

Head 82 — BUILDINGS DEPARTMENT

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

Estimate 2010–11	\$867.8m
Establishment ceiling 2010–11 (notional annual mid-point salary value) representing an estimated 962 non-directorate posts as at 31 March 2010 rising by four posts to 966 posts as at 31 March 2011	\$394.0m
In addition, there will be an estimated 30 directorate posts as at 31 March 2010 and as at 31 March 2011.	
Commitment balance	\$2.2m

Controlling Officer's Report

Programme

Buildings and Building Works

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

Detail

	2008–09 (Actual)	2009–10 (Original)	2009–10 (Revised)	2010–11 (Estimate)
Financial provision (\$m)	838.1	890.6	881.2 (–1.1%)	867.8 (–1.5%)
				(or –2.6% on 2009–10 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 2009, 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 3 063 prosecutions against failure to comply with removal orders on unauthorised building works;
- extended the operation of the pilot joint office with the Food and Environmental Hygiene Department (FEHD) to handle public complaints about water seepage problems for another three years from 2009–10;
- 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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- in collaboration with the HKHS and Urban Renewal Authority (URA), implemented the Operation Building Bright (OBB) to assist owners of old and dilapidated buildings to conduct repair works;
- launched a one-off special operation with a target to remove 5 000 abandoned signboards over the territory in 12 months' time from March 2009 to February 2010;
- continued 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;
- sped up the inspection programme for buildings targeted under the Fire Safety (Buildings) Ordinance (Cap. 572);
- launched the Building Records Access and Viewing On-line system for public use, providing viewing/copying services of existing building records in electronic form on the internet;
- assisted the Development Bureau to work on subsidiary legislation for the minor works control system, amongst which the Building (Minor Works) Regulation, detailing the modus operandi of the system; and the Building (Minor Works) (Fees) Regulation, stipulating the fees for registration related matters, were respectively passed by the Legislative Council (LegCo) in May and December 2009. Another batch of subsidiary legislation and technical memorandum was also made in October 2009; and
- assisted the Development Bureau in drafting the legislation for implementation of the Mandatory Building Inspection Scheme and the Mandatory Window Inspection Scheme.

New Buildings

- in collaboration with the Development Bureau and the Environment Bureau, provided input for the public engagement exercise on “Building Design to Foster a Quality and Sustainable Built Environment” launched by the Council for Sustainable Development;
- continued the review of various building regulations with a view to modernising building design and construction standards;
- promulgated an interim set of building design guidelines for compliance with current building standards in the conservation and adaptive re-use of historic buildings and commenced a consultancy study to further develop such guidelines;
- continued to offer technical advice and process building plan submissions involving alteration and addition to and adaptive re-use of historic buildings; and
- conducted 7 508 audit checks on new building works for ensuring the safety of adjoining buildings, structures, land and utilities.

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

Targets

	Target	2008 (Actual)	2009 (Actual)	2010 (Plan)
<i>24-hour emergency services</i>				
responding to emergencies during office hours (%):				
within 1.5 hours for cases in urban areas	100	99.8	99.8	100
within two hours for cases in new towns in New Territories (N.T.)	100	100	100	100
within three hours for cases in other areas in N.T.....	100	100	100	100
responding to emergencies outside office hours (%):				
within two hours for cases in urban areas and new towns in N.T.	100	95.7	100	100
within three hours for cases in other areas in N.T.....	100	85.7	66.7	100
<i>Non-emergency services for reports on unauthorised building works under construction</i>				
responding to reports within 48 hours (%) ..	100	99.8	99.7	99.0

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	Target	2008 (Actual)	2009 (Actual)	2010 (Plan)
<i>Existing Buildings</i>				
buildings targeted for clearance of unauthorised building works.....	200/year ^λ	1 579	1 202	200^λ
buildings covered by the Co-ordinated Maintenance of Buildings Scheme.....	—	150	150	—^μ
buildings targeted for repair and maintenance under Operation Building Bright [¶]	300/year	—	—	300
single-staircase buildings improved under rooftop structure clearance operations ^Δ ..	—	632	130	—
buildings targeted for removal of unauthorised roof structures@.....	350/year	—	—	350
prescribed commercial premises inspected for improvement of fire safety measures ^β	150/year	150	150	150
specified commercial buildings inspected for improvement of fire safety measures ^ψ	40/year	31	40	40
composite buildings inspected for improvement of fire safety measures	1 150/year [#]	842	1 001	1 150
advertisement signboards removed/ repaired.....	1 200/year	1 881	6 470 [^]	3 000[§]
advising on restaurant and places of public entertainment licence applications under the Application Vetting Panel system within 12 working days (%).....	100	98	99	98
making existing building records in electronic form available for public viewing in Building Information Centre within three working days (%) ^θ	100	97.4	97.5	97.0
<i>New Buildings</i>				
processing building plans within 60 days for new submissions (%).....	100	100	100	100
within 30 days for re-submissions (%).....	100	99.9	100	100
processing within 28 days applications for consent to commence building works (%).....	100	99.9	99.9	100
processing within 14 days applications for occupation permits (%).....	100	100	100	100
processing applications for hoarding permits within 60 days for cases of first application (%).....	100	100	100	100
within 30 days for cases of re-application, fast-track processing or renewal (%).....	100	100	100	100

^λ The target set in 2006 for improving the safety and appearance of 5 000 buildings in five years has been achieved at large by the end of 2009. There are some outstanding unauthorised building works (UBWs) cases that are yet to be cleared. To sustain the momentum and promotion of awareness of the need to remove UBWs and to clear the outstanding cases, a further 200 buildings will be selected for the clearance operation in 2010.

^μ The Co-ordinated Maintenance of Buildings Scheme (CMBS) will cease operation in 2010 as the existing manpower for CMBS will be redeployed for the implementation of the OBB.

[¶] New target as from 2010. OBB is a one-off \$2-billion joint operation implemented by the Government, HKHS and URA. The operation provides subsidies and one-stop technical assistance to owners of target domestic/composite buildings aged 30 years or above to carry out repair works so as to create job opportunities for the construction sector amidst the financial tsunami and enhance building safety.

^Δ The April 2001 target of taking enforcement action against 4 500 buildings within seven years was already achieved in 2007. The clearance operation continued 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 850 buildings. Enforcement action against the remaining outstanding removal orders will continue beyond 2009.

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- @ New target as from 2010. A special operation commencing 2010 to assist building owners to improve the condition of their buildings by carrying out clearance of unauthorised structures on rooftops, podiums and yards constituting safety hazard or environmental nuisance. The operation will include such type of unauthorised structures in industrial buildings.
- # The target was 840 in 2008. To speed up the improvement programme under the Fire Safety (Buildings) Ordinance, additional resources have been deployed since mid 2009 so that the planned figure was revised to 1 000 in 2009 and further upwards to 1 150 as from 2010.
- ^ This comprised 1 852 and 4 618 signboards removed/repared under the regular operation and the special operation respectively. The output exceeded the 2009 planned figure of 5 350 mainly because the removal of 5 000 abandoned signboards progressed more smoothly than expected.
- § For the 2010 target, it is estimated that 2 400 and 600 signboards will be removed/repared in the regular operation and the special operation respectively. It is lower than the 2009 figure since the special operation launched in March 2009 is a one-off operation lasting for 12 months and therefore only 600 signboards will remain to be removed/repared under the special operation in 2010.
- θ Revised description of previous target “making existing building records in electronic form available for public viewing within three working days”.

Indicators

	2008 (Actual)	2009 (Actual)	2010 (Estimate)
<i>24-hour emergency services</i>			
emergency reports attended to	1 222	971	1 000
<i>Non-emergency services for reports on unauthorised building works under construction</i>			
reports attended to.....	4 009	4 282	3 900
<i>Existing Buildings</i>			
unauthorised building works			
reports from members of the public attended to.....	25 804	25 866	24 000
warning notices issued	8 272	7 638	6 000
removal orders issued	32 847	31 453	15 000
prosecutions against failure to comply with removal orders.....	3 091	3 063	3 000
unauthorised structures removed and irregularities rectified	47 593	42 425	44 000
dilapidated buildings			
reports from members of the public attended to.....	11 337	11 389	10 000
repair orders issued	927	1 143δ	870δ
buildings repaired	1 060	1 082α	1 070α
dangerous slopes			
repair orders issued	140	141	140
dangerous slopes repaired.....	140	140	140
prescribed commercial premisesβ			
fire safety directions issued.....	200	200	200
fire safety directions discharged.....	115	115	110
specified commercial buildingsΨ			
fire safety improvement directions issued.....	1 528	832	800
fire safety improvement directions discharged.....	2 523	2 025γ	2 000γ
composite buildings			
fire safety directions issued.....	4 486	4 910	4 600
fire safety directions discharged.....	294	598	900Ω
licence/registration applications processed (restaurants, places of public entertainment, tutorial schools etc.).....	10 588	11 034	11 000
<i>Comprehensive Building Safety Improvement Loan Scheme</i>			
loan applications processed.....	1 815	2 259φ	2 250φ
loan applications approved	1 668	2 024φ	2 000φ
total amount of loans committed (\$m)	51.2	65.8‡	70.0‡
<i>New Buildings</i>			
new building proposals approved	351	341	350
plans received and processed	14 030	13 441	13 500
occupation permits issued	151	154	150
gross floor area of proposed new buildings			
approved (in 1 000 m ²).....	5 578	4 215	4 500
site audit checks made.....	7 531	7 508	7 500

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	2008 (Actual)	2009 (Actual)	2010 (Estimate)
sites inspected	1 215	1 226	1 200
hoarding permits issued or renewed.....	722	717	700

- β Since the implementation of the Fire Safety (Commercial Premises) Ordinance in May 1997 and up to 31 December 2009, 2 296 commercial premises have been jointly inspected with the Fire Services Department (FSD) and 1 741 premises were subsequently identified as prescribed commercial premises (PCPs). During the same period, a total of 2 403 fire safety directions (FSDns) were issued by the Buildings Department (BD) of which 1 425 FSDns were discharged and 873 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 2009, 1 572 commercial buildings have been jointly inspected with the FSD and 1 431 buildings were subsequently identified as specified commercial buildings (SCBs). During the same period, a total of 24 882 fire safety improvement directions (FSIDns) were issued by the BD of which 15 302 FSIDns were discharged and 403 SCBs have completed the improvement works.
- δ The number of repair orders issued in 2009 has increased because of the implementation of the OBB in the second quarter of 2009. Repair orders will continue to be served in 2010 under the OBB. However, CMBS will cease in 2010 and the number of buildings targeted for the Blitz Operation on Unauthorised Building Works Clearance (BUC) will also decrease. As the reduction in the number of orders under CMBS and BUC will be partly offset by the increase brought about by OBB, the overall number of repair orders to be issued in 2010 is estimated to be 870.
- α Though there will be a decrease in the number of buildings repaired under CMBS and BUC due to the cessation of CMBS in 2010 and the decrease in the number of buildings targeted for the BUC operation, the total number of buildings to be repaired in 2010 is expected to be similar to that in 2009 because of the repair works of buildings under the OBB.
- γ Since the stepping up of action for enhancing compliance in 2005 by issuing more warning letters/more prosecution, more FSIDns were discharged. As fewer FSIDns were issued in recent years, the number of FSIDns discharged will be fewer in the coming years.
- Ω With more expired FSDns accumulated by end of 2010, more FSDns are expected to be discharged than that in 2009.
- φ The increase in the number of loan applications processed/approved is attributable to the loan applications induced by the OBB launched in the second quarter of 2009.
- ‡ Apart from the loan applications induced by the OBB, the increase in the total amount of loan committed is attributable to a higher average amount of loan approved per application in 2009 (i.e. about \$37,000 per application) than the original estimate (i.e. about \$30,000 per application), which may be due to the general increase in the cost of building repair projects from 2008 to 2009.

Matters Requiring Special Attention in 2010–11

- 8 During 2010–11, the Department will take forward initiatives in all areas of its work. In particular, it will:
 - sustain action to improve building safety, targeting 200 old buildings for carrying out blitz clearance of unauthorised building works on the external walls 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 2010;
 - continue the implementation of the OBB to assist owners of old and dilapidated buildings to conduct repair works and carry out repair works for about 300 OBB buildings on behalf of the owners;
 - continue to provide assistance to building owners in maintaining their buildings under the Comprehensive Building Safety Improvement Loan Scheme;
 - continue to develop a performance-based regulatory system to facilitate modern and innovative building design;
 - implement the minor works control system including the establishment of a register for minor works contractors;
 - develop a web-based system for retrieval of minor works records in the form of electronic images;
 - continue the operation of the joint office with the FEHD to handle public complaints about water seepage problems which was extended for another three years from 2009–10;
 - sustain a public education and publicity campaign on the need for periodical safety inspection and maintenance of buildings;
 - assist the Development Bureau to introduce into LegCo legislative amendments to the Buildings Ordinance for the implementation of the Mandatory Building Inspection Scheme and the Mandatory Window Inspection Scheme;
 - produce a draft performance-based fire code to facilitate modern fire safety design of buildings;
 - continue to collaborate with the HKHS and the URA in speeding up the rehabilitation of old buildings by providing technical and financial assistance to owners in need;

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- finalise a set of building design guidelines for compliance with current building standards in the conservation and adaptive re-use of historic buildings and continue to provide technical advice on compliance with the Buildings Ordinance to facilitate the approval process;
- 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; and
- initiate a special scheme to assist building owners to improve the condition of their buildings by carrying out clearance of unauthorised structures on rooftops, podiums and yards constituting safety hazard or environmental nuisance. The scheme will include such type of unauthorised structures in industrial buildings.

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ANALYSIS OF FINANCIAL PROVISION

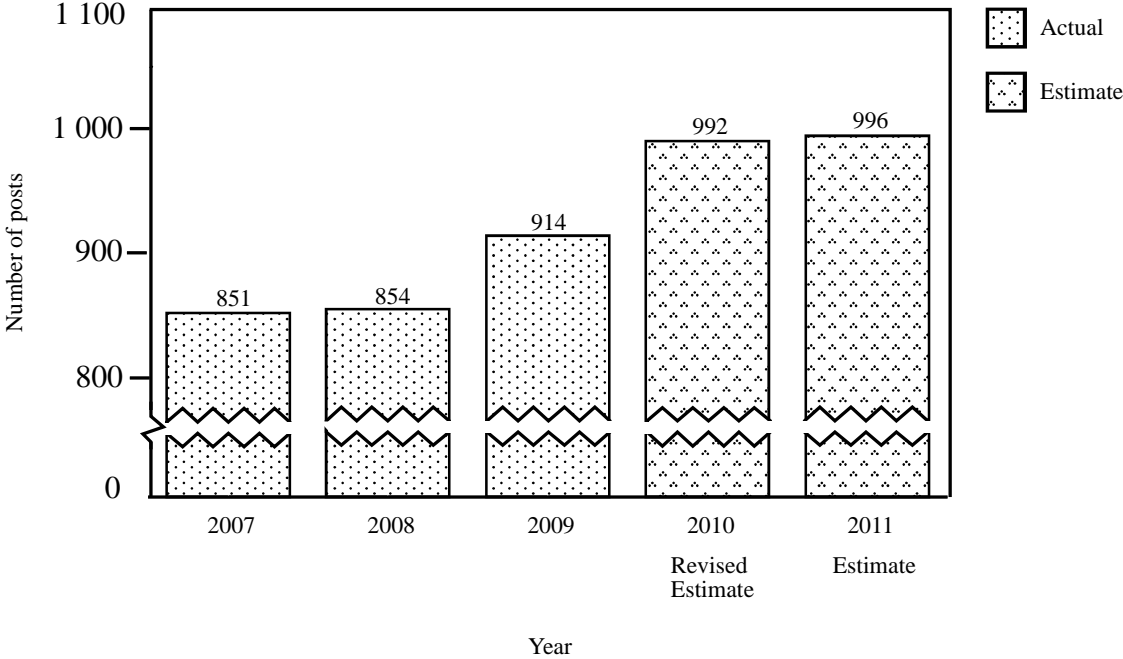
Programme	2008-09 (Actual) (\$m)	2009-10 (Original) (\$m)	2009-10 (Revised) (\$m)	2010-11 (Estimate) (\$m)
Buildings and Building Works	838.1	890.6	881.2 (-1.1%)	867.8 (-1.5%)
				(or -2.6% on 2009-10 Original)

Analysis of Financial and Staffing Provision

Provision for 2010-11 is \$13.4 million (1.5%) lower than the revised estimate for 2009-10. This is mainly due to the full-year effect of the 2009 pay adjustment and the completion of a one-off special operation to remove 5 000 abandoned signboards. In addition, four posts will be created in 2010-11.

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



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Sub-head (Code)	Actual expenditure 2008-09	Approved estimate 2009-10	Revised estimate 2009-10	Estimate 2010-11	
	\$'000	\$'000	\$'000	\$'000	
Operating Account					
Recurrent					
000	Operational expenses.....	797,661	851,994	844,319	829,508
227	Payment for Land Registry/Companies Registry Trading Fund services.....	40,100	37,000	36,280	37,000
	Total, Recurrent	<u>837,761</u>	<u>888,994</u>	<u>880,599</u>	<u>866,508</u>
Non-Recurrent					
700	General non-recurrent	380	1,644	595	1,326
	Total, Non-Recurrent	<u>380</u>	<u>1,644</u>	<u>595</u>	<u>1,326</u>
	Total, Operating Account.....	838,141	890,638	881,194	867,834
<hr/>					
	Total Expenditure	<u><u>838,141</u></u>	<u><u>890,638</u></u>	<u><u>881,194</u></u>	<u><u>867,834</u></u>

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Details of Expenditure by Subhead

The estimate of the amount required in 2010–11 for the salaries and expenses of the Buildings Department is \$867,834,000. This represents a decrease of \$13,360,000 against the revised estimate for 2009–10 and an increase of \$29,693,000 over actual expenditure in 2008–09.

Operating Account

Recurrent

2 Provision of \$829,508,000 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 2010 will be 992 permanent posts. It is expected that there will be an increase of four permanent posts in 2010–11. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2010–11, but the notional annual mid-point salary value of all such posts must not exceed \$393,992,000.

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

	2008–09 (Actual) (\$'000)	2009–10 (Original) (\$'000)	2009–10 (Revised) (\$'000)	2010–11 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	478,476	520,140	506,292	499,299
- Allowances	4,481	4,747	4,663	4,888
- Job-related allowances.....	54	40	38	38
Personnel Related Expenses				
- Mandatory Provident Fund contribution	750	1,858	1,851	2,274
- Civil Service Provident Fund contribution	2,337	2,455	2,296	2,332
Departmental Expenses				
- Hire of services and professional fees	81,122	89,176	91,522	89,155
- Contract maintenance	2,699	3,258	2,658	2,658
- General departmental expenses.....	227,742	230,320	234,999	228,864
	797,661	851,994	844,319	829,508

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 31.3.2009	Revised estimated expenditure for 2009–10	Balance
			\$'000	\$'000	\$'000	\$'000
<i>Operating Account</i>						
700		<i>General non-recurrent</i>				
	007	Translation and production of codes of practice and design manuals in Chinese.....	500	128	120	252
	012	Consultancy to review Code of Practice for Fire Safety in buildings and renovation works	9,900	7,505	475	1,920
		Total	<u>10,400</u>	<u>7,633</u>	<u>595</u>	<u>2,172</u>