

CONTROLLING OFFICER'S REPLY

DEVB(PL)070

(Question Serial No. 3053)

Head: (82) Buildings Department
Subhead (No. & title): (-) Not Specified
Programme: (1) Buildings and Building Works
Controlling Officer: Director of Buildings (Ms Clarice YU)
Director of Bureau: Secretary for Development

Question:

It is stated under this programme that the Department will rectify irregularities of works associated with sub-divided flats (SDF) (including those for domestic use in industrial buildings) and the numbers of target buildings (TB) selected from 2021 to 2023 are 100 annually. In this connection, will the Government inform this Committee of the following:

1. What are the Government's criteria for selecting TB?
2. Regarding the buildings selected each year in 2020 and 2021, what are the respective District Council districts in which they are located, permitted uses in the land leases, numbers of units, building ages as well as numbers of units converted into SDF, found with irregularities and with irregularities rectified?
3. Is there any plan to increase manpower and provision so that the annual number of TB can be increased?

Asked by: Hon LAU Kwok-fan (LegCo internal reference no.: 48)

Reply:

1. & 3. Sub-divided flats (SDF) are not defined under the Buildings Ordinance (Cap. 123). For the purpose of the Buildings Department's (BD) enforcement operations, the term generally refers to cases where a unit is subdivided into two or more smaller self-contained domestic units. Pursuant to the prevailing enforcement policy, BD takes enforcement actions against building irregularities associated with SDF. The commonly found building irregularities associated with SDF are the formation of unauthorised door openings that contravene the fire-resisting construction requirements of fire escape routes, the erection of partition walls that block fire escape routes and excessive installation of partition walls and/or thickening of floor screeding that result in overloading of the floor slabs.

BD has been conducting large scale operations (LSO) against target buildings (TB) for rectifying building irregularities associated with SDF including those for domestic use in industrial buildings. BD adopts a risk-based approach in selecting TB for LSO, based on public reports and referrals received, and other relevant information from government departments.

BD has implemented improvement measures to speed up the enforcement actions against building irregularities identified in SDF, such as upgrading its Building Condition Information System to enhance monitoring of the progress of enforcement action, streamlining its procedures for applying to the court for entry warrants, redeployment of resources and re-adjusting its work priorities as appropriate. In addition, BD has been allocated additional resources in the past years to cope with various operation needs, including clearance of outstanding cases in relation to SDF.

The identification of and follow-up enforcement action against actionable building irregularities associated with SDF in the TB selected involves substantial workload. Therefore, the planned number of TB in 2023 is maintained at 100 to ensure that the LSO and enforcement action can be undertaken in a timely manner.

2. The TB selected for LSO each year in 2020 and 2021 comprised 80 domestic and composite buildings, in addition to 20 industrial buildings.

The numbers of TB, building ages, numbers of SDF found, numbers of SDF with irregularities identified and numbers of SDF rectified of irregularities by districts as at end-February 2023 are tabulated below –

TB selected in 2020					
District	Number of TB	Building age	Number of SDF found ⁽¹⁾	Number of SDF with irregularities identified ⁽¹⁾	Number of SDF rectified of irregularities ⁽¹⁾
Central and Western	7	33 - 53	37	1	0
Eastern	6	48 - 62	29	1	0
Kowloon City	13	40 - 63	35	0	0
Kwai Tsing	11	38 - 50	43	0	0
Kwun Tong	8	40 - 58	10	0	0
North	3	47 - 51	0	0	0
Sha Tin	1	28	0	0	0
Sham Shui Po	7	38 - 64	14	0	0
Southern	1	60	6	4	0
Tai Po	1	50	0	0	0
Tsuen Wan	3	48 - 49	7	0	0
Tuen Mun	6	28 - 45	42	1	1
Wan Chai	8	46 - 63	25	0	0

TB selected in 2020					
District	Number of TB	Building age	Number of SDF found ⁽¹⁾	Number of SDF with irregularities identified ⁽¹⁾	Number of SDF rectified of irregularities ⁽¹⁾
Wong Tai Sin	6	50 - 58	82	3	3
Yau Tsim Mong	15	46 - 63	101	13	0
Yuen Long	4	42 - 50	7	0	0
Total	100	-	438	23	4

TB selected in 2021					
District	Number of TB	Building age	Number of SDF found ⁽¹⁾	Number of SDF with irregularities identified ⁽¹⁾	Number of SDF rectified of irregularities ⁽¹⁾
Central and Western	8	34 - 59	13	5	0
Eastern	7	34 - 58	0	0	0
Kowloon City	15	43 - 67	22	1	0
Kwai Tsing	5	40 - 51	12	0	0
Kwun Tong	9	34 - 56	39	0	0
North	2	23 - 31	0	0	0
Sham Shui Po	9	39 - 62	19	0	0
Southern	1	46	0	0	0
Tai Po	1	48	0	0	0
Tsuen Wan	6	43 - 58	0	0	0
Tuen Mun	1	41	11	0	0
Wan Chai	10	37 - 58	3	0	0
Wong Tai Sin	7	42 - 59	40	0	0
Yau Tsim Mong	17	3 - 60	3	0	0
Yuen Long	2	48 - 50	0	0	0
Total	100	-	162	6	0

Note ⁽¹⁾: Number of SDFs refers to the number of units on approved building plans with SDFs found. Inspection and enforcement actions associated with SDFs are ongoing.

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