

Head 82 — BUILDINGS DEPARTMENT

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

Estimate 2011–12..... **\$994.0m**

Establishment ceiling 2011–12 (notional annual mid-point salary value) representing an estimated 966 non-directorate posts as at 31 March 2011 rising by 176 posts to 1 142 posts as at 31 March 2012 **\$466.9m**

In addition, there will be an estimated 30 directorate posts as at 31 March 2011 rising by one post to 31 posts as at 31 March 2012.

Commitment balance **\$1.9m**

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

	2009–10 (Actual)	2010–11 (Original)	2010–11 (Revised)	2011–12 (Estimate)
Financial provision (\$m)	883.6	867.8	854.2 (–1.6%)	994.0 (+16.4%)
				(or +14.5% on 2010–11 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 Buildings Department (the Department) provides services to owners and occupants in both existing and new private buildings through enforcement of the Buildings Ordinance (Cap. 123) (BO).

4 As regards existing buildings, the services provided include reducing dangers and nuisances caused by unauthorised building works (UBWs) 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 2010, the Department continued to take enforcement action against UBWs and to require building owners to carry out necessary repairs to dilapidated buildings. In addition, the Department:

Existing Buildings

- continued the enhanced service of inspecting within 48 hours UBWs under construction upon receipt of complaints;
- instigated 2 609 prosecutions against failure to comply with removal orders on UBWs;
- continued 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) and the Urban Renewal Authority (URA), continued to implement the Operation Building Bright (OBB) to assist owners of old and dilapidated buildings to conduct repair works, and carried out repair works for some 300 OBB buildings on behalf of the owners;
- launched a one-off special operation from August 2010 to March 2011 with a plan to identify 1 000 to 2 000 abandoned/dangerous signboards over the territory for enforcement action in addition to the original plan of removing/repairing 3 000 signboards for 2010;

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- completed a special operation of inspecting some 4 000 buildings aged 50 or above and followed-up with the issue of repair and investigation orders where necessary;
- launched a special operation to assist owners of some 360 old buildings to improve the condition of their buildings by carrying out clearance of unauthorised structures on rooftops, flat roofs and yards constituting safety hazard or environmental nuisance, including such type of unauthorised structures in industrial buildings;
- launched the Building Records Access and Viewing On-line system for public use, providing instant viewing and on-line ordering for copy services of existing building records in electronic form on the Internet;
- commenced the registration of minor works contractors, and launched the minor works control system on 31 December 2010; and
- assisted the Development Bureau (DEVB) to introduce the Buildings (Amendment) Bill 2010 into the Legislative Council (LegCo) for implementation of the Mandatory Building Inspection Scheme (MBIS) and the Mandatory Window Inspection Scheme (MWIS).

New Buildings

- in collaboration with DEVB, consulted stakeholders and formulated new measures to foster a quality and sustainable built environment based on the recommendations of the Council for Sustainable Development;
- continued the review of various building regulations with a view to modernising building design and construction standards;
- continued to develop the building design guidelines for, offer technical advice on and process building plan submissions involving adaptive re-use of and alteration and addition works to heritage buildings;
- commenced a consultancy study to develop a set of design and construction guidelines for improving energy efficiency in residential buildings; and
- conducted 7 607 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	2009 (Actual)	2010 (Actual)	2011 (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	100	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	100	99.6	100
within three hours for cases in other areas in N.T.	100	66.7	100	100
<i>Non-emergency services for reports on UBWs under construction</i>				
responding to reports within 48 hours (%) ..	100	99.7	99.0	99.0
<i>Existing Buildings</i>				
buildings targeted for clearance of UBWs mainly on the external wallsλ.....	—Ψ	1 202	217	—Ψ
buildings covered by the Co-ordinated Maintenance of Buildings Scheme (CMBS)φ	—	150	—	—
buildings targeted for repair and maintenance under OBB¶.....	300/year	—	286	300
single-staircase buildings improved under rooftop structure clearance operationsμ..	—	130	—	—
buildings targeted for inspection and issue of repair/investigation ordersθ	500/year	—	—	375

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	Target	2009 (Actual)	2010 (Actual)	2011 (Plan)
buildings targeted for removal of unauthorised roof structures.....	500/year@	—	361	780
buildings targeted for rectification of irregularities associated with sub-divided flatsφ	150/year	—	—	110
prescribed commercial premises inspected for improvement of fire safety measures	150/year	150	150	150
specified commercial buildings inspected for improvement of fire safety measures	40/year	40	40	40
composite buildings inspected for improvement of fire safety measures	1 150/year^	1 001	1 150	1 150
advertisement signboards removed/ repaired.....	1 200/year	6 470§	3 371§	1 600
advising on restaurant and places of public entertainment licence applications under the Application Vetting Panel system within 12 working days (%).....	100	99	99	98
making existing building records in electronic form available for public viewing in Building Information Centre within three working days (%).....	100	97.5	97.6	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	100	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 Revised description of previous target “buildings targeted for clearance of UBWs”.

ψ The Blitz Operation on Unauthorised Building Works Clearance (BUC) commenced in 2000 focusing on removal of UBWs on external walls of buildings. The target set in 2006 for improving the safety and appearance of 5 000 buildings in five years was achieved at large by the end of 2010. Of the 217 buildings targeted for clearance of UBWs in 2010, removal orders have been or are being served on the owners to clear UBWs. The clearance of remaining UBWs will continue in the form of other large scale operations (LSOs) under a new package of measures to enhance building safety. BUC will cease in 2011.

φ CMBS ceased operation in 2010 and the manpower for CMBS was redeployed for the implementation of OBB.

¶ New target as from 2010. OBB is a one-off \$2.5-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.

μ The target set in April 2001 for taking enforcement action against 4 500 buildings within seven years was 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 cleared IRS of 908 buildings by end of 2010. Enforcement action against the remaining outstanding removal orders will continue in the form of other LSOs under a new package of measures to enhance building safety.

θ New target as from 2011. This is a special operation commencing in 1 April 2011 to inspect and issue repair/investigation orders to 500 target buildings per year to repair or remedy the defects or dilapidation therein.

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- @ New target as from 2010. A special operation commenced in 2010 to assist building owners to improve the condition of their buildings by carrying out clearance of unauthorised structures on rooftops, flat roofs, yards and lanes constituting safety hazard or environmental nuisance. With the revised enforcement policy against UBWs to be implemented from 1 April 2011, the Department aims to remove such types of unauthorised structures in 500 target buildings per year irrespective of whether the structures concerned are newly constructed or posing imminent danger.
- φ New target as from 2011. This is a special operation commencing in 1 April 2011 to inspect 150 target buildings per year to tackle irregularities of building works associated with sub-divided flats.
- ^ To speed up the improvement programme under the Fire Safety (Buildings) Ordinance (Cap. 572), the planned figure was revised from 1 000 in 2009 to 1 150 as from 2010.
- § The increases were due to the special operations for removing/repairing signboards conducted in 2009 and 2010.

Indicators

	2009 (Actual)	2010 (Actual)	2011 (Estimate)
<i>24-hour emergency services</i>			
emergency reports attended to	971	1 033	1 000
<i>Non-emergency services for reports on UBWs under construction</i>			
reports attended to.....	4 282	5 838#	6 500#
<i>Existing Buildings</i>			
<i>UBWs</i>			
reports from members of the public attended to.....	25 866	28 613	30 000
warning notices issued	7 638	3 618V	1 000V
removal orders issued	31 453	22 903	20 000‡
prosecutions against failure to comply with removal orders.....	3 063	2 609	3 000
unauthorised structures removed and irregularities rectified	42 425	25 751ψ	40 000
<i>dilapidated buildings</i>			
reports from members of the public attended to.....	11 389	14 111	10 000
repair/investigation orders issuedΔ	1 143δ	2 246δ	800δ
buildings repaired	1 082	839	1 350α
<i>sub-divided flats</i>			
number of sub-divided flats inspectedΛ.....	—	—	1 320
number of sub-divided flats rectified of irregularitiesΛ..	—	—	100
<i>dangerous slopes</i>			
repair orders issued	141	140	100v
dangerous slopes repaired	140	87	80v
<i>prescribed commercial premises</i>			
fire safety directions issued	200	200	200
fire safety directions discharged.....	115	111	110
<i>specified commercial buildings</i>			
fire safety improvement directions issued.....	832	817	800
fire safety improvement directions discharged.....	2 025	1 589γ	1 400γ
<i>composite buildings</i>			
fire safety directions issued.....	4 910	7 699β	5 300
fire safety directions discharged.....	598	1 023	900
<i>licence/registration applications processed (restaurants, places of public entertainment, tutorial schools etc.).....</i>	11 034	11 774	12 000
<i>Comprehensive Building Safety Improvement Loan Scheme</i>			
loan applications processed.....	2 259	2 528	2 700ρ
loan applications approved	2 024	2 173	2 350ρ
total amount of loans committed (\$m)	65.8	99.7	110.0η
<i>New Buildings</i>			
new building proposals approved	341	341	300
plans received and processed.....	13 441	14 270	14 000
occupation permits issued	154	145	140
gross floor area of proposed new buildings approved (in 1 000 m ²).....	4 215	3 785	3 700
site audit checks made.....	7 508Ω	7 607Ω	5 250
sites inspected	1 226	1 211	1 200
hoarding permits issued or renewed.....	717	726	750

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	2009 (Actual)	2010 (Actual)	2011 (Estimate)
<i>Minor Works Control System</i>			
minor works submissions received Λ	—	—	36 000
household minor works items validated Λ	—	—	1 000

- # The increase in 2010 was because of the upsurge in complaints from the public after the Ma Tau Wai Road building collapse incident. It is estimated that the figure in 2011 will be further increased as a result of the implementation of the community monitoring programme encouraging the public to report building safety problems.
- ∇ The decrease in 2010 was mainly due to the need to take follow-up actions arising from the Ma Tau Wai Road building collapse incident, including the inspection of some 4 000 buildings aged 50 years or above. With the implementation of the revised enforcement policy against UBWs in April 2011, it is expected that the number of warning notices will be further reduced as many UBWs will be issued with removal orders under the revised enforcement policy.
- ‡ With the cessation of BUC, the total number of removal orders is anticipated to be reduced, partly offset by the increase in removal orders under the revised enforcement policy.
- ψ The decrease was mainly due to the need to take follow-up actions arising from the Ma Tau Wai Road building collapse incident, including the inspection of some 4 000 buildings aged 50 years or above and the subsequent follow-up actions of issuing repair/investigation orders.
- Δ Revised description of previous indicator “repair orders issued”.
- δ CMBS ceased in 2010 and the number of buildings targeted for BUC also decreased. Despite the reduction in the number of repair orders under CMBS and BUC, the number of repair orders issued in 2010 increased due to the repair orders served under OBB and the large number of repair orders served in the special operation of inspecting some 4 000 buildings aged 50 or above after the Ma Tau Wai Road building collapse incident. The figure is anticipated to decrease in 2011.
- α Although there will be a decrease in the number of buildings repaired due to the cessation of CMBS and BUC in 2010 and 2011 respectively, the total number of buildings to be repaired in 2011 is expected to increase arising from the repair works to be carried out for buildings under OBB and the implementation of the new LSOs as from 1 April 2011.
- Λ New indicators as from 2011.
- v As many dangerous slopes in private ownership have been repaired, the number of repair orders issued for dangerous slopes and dangerous slopes repaired will decrease in the coming years.
- γ Since the stepping up of action for enhancing compliance in 2005 by issuing more warning letters/instigating more prosecution, more fire safety improvement directions (FSIDns) were discharged. As fewer FSIDns were issued in recent years, the number of FSIDns discharged will be fewer in the coming years.
- β The number of fire safety directions (FSDns) issued to a building for improving fire safety measures varies and depends on its layout. For a building, a single FSDn may be issued to the Owners’ Incorporation, single owner or co-owners; or many FSDns to individual owners. The selection criteria for implementation basically follow the age and fire risk of such buildings and synchronise with prevailing LSOs undertaken by the Department. Since the number of FSDns that would be issued to a building is not a consideration in the selection process, the actual number may therefore fluctuate.
- ρ The increase in the number of loan applications processed/approved is attributable to the increasing trend in the number of loan applications, part of which are induced by OBB.
- η The increase in the total amount of loan committed is due to the increase in the number of applications approved, coupled with the increasing average amount of loan approved per application attributable to the general increase in the cost of building repair projects in recent years.
- Ω The increased numbers of site audit checks in 2009 and 2010 were mainly due to the temporary measure taken to enhance such checks.

Matters Requiring Special Attention in 2011–12

- 8 During 2011–12, the Department will take forward initiatives in all areas of its work. In particular, it will:
- adopt a revised enforcement policy against UBWs, extend the scope of UBWs subject to immediate enforcement action to UBWs on rooftops, podiums, yards and lanes, take vigorous enforcement actions against UBWs, instigate 3 000 prosecutions in 2011, and respond efficiently to reports on UBWs from members of the public;
 - sustain action to improve building safety, and upon the implementation of MBIS and MWIS, targeting 2 000 buildings, aged 30 or above, each year requiring mandatory inspection and repair of the buildings, and 5 800 buildings, aged 10 or above, requiring mandatory inspection and repair of windows;
 - initiate a new LSO on comprehensive clearance of UBWs on rooftops, flat roof, yard and lanes of target buildings;
 - initiate a new LSO on inspection of target dilapidated buildings to issue statutory orders to require repair works or investigation of the buildings;
 - initiate a new LSO on inspection of sub-divided flats in target buildings and rectification of irregularities of building works associated with the sub-divided flats;
 - launch a community monitoring programme to encourage the public to report building safety problems;

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- launch a large-scale publicity and public education campaign to disseminate building safety messages to building owners, occupants, building professionals, contractors, workers, property management personnel, students and the general public, and foster a building safety culture;
- continue the 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;
- continue the implementation of 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 collaborate with HKHS and URA in speeding up the rehabilitation of old buildings by providing technical and financial assistance to owners in need;
- continue the operation of the pilot joint office with FEHD to handle public complaints about water seepage problems which was extended for another three years from 2009–10;
- assist DEVB to continue to work on Buildings (Amendment) Bill 2010 and to introduce into LegCo subsidiary legislation for the implementation of MBIS and MWIS;
- assist DEVB to amend BO for the introduction of a signboard control system to deal with around 190 000 existing unauthorised signboards;
- assist DEVB to amend BO to enhance deterrence against non-compliance with statutory orders or notices;
- continue to develop a performance-based regulatory system to facilitate modern and innovative building design;
- produce a draft performance-based fire code to facilitate modern fire safety design of buildings;
- finalise a set of building design guidelines for compliance with current building standards in the conservation and adaptive re-use of historic buildings for consultation with stakeholders prior to implementation, and continue to provide technical advice on compliance with BO to facilitate the approval process;
- implement new measures on sustainable building design and control of gross floor area concession to foster a quality and sustainable built environment; and
- continue the consultancy study to develop a set of design and construction guidelines for improving energy efficiency in residential buildings.

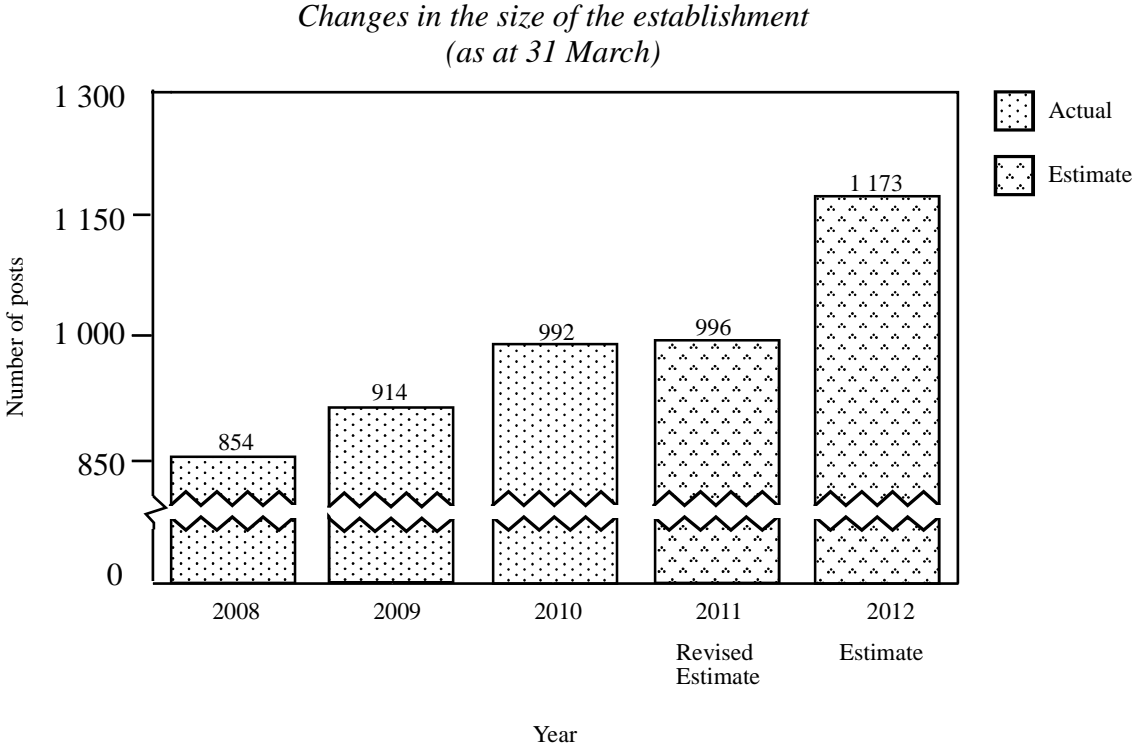
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ANALYSIS OF FINANCIAL PROVISION

Programme	2009–10 (Actual) (\$m)	2010–11 (Original) (\$m)	2010–11 (Revised) (\$m)	2011–12 (Estimate) (\$m)
Buildings and Building Works	883.6	867.8	854.2 (-1.6%)	994.0 (+16.4%)
				(or +14.5% on 2010–11 Original)

Analysis of Financial and Staffing Provision

Provision for 2011–12 is \$139.8 million (16.4%) higher than the revised estimate for 2010–11. This is mainly due to the increased funding for stepping up building safety initiatives in 2011–12. In addition, 177 posts will be created in 2011–12.



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Sub-head (Code)	Actual expenditure 2009–10	Approved estimate 2010–11	Revised estimate 2010–11	Estimate 2011–12	
	\$'000	\$'000	\$'000	\$'000	
Operating Account					
Recurrent					
000	Operational expenses.....	839,020	829,508	818,028	943,473
227	Payment for Land Registry/Companies Registry Trading Fund services.....	44,152	37,000	35,870	49,278
	Total, Recurrent	<u>883,172</u>	<u>866,508</u>	<u>853,898</u>	<u>992,751</u>
Non-Recurrent					
700	General non-recurrent	405	1,326	265	1,245
	Total, Non-Recurrent	<u>405</u>	<u>1,326</u>	<u>265</u>	<u>1,245</u>
	Total, Operating Account.....	883,577	867,834	854,163	993,996
<hr/>					
	Total Expenditure	<u><u>883,577</u></u>	<u><u>867,834</u></u>	<u><u>854,163</u></u>	<u><u>993,996</u></u>

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Details of Expenditure by Subhead

The estimate of the amount required in 2011–12 for the salaries and expenses of the Buildings Department is \$993,996,000. This represents an increase of \$139,833,000 over the revised estimate for 2010–11 and of \$110,419,000 over actual expenditure in 2009–10.

Operating Account

Recurrent

2 Provision of \$943,473,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of the Buildings Department. The increase of \$125,445,000 (15.3%) over the revised estimate for 2010–11 is mainly due to the increased funding for stepping up building safety initiatives in 2011–12.

3 The establishment as at 31 March 2011 will be 996 permanent posts. It is expected that there will be an increase of 177 posts including one supernumerary post in 2011–12. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2011–12, but the notional annual mid-point salary value of all such posts must not exceed \$466,862,000.

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

	2009–10 (Actual) (\$'000)	2010–11 (Original) (\$'000)	2010–11 (Revised) (\$'000)	2011–12 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	504,414	499,299	504,229	567,942
- Allowances	4,552	4,888	4,922	4,809
- Job-related allowances.....	33	38	38	38
Personnel Related Expenses				
- Mandatory Provident Fund contribution	1,878	2,274	1,517	2,525
- Civil Service Provident Fund contribution	2,288	2,332	6,599	11,354
Departmental Expenses				
- Hire of services and professional fees	89,773	89,155	86,440	127,453
- Contract maintenance	2,931	2,658	4,139	2,524
- General departmental expenses.....	233,151	228,864	210,144	226,828
	839,020	829,508	818,028	943,473

5 Provision of \$49,278,000 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. The increase of \$13,408,000 (37.4%) over the revised estimate for 2010–11 is mainly due to the increased requirement for ownership checks and registration in the Land Registry arising from stepping up of building safety initiatives.

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Commitments

Sub-head (Code)	Item (Code)	Ambit	Approved commitment	Accumulated expenditure to 31.3.2010	Revised estimated expenditure for 2010-11	Balance
			\$'000	\$'000	\$'000	\$'000
<i>Operating Account</i>						
700		<i>General non-recurrent</i>				
	012	Consultancy to review Code of Practice for Fire Safety in buildings and renovation works	9,900	7,790	190	1,920
		Total	9,900	7,790	190	1,920