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Title	Minutes of the Open Meeting of the HONG KONG HOUSING AUTHORITY held on Thursday, 24 November 1994.
CONTENTS	<p>File Ref.: HA/COM/2/2 Paper No. HA 64/94</p> <p>Minutes of the Open Meeting of the HONG KONG HOUSING AUTHORITY held on Thursday, 24 November 1994.</p> <p>---O---O---O---</p> <p>PRESENT:</p> <p>Hon Rosanna WONG Yick-ming, CBE, JP (Chairman) Mr FUNG Tung, OBE, JP (Director of Housing) (Vice-Chairman) Mr PAO Ping-wing, JP Ms LEUNG Wai-tung, MBE, JP Hon HUI Yin-fat, OBE, JP Hon Edward S T HO, OBE, JP Rev Sean Patrick BURKE, JP Mr Victor SO Hing-woh, JP Mr HAU Shui-pui Hon FUNG Kin-kee Prof YEUNG Yue-man Mr Stanford MILLER, JP Ms HO On-nei Mr CHAN Kam-man, JP Hon LEE Wing-tat Mr YEUNG Ka-sing Mr Anthony WONG Luen-kin Miss Audrey EU Yuet-mee, QC, JP Mr Joseph CHOW Ming-kuen, JP Mr Joseph W P WONG, JP (Regional Secretary/Hong Kong & Kowloon) Mr Leo KWAN Wing-wah, JP (Deputy Secretary for Planning, Environment and Lands/Housing Policy)</p> <p>ABSENT WITH APOLOGIES:</p> <p>Mr LEUNG Chun-ying (Out of Hong Kong) Mr Nicholas BROOKE Mr Daniel LAM Chun (Out of Hong Kong) Mr Donald TSANG, OBE, JP, Secretary for the Treasury</p> <p>IN ATTENDANCE:</p> <p>Mr LEE Kai-fat (Deputy Director/Administration & Policy) (Secretary of the Authority)</p>

Mr Y G LIM (Deputy Director/Housing Management & Works)
Mrs Fanny LAW, JP (Senior Assistant Director/Special Duties)
Mr Simon P H LI, JP (Senior Assistant Director/Estate Management)
Mr R A BATES, JP (Senior Assistant Director/Maintenance & Construction Services)
Mr Stephen S C POON, JP (Senior Assistant Director/New Development)
Mr Marco M H WU, JP (Senior Assistant Director/Housing Administration)
Mr M L YUEN (Assistant Director/Construction Services)
Mr R N CARPENTER (Assistant Director/Maintenance)
Mr HO Wing-him (Assistant Director/Policy)
Mr R J AVON (Assistant Director/Finance)
Mrs Joy AU (Assistant Director/Regional Management (1))
Mr Y L CHAN (Assistant Director/Commercial Properties)
Mr Peter K W YIP (Assistant Director/Operations & Redevelopment)
Mr J J NG (Assistant Director/Regional Management (2)) (Acting)
Ms Mimi LEE (Senior Administrative Officer/Housing Management)
Mr Edward LAW (Senior Principal Executive Officer)
Mr Safat HOOSAIN (Public Relations Officer)
Mr Raymond KO (Committees' Secretary)(Meeting Secretary)
Miss Fiona LAM (Senior Assistant Committees'Secretary)

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Action

The Chairman opened the meeting at 8:45 a.m. and welcomed Mr Joseph WONG, JP, Regional Secretary (Hong Kong and Kowloon) as new alternate Member of Secretary for Home Affairs. She also welcomed Mrs Fanny LAW, Senior Assistant Director/Special Duties for coming to the meeting. The Chairman informed Members that Mrs Law would be taking over as Deputy Director/Housing Management and Works when Mr Y G LIM proceeded on pre-retirement leave in early 1995.

2. Apologies for absence were recorded from Mr LEUNG Chun-ying (Out of Hong Kong), Mr Nidolas BROOKE, Mr Daniel LAM Chun (Out of Hong Kong) and Mr Donald TSANG, OBE, JP, Secretary for the Treasury.

BROADCAST OF PROCEEDINGS

3. The Chairman informed Members that the proceedings of the meeting would be broadcast to the Lecture Hall for the benefit of departmental officers.

CONFIRMATION OF THE MINUTES OF THE SPECIAL OPEN MEETING HELD ON 9 MAY 1994

4. The Minutes were confirmed and signed.

CONFIRMATION OF THE MINUTES OF THE OPEN MEETING HELD ON 30 JUNE 1994

5. The Minutes were confirmed and signed.

MATTERS ARISING FROM THE MINUTES OF THE PREVIOUS MEETINGS

6. Members noted the information paper No. HA 61/94.

Action

ITEMS FOR DISCUSSION

(AGENDA Estate Management Advisory Committee Item 4) (Paper No. HA 59/94)

The Proposal

7. Mr Y G LIM presented the paper.

8. Members generally supported the proposal of setting up Estate Management Advisory Committees (EMACs) with a view to improving estate management. Messrs YEUNG Ka-sing and Stanford MILLER opined that it was modern management practice to have proper "empowerment" at the working level and to listen to customers' views. Mr CHAN Kam-man added that the Authority could also make use of the channel to both listen to tenants' views and to explain the decisions of the Authority and its Committees to the tenants.

9. Members noted from Mr LEUNG Chun-ying's letter tabled at the meeting that he had reservation on the proposal as it carried political ramifications. Mr Leung considered it inappropriate to make a hasty decision on such an important issue. Mr Joseph WONG, however, pointed out that EMACs were not political in nature. They were only advisory bodies on estate management matters. Mr FUNG Kin-kee also did not consider the decision hasty as concern groups had asked for tenants' participation in estate management as early as 1985. Messrs CHAN Kam-man and YEUNG Ka-sing said that, in any case, the proposal would be reviewed after one year.

(Mr Joseph CHOW Ming-kuen left the meeting at this juncture.)

Decision on Policy Matters

10. Mr LEE Wing-tat considered that as housing policies would affect tenants' day-to-day life, EMACs should be allowed to discuss housing policy issues. It could be made clear to tenants that EMACs could not make decisions on housing policies but their views could be reflected to the Authority for consideration. Mr FUNG Kin-kee supported his view and suggested that policy issues could be raised by EMAC members under "Any Other Business" (AOB).

11. Mr Edward S T HO opined that EMACs were set up to advise on estate management matters. If other issues, such as housing policy issues were to be discussed also, these committees should be set up under more general terms of reference and under a name of broader scope such as Estate Residents Advisory Committee.

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12. Mr Stanford MILLER remarked that it was inappropriate for policy issues to be discussed at estate levels. Policy making is a matter for the Housing Authority and its relevant Committees. The EMACs should therefore only discuss matters relating to the execution but not formulation of policies.

13. Mr CHAN Kam-man said that it would be difficult to obtain meaningful conclusions if the topics to be discussed by EMACs were too broad. On the other hand, it might be too restrictive to prohibit EMACs from giving views on policy issues. To strike a balance, EMAC members could be allowed to give their views on policy issues under AOB within a specified time limit to avoid detailed discussions.

14. Mr Y G LIM said that it was not the intention to consult EMACs on housing policies. This was similar to the arrangement where the government would not

normally consult District Boards (DBs) on increase in fees and charges and similar matters.

15. Mr LEE Wing-tat pointed out that currently, Mutual Aid Committees (MACs) could raise any housing related issues at their bi-monthly meetings with Housing Managers (HMs). It was retrograde to impose restrictions on the topics to be discussed by EMACs. This would only create conflicts between the Authority and the tenants. Mr FUNG Kin-kee shared his views.

16. Rev S P BURKE commented that it was practically impossible to prohibit EMACs from discussing policy issues. Messrs LEE Wing-tat, FUNG Kin-kee, HUI Yin-fat and Ms HO On-nei considered that tenants would in any case find one channel or another to express their views on housing policies. As such, it would be more desirable for them to do so within the institution rather than outside it.

17. Mr FUNG Kin-kee said that the Area Committees would in future concentrate on community building activities rather than advising on district management matters. EMACs could therefore serve as alternative advisory bodies for local management matters. It was therefore not suitable to restrict the topics to be discussed by EMACs.

18. Mr HAU Shui-pui and Professor YEUNG Yue-man had reservation on putting policy matters on the agendas of EMACs but considered that views on housing policies could be expressed under AOB. Mr Hau said that the principle was that the existing communication channels between tenants and the Authority should not be reduced after the setting up of the EMACs.

19. The Chairman summed up that EMACs should be advisory committees on local estate management matters. They would not normally be consulted on policy issues. Although policy issues would not be put on EMACs' agendas, members could express their views on housing policies under AOB. Their views would be reflected to the Authority or the respective policy Committees for consideration.

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Other Views on the Role and Functions of EMACs

20. Mr LEE Wing-tat said that some of the issues were regional in nature and might not be confined within an estate, such as hawkers and transport between estates. He considered that EMACs should be allowed to deliberate on such regional matters rather than confining their discussions to issues within their own estates.

21. Mr Anthony WONG Luen-kin said that EMACs should also have the right to monitor the Department's progress in responding to their requests.

22. Mr HUI Yin-fat asked whether the duties mentioned in paragraphs 6 to 8 of the paper, including liaison with DBs/Area Committees, meetings with concern groups, visits to estates etc, currently done by the Department and the Authority would be passed to EMACs. Mr Simon LI replied that these activities would continue to be carried out by the Department and the Authority.

23. While noting that EMACs were advisory bodies, Mr FUNG Kin-kee suggested that the HMs should provide justifications if any requests of the EMACs could not be entertained. Ms HO On-nei and Professor YEUNG Yue-man envisaged that this would lead to difficulties as some of the reasons for rejecting a request were related to policies and were outside the terms of reference of EMACs.

Membership

24. Mr FUNG Kin-kee noted that to qualify for EMAC membership, residents associations had to be registered under the Societies Ordinance and had a membership of at least 15 % of the estate households. He found the requirements too restrictive when compared with those for MACs. He pointed out that it was no longer a legal requirement for residents associations to be registered under the Societies Ordinance. He proposed that EMAC should include representative from a resident organisation if it had organised regular estate activities in the past few years and that all or most of its members were estate tenants. Mr Y G LIM responded that this might however expand the EMACs to an unmanageable size. Mr Simon LI added that the Department would continue to maintain close liaison with residents associations and estate organisations irrespective of whether they were represented in the EMACs.

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25. Mr FUNG Kin-kee considered that voluntary agencies and education institutes within the estates were also users of the estate facilities being managed by the Authority. Their representatives should therefore be included in the EMACs. Co-ordination for the election/nomination of these representatives could be done by the Social Welfare Department and the Education Department before the start of each tenure. Ms LEUNG Wai-tung had reservation on including local personalities in the EMACs. It was more desirable for discussions to be conducted among estate tenants rather than including personalities in a different capacity, such as school principals. Mr Y G LIM said that it was not the intention to include other local personalities in the pilot scheme. However, this could be reviewed after one year's implementation.

26. Ms LEUNG Wai-tung pointed out that some of the estates had individual shopping centres for commercial tenants. Consideration should be given to whether such commercial tenants should be included in EMACs.

27. Mr Stanford MILLER and Ms LEUNG Wai-tung considered that DB Members should be in attendance at EMAC meetings rather than appointed as full members. Ms Leung said that tenants might be unduly influenced by DB Members simply because of their status. As tenants were people actually living in the estates, they should be given the opportunity to express their views on local management matters freely based on their experience. Mr Stanford MILLER said that the need for DB Members at EMACs could be reviewed at the end of the pilot scheme.

28. Mr LEE Wing-tat said that DB Members were directly elected by residents. They should be included in EMACs because of their representativeness. This was similar to appointing DB Members to Area Committees as ex-officio members. Mr PAO Ping-wing remarked that the proposal would start as a pilot scheme only. The Authority could therefore be more open to include DB Members as full EMAC members and then review this after one year.

29. Miss Audrey EU Yuet-mee opined that while EMAC should be kept within a manageable size, sufficient representation should be secured to ensure that different interests were represented in EMACs. Mr Y G LIM said that this could be achieved as there would be an elected representative from each SAD/EM MAC in an estate. Mr Anthony WONG Luen-kin asked the Department to look into the problem for blocks without MACs.

30. Mr Anthony WONG Luen-kin supported the proposal to appoint HMs as EMAC Chairmen as they were the officers directly responsible for estate management. To appoint other EMAC members as chairmen might result in having discussions deviating from housing management issues.

31. Ms LEUNG Wai-tung commented that there might be role conflict for HMs to carry out estate management work and to serve as Chairmen of EMACs which were set up to advise on and monitor estate management work. To avoid such a role conflict, consideration should be given to contracting out estate management work to private management companies. The Director of Housing replied that consideration was being given to contracting out estate management work in selected estates.

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32. Mr Joseph WONG noted that staff of the City and New Territories Administration (CNTA) would be required to attend EMAC meetings on a need basis. Mr Wong confirmed that this had the support of CNTA.

Allocation of Funds

33. Ms HO On-nei welcomed the proposal to allocate funds to estates for local improvement works. This could speed up the works as HMs were no longer required to go through cumbersome procedures to apply for funds at the Headquarters level.

34. Mr Stanford MILLER considered it necessary to establish principles to determine the amount of funds to be allocated to each estate. This could be in the form of 5% of rents collected with increase over the years. Mr Y G LIM said that the current proposal of allocating \$800,000 to \$1 million a year to an average estate could be tried out first and then reviewed at the end of the pilot scheme. The suggested 5 % would represent a substantial increase over the present proposal.

35. On the use of the funds, Mr HUI Yin-fat said that detailed guidelines must be drawn up to maintain control. Mr FUNG Kin-kee expressed reservation on spending housing management funds on festive decorations/ celebrations and carnivals. Mr Y G LIM explained that such activities could assist in building a sense of belonging amongst residents and would be conducive to estate management. In any case, expenses on such activities should not exceed 10% of the total funds allocated.

36. Mr Stanford MILLER cautioned that contracts to be awarded should follow the Authority's tendering procedures. Mr Y G LIM confirmed that this would be the case.

37. Mr LEE U4mg-tat suggested that EMACs should be allowed to decide the priority

of the minor improvement works to be funded by these annual allocations. Mr CHAN Kam-man however preferred the approach as proposed in the paper with the HMs to be the controlling officers as EMACs were only advisory bodies.

38. Mr FUNG Kin-kee and Ms HO On-nei asked whether the annual allocations to estates were additional allocations on top of the existing funds reserved for repair and maintenance works. Mr Y G LIM replied in the affirmative.

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Staffing Implications

39. Mr CHAN Kam-man and Rev S P BURKE envisaged that the setting up of EMACs would inevitably raise tenants' expectation and urge for improvements. The Department should ensure that adequate staffing resources were available to respond to tenants' requests. The Director of Housing said that the proposal did have implication on the Department's tight staffing condition, bearing in mind that the Department also had to implement other new initiatives and commitments to improve services to tenants. Mr Y G LIM said that in any case, SAO/HM the need for additional staff to implement the scheme would be included in the proposal on the implementation details to be submitted to the Management and Operations Committee (MOC).

The Pilot Scheme and the Way Forward

40. Mr HUI Yin-fat enquired about the selection of eight estates for inclusion in the pilot scheme. Mr Simon LI informed Members that the pilot scheme would cover a wide variety of estates of different estate types, ages, sizes, population profiles, activeness of the MACs and the needs for maintenance and improvement works. The Department would first set out the selection criteria, and then select the eight estates for the pilot scheme. Discussion with the tenants of the selected estates would then ensue regarding the setting up of the EMACs.

41. In response to Professor YEUNG Yue-man's enquiry on the way forward, Mr PAO Ping-wing said that the Department would propose a detailed implementation plan for MOC's consideration. If approved, the pilot scheme would be launched in April 1995. Apart from monitoring views from tenants, EMACs and the general public, MOC Members would also attend EMAC meetings on a rotation basis during the pilot scheme. The MOC would then conduct a review of the scheme in a year's time and recommend to the Authority the way forward.

Conclusion

42. With the above comments, Members endorsed the EMAC proposal as set out in paragraphs 15 to 26 of Paper No. HA 59/94.

43. The Chairman remarked that the decision on setting up EMACs was an important milestone in estate management work through further decentralization of management duties to estate staff and greater participation by tenants. She looked forward to a close relationship and partnership between estate staff and tenants with a view to improving estate management.

Action

(AGENDA Secretary's Report - Committee Work Item 5) (June 1994 - August 1994)
(Paper No. HA 49/94)

Commercial Properties Committee - Paragraph 31

44. Mr FUNG Kin-kee noted that there were protest from shopstall tenants against the proposed improvement to Shek Kip Mei Market. He asked whether this had any effect on the implementation of the improvement works. Mr Y L CHAN replied that in view of the objections encountered during the consultation stage, the Department had met the shopstall tenants concerned and Shamshuipo District Board Members. After discussion, it had been decided that the stallholders should practice better self discipline to improve the situation of the market, e.g. to cease encroachment upon common passageways and to keep the market in a tidy condition. It was observed that the situation of the market had so far improved through stallholders' voluntary self-discipline actions. Meanwhile, other improvement items such as strengthening of heat insulation to the podium roof of the market and renovation of the children's play area would proceed as planned.

45. Mr LEE Wing-tat asked whether the Commercial Properties Committee would discuss the Consumer Council's recent report on supermarkets, which included the supermarkets in the Authority's estates. Mr Y L CHAN said that the major comment concerning the Authority was that the Consumer Council suggested that private shopping centres should adopt the Authority's practice of selecting supermarket operators by open tendering. The Director of Housing said that in case there were issues requiring the attention of the Commercial Properties Committee, they would be brought up to its Members.

(AGENDA Secretary's Report - Committee Work Item 6) (September 1994 - October 1994)
(Paper No. HA 60/94)

Management and Operations Committee - Paragraph 13

46. Mr LEE Wing-tat was aware that Block 12, Kwai Shing East Estate originally scheduled for redevelopment would be retained for accommodating squatter clearerees who were eligible for Temporary Housing Area units but not for public housing units. He asked whether the block would be refurbished before re-use. Mr Simon LI replied that essential reinstatement and improvement works such as electrical rewirings and water proofing to wet areas etc would be carried out to ensure that the facilities are of an approved standard before re-use.

Action

Appeal Panel - Paragraph 20

Com Secy 47. At the request of Rev S P BURKE, the Department undertook to include in future Secretary's Reports summaries on the decisions on the cases heard during the

reporting period, i.e. the number of cases with the notice-to-quit confirmed or cancelled.

ANY OTHER BUSINESS

Disciplinary Cases

48. Mr FUNG Kin-kee said that according to press reports, the Department was investigating into some 200 cases involving absence from duty, fraudulent claims of overtime allowance etc. He asked whether the Department would claim back any overpayments from the staff concerned and review the SPEO monitoring system. The Chairman explained that the cases were still under investigation. It was therefore inappropriate to give any comments at this stage. In any case, after investigation a report would be submitted to the Establishment and Finance Committee.

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49. There being no other business, the meeting adjourned at 10:50 a.m.

CONFIRMED on

Hon Rosanna Wong Yick-ming, CBE, JP
(Chairman)

Raymond KO
(Meeting Secretary)

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