

(Information Paper)

Progress Report of the 8th Meeting of the Kowloon City District Council

Purpose

This paper aims to report on the major issues discussed at the 8th meeting of the Kowloon City District Council (KCDC) on 20 January 2005.

Request for Setting up a Building Tribunal

2. Members requested the Government to set up a building tribunal which, in addition to arbitrating in disputes between flat owners of private buildings, possessed the power of amending and consolidating deeds of mutual covenant (DMCs). It was hoped that through consolidating multiple DMCs held by flat owners of a single building, problems encountered in building management and in the setting up of owners' corporations could be resolved. The Housing, Planning and Lands Bureau replied that the Government was studying the feasibility of setting up a Building Affairs Tribunal as proposed by the Hong Kong Institute of Surveyors. As regards the consolidation of DMCs, the Home Affairs Department (HAD) explained that while the contents of DMCs held by different flat owners of a certain building might be quite similar, their respective shares provided for in the DMCs might not necessarily be equal and, as such, it would not be feasible for such different flat owners to vote together. The unanimous consent of all owners concerned should be obtained before any amendments could be made to consolidate DMCs; otherwise, any amendments, be they minor or major, could be regarded as jeopardising owners' interests.

Housing Authority's Divestment Project for its Retail and Car-parking Facilities

3. The Housing Department (HD) explained to Members that the Link Real Estate Investment Trust (Link) was a long-term investment project. The target clients of the retail and car-parking facilities under the trust would continue to be the tenants of housing estates and residents in the neighbourhood. Eligible welfare organisations and kindergartens, as sitting tenants, would remain entitled to the concessionary rents they previously enjoyed when the Housing Authority (HA) was the management authority. The Link Management Limited stressed that its operating policy was to enhance the efficiency of the management of shopping centres with a view to increasing pedestrian flows and, consequently, renting out more shops and boosting rental incomes. In response to Member's enquiry, the HD revealed that the costs incurred by relisting the Link would be borne solely by the HA. Members noted that the service quality of shopping centres in public housing estates would be improved

by putting them under the management of private companies. However, to make this concept acceptable to the general public, the HD should drive the message home through District Councils (DCs) and shopowners' organisations.

North and South Kowloon Sewerage Stage 2

4. The Drainage Services Department (DSD) said that it planned to carry out sewerage improvement works in Hung Hom and Kowloon City so as to increase the sewerage disposal capacity in downstream areas of Valley Road Estate, Tung Tau Cottage Area West and Inverness Road to cater for the housing developments in the district. For the Hung Hom section, the trunk sewers along Fat Kwong Street, Shun Yung Street, Ko Shan Road and San Lau Street would be replaced, while for the Kowloon City section, those along Inverness Road, Dumbarton Road, Grampian Road, Junction Road and Prince Edward Road West would be replaced. The replacement works would mainly be carried out section by section using road opening method. For some busy road sections, trenchless excavation method would be used. The plan had adopted necessary measures to reduce the impacts of the works on the environment and traffic. Members noted that the works could not only cope with the development needs of the district, but also improve its sewerage disposal facilities. Yet, they requested the DSD to provide the KCDC committee concerned with the works schedule for each section, details of necessary traffic arrangements and other feasibility reports to facilitate its consideration of the plan.

Concern over the Heights of Buildings under Construction in Hung Hom Bay

5. Members reflected Royal Peninsula residents' concern over the increasing heights of tower cranes on the sites of two buildings under construction in Hung Hom Bay, and their suspicions that the heights of the two buildings had been altered, thereby blocking their view. The Planning Department (PlanD) explained that the maximum heights of buildings in a district were stipulated in the outline zoning plan. However, should technical problems arise in the course of construction, developers were permitted by law to slightly alter the heights of their buildings subject to planning approval. As regards the buildings on which an advertisement for Horizon Suite Hotel was hung, the developer had obtained approval from the PlanD in 2002 to alter their heights. The height of the building nearer the seafront had been increased from 30 metres to 38.6 metres, while that of the building nearer the road had been increased from 55 metres to 59.4 metres. The height of another building remained at 105 metres. The PlanD added that in processing applications for altering the heights of proposed buildings, it would consult the departments concerned and gather residents' views through District Offices. All views collected would be submitted to

the Town Planning Board (TPB) for consideration.

Concern over the Setting up of Chinese Churches in Domestic Buildings

6. Several Members jointly signed a petition against the proposed conversion of a flat in Cheong Lok Mansion into a Chinese church. They were concerned that this would cause nuisances to residents and that the noise and air pollution caused by the alteration works would pose a threat to their health. The Buildings Department (BD) said that owners or tenants were required to apply to it for any major changes to the uses of a building. The PlanD also pointed out that the building in question fell within a Residential (Group A) (R(A)) land use zone, while Chinese churches were under Religious Use. The owner concerned should make an application to the TPB before a Chinese church could be established in the R(A) zone. Although the two departments had informed the owner in writing of the above statutory requirement, so far no application had been received for converting the flat into a Chinese church. The Kowloon City District Office (KCDO) remarked that since the church was not yet in operation, the departments concerned could not take enforcement actions at the present stage. It would maintain close contact with these departments and discussed with them the necessary follow-up actions.

Directorate Grade Officers Attending Meetings of Committees under DCs

7. Under DCs' current arrangements, agenda items would either be discussed at the meetings of the DC committees concerned or at DC meetings according to the nature of the issues involved. Members urged the Government to send directorate grade officers to committee meetings. The KCDO reiterated that the Government attached great importance to the DCs as major consultative bodies at district level, and stressed that it would strive to follow the guidelines issued by the Chief Secretary for Administration in 2002 on sending government officials to DC meetings and would arrange for government representatives of the appropriate ranks to attend the meetings of DCs and their committees. Members generally accepted the view that the ability of government representatives attending committee meetings to answer and handle Members' enquiries and requests effectively was more important than the ranks of the such representatives.

Kowloon City District Office

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