

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)277

Question Serial No.

4225

Head: 82 Buildings Department Subhead (No. & title):

Programme: Buildings and Building Works

Controlling Officer: Director of Buildings

Director of Bureau: Secretary for Development

Question:

1. Regarding the maintenance of private slopes and among the repair orders issued to the owners of these slopes, for how many orders had the Buildings Department (BD) appointed consultants or contractors on behalf of the owners in each of the past three years (i.e. 2010-11, 2011-12 and 2012-13)? Under what circumstances would the BD appoint the professionals concerned for the owners of private slopes? What were the criteria for the selection of the consultants or contractors? On average, how long did it take for the contractors to complete all the slope improvement works after their appointment? Were there any consultants or contractors not re-appointed due to their poor performance? If yes, please provide the details.
2. In each of the past three years (i.e. 2010-11, 2011-12 and 2012-13), how long on average did it take for the owners of private slopes to complete the repair works after having received the Dangerous Hillside Orders (DHOs)? Among the owners, how many of them had completed the slope repair works and rendered the slopes structurally safe meeting the relevant standards before the repair orders expired?
3. At present, how many DHOs are not yet complied with after the expiry dates? Please list out the respective number of repair orders not complied with in one to three years, four to six years, seven to nine years and ten years or above after the expiry dates.
4. Has the Government any plans to review the staff establishment of the Slope Safety Section and to allocate more resources to enhance the supervision of the progress of work regarding the DHOs? If yes, what are the details? If no, what are the reasons?

Asked by: Hon. CHAN Ka-lok, Kenneth

Reply:

1. The primary responsibility for upkeeping the stability of private slopes rests with the slope owners. They should engage professionally-qualified persons to regularly inspect and, if necessary, repair or upgrade their slopes. The Government has been providing both financial and technical support to owners of private slopes to assist them in discharging their slope maintenance responsibility. For those slopes that have become or are liable to become dangerous, the Buildings Department (BD) will issue a dangerous hillside order (DHO) to the concerned owners requiring them to engage professionally-qualified persons to investigate the stability of the slope and propose suitable slope repair works for approval as well as to engage registered contractors to carry out the slope repair works. Upon issue of a DHO, the BD will take action to demand compliance by the owners themselves. Where a DHO has not been complied with after the specified period, the BD will issue reminders and, if necessary, warning letters to the owners to urge them to comply with the orders before considering whether to instigate prosecution. In case the owners encounter genuine difficulties in arranging the works, an extension of time may be granted on a case-by-case basis where justified to allow them more time to comply with the order. Prosecution may be initiated if the owners fail to comply with the orders without reasonable excuse. The BD will also consider engaging its consultants and contractors to carry out the required slope investigation and repair works in the owners' default and recover the costs of such works, plus supervision charge and surcharge from the owners afterwards. In 2010-11, 2011-12 and 2012-13, the BD appointed its consultants and contractors to carry out the required slope investigation and repair works in the owners' default in respect of 15, nine and 15 DHOs respectively.

In line with the established procedures, the selection and appointment of consultants and contractors for the carrying out of slope investigation and repair works in the owners' default are conducted through tendering exercises. The major consideration in selecting such consultants and contractors include the candidates' qualification and their relevant working experience. Since the consultancies are still ongoing, largely due to the fact that slope investigation and repair works often require a long period of time to complete and that multiple private slopes are often involved in each of the consultancies, we do not have information on the average time required for completion of works. In the past three years, no consultant or contractor has been barred from re-appointment due to poor performance.

2. The BD does not keep statistics on the average time taken by owners of private slopes in complying with DHOs. In the past three years (i.e. 2010-11, 2011-12 and 2012-13), the BD issued a total of 355 DHOs. During the same period, 290 DHOs had been complied with.

3. As at 1 March 2013, 683 DHOs have yet to be complied with. The distribution of such DHOs based on the time lapsed is as follows:

Number of years lapsed	Number of DHOs
Below 1	108
1 to 3	285
4 to 6	130
7 to 9	90
10 or above	70
Total	683

4. The enforcement tasks on the safety of private slopes are carried out by the existing resources of 52 professional and technical staff of the Slope Safety Section of the BD. The existing resources will continue to be deployed in 2013-14 for the enforcement tasks on the safety of private slopes. We will closely monitor the work progress of the enforcement tasks on the safety of private slopes and the adequacy of existing resources.

Name in block letters: AU Choi-kai

Post Title: Director of Buildings

Date: 9.4.2013