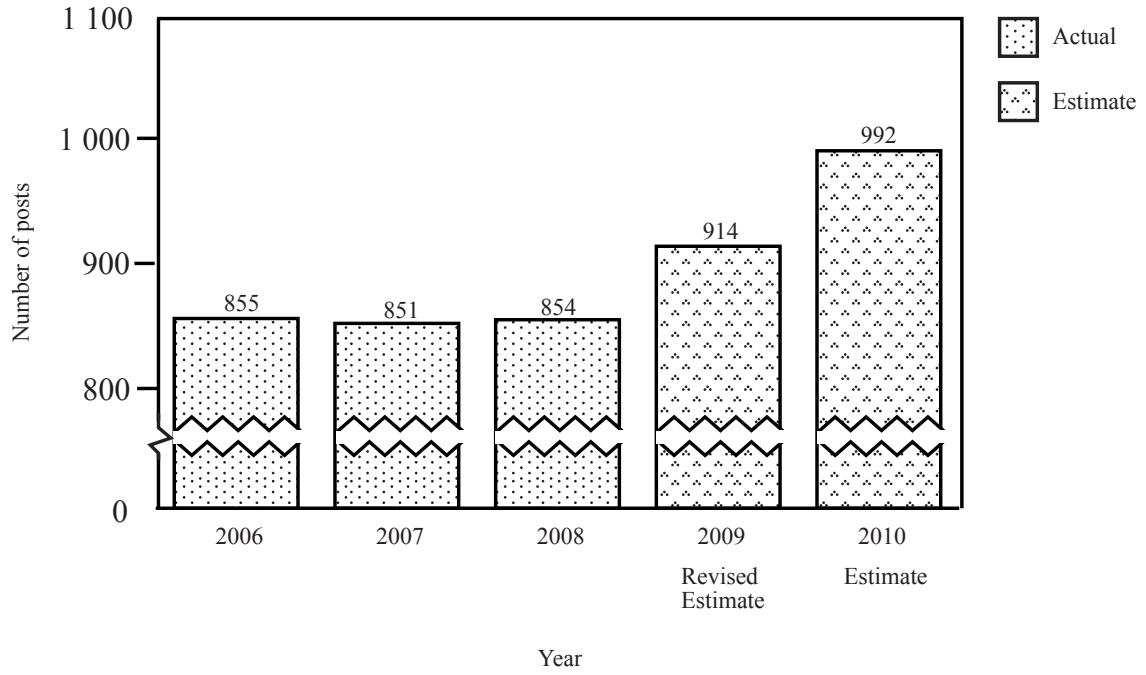
<b>Programme</b>	2007-08 (Actual) (\$m)	2008-09 (Original) (\$m)	2008-09 (Revised) (\$m)	<b>2009-10 (Estimate) (\$m)</b>
Buildings and Building Works .....	783.2	825.0	835.8 (+1.3%)	<b>890.6 (+6.6%)</b>
				<b>(or +8.0% on 2008-09 Original)</b>

#### Analysis of Financial and Staffing Provision

Provision for 2009-10 is \$54.8 million (6.6%) higher than the revised estimate for 2008-09. This is mainly due to increase in salary provision for the net increase of 78 posts in 2009-10, filling of vacancies and salary increments, as well as the implementation of a special programme to demolish abandoned signboards in 2009-10.

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*Changes in the size of the establishment  
(as at 31 March)*



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Sub-head (Code)	Actual expenditure 2007-08	Approved estimate 2008-09	Revised estimate 2008-09	<b>Estimate 2009-10</b>	
	\$'000	\$'000	\$'000	<b>\$'000</b>	
<b>Operating Account</b>					
Recurrent					
000	Operational expenses .....	736,318	786,835	799,435	<b>851,994</b>
227	Payment for Land Registry/Companies Registry Trading Fund services .....	46,407	36,750	35,460	<b>37,000</b>
	Total, Recurrent .....	<u>782,725</u>	<u>823,585</u>	<u>834,895</u>	<b><u>888,994</u></b>
Non-Recurrent					
700	General non-recurrent .....	518	1,457	855	<b>1,644</b>
	Total, Non-Recurrent .....	<u>518</u>	<u>1,457</u>	<u>855</u>	<b><u>1,644</u></b>
	Total, Operating Account .....	<u>783,243</u>	<u>825,042</u>	<u>835,750</u>	<b><u>890,638</u></b>
<hr/>					
	Total Expenditure .....	<u><u>783,243</u></u>	<u><u>825,042</u></u>	<u><u>835,750</u></u>	<b><u><u>890,638</u></u></b>



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### Details of Expenditure by Subhead

The estimate of the amount required in 2009–10 for the salaries and expenses of the Buildings Department is \$890,638,000. This represents an increase of \$54,888,000 over the revised estimate for 2008–09 and of \$107,395,000 over actual expenditure in 2007–08.

#### *Operating Account*

#### Recurrent

**2** Provision of \$851,994,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Buildings Department.

**3** The establishment as at 31 March 2009 will be 914 permanent posts. It is expected that there will be a net increase of 78 posts in 2009–10. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2009–10, but the notional annual mid-point salary value of all such posts must not exceed \$403,410,000.

**4** An analysis of the financial provision under *Subhead 000 Operational expenses* is as follows:

	2007–08 (Actual) (\$'000)	2008–09 (Original) (\$'000)	2008–09 (Revised) (\$'000)	<b>2009–10 (Estimate) (\$'000)</b>
Personal Emoluments				
- Salaries .....	431,602	461,664	480,653	<b>520,140</b>
- Allowances .....	4,125	4,276	4,673	<b>4,747</b>
- Job-related allowances .....	6	18	54	<b>40</b>
Personnel Related Expenses				
- Mandatory Provident Fund contribution .....	163	880	842	<b>1,858</b>
- Civil Service Provident Fund contribution .....	1,162	2,364	2,337	<b>2,455</b>
Departmental Expenses				
- Hire of services and professional fees .....	61,857	73,974	73,769	<b>89,176</b>
- Contract maintenance .....	3,525	3,435	2,875	<b>3,258</b>
- General departmental expenses .....	233,878	240,224	234,232	<b>230,320</b>
	736,318	786,835	799,435	<b>851,994</b>

**5** Provision of \$37,000,000 under *Subhead 227 Payment for Land Registry/Companies Registry Trading Fund services* is for the payment of fees to the Land Registry and Companies Registry for providing ownership information and registration of orders/notices/directions.

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### Commitments

Sub-head (Code)	Item (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2008	Revised estimated expenditure for 2008-09	Balance
			\$'000	\$'000	\$'000	\$'000
<b><i>Operating Account</i></b>						
700		<i>General non-recurrent</i>				
	007	Translation and production of codes of practice and design manuals in Chinese.....	500	128	—	372
	012	Consultancy to review Code of Practice for Fire Safety in buildings and renovation works.....	9,900	7,125	855	1,920
		Total .....	<u>10,400</u>	<u>7,253</u>	<u>855</u>	<u>2,292</u>