

LCQ21: Improper disposal of decoration waste in public rental housing estates

Following is a question by the Hon Holden Chow and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (June 13):

Question:

Quite a number of tenants of newly completed public housing estates will have decoration works carried out for their new homes before moving in. Under the existing requirements, tenants must dispose of decoration waste in a proper manner, and in order to avoid the accumulation of waste in common areas such as building corridors and lift lobbies, the property service agents (PSAs) concerned will collect Debris Removal Charges from tenants for disposing of all waste collectively. Under this arrangement, decoration contractors employed by tenants may dispose of decoration waste at the designated debris dumping points set up by PSAs in the housing estates. However, some members of the public have relayed to me that in recent months, large quantities of decoration waste have accumulated in the common areas of several newly completed public housing estates in the New Territories (e.g. Ying Tung Estate at Tung Chung, Yan Tin Estate at Tuen Mun and Kwai Tsui Estate at Kwai Chung), seriously undermining environmental hygiene and jeopardizing the health and safety of tenants. In this connection, will the Government inform this Council:

(1) how the Housing Department (HD) currently curbs the improper disposal of decoration waste by decoration contractors in the common areas of housing estates; whether the HD has regularly deployed staff members to conduct inspections at newly completed housing estates with a view to curbing such behaviour; if so, of the details and outcome of such inspections; if not, the reasons for that;

(2) of the follow-up measures adopted when improper disposal of decoration waste in the common areas of housing estates has been found during the inspections conducted by HD staff members or when such reports are received by them;

(3) whether decoration contractors are required to bear legal liability for improper disposal of decoration waste; if so, of the details (including the penalties); whether the HD will blacklist such contractors to prohibit them from carrying out decoration works at the units of HD's housing estates for a certain period of time, with a view to enhancing the deterrent effect; if so, of the details; if not, the reasons for that; and

(4) of the number of decoration contractors warned or penalised for improper disposal of decoration waste in housing estates in the past two years?

Reply:

President,

In response to various parts of the question raised by the Hon Holden Chow, a consolidated reply is at below:

According to the Waste Disposal Ordinance, a person commits an offence if he deposits waste illegally without the permission of the land owner. Such acts may be prosecuted by the Environmental Protection Department.

As regard the Hong Kong Housing Authority (HA), according to the HA's rules, tenants of newly-completed PRH are required to submit applications before carrying out decoration works. The HA distributes the application forms for decoration works to tenants together with the intake documents. Tenants are free to choose their decoration arrangements, including conducting decoration with assistance from relatives/friends, employing decoration companies in the market, or engaging services from any decoration contractor (DC) listed on the Reference List of DCs maintained by the HA (not limited to the DCs allocated by the Housing Department to station at the estates).

Besides, the HA's estate offices would remind tenants, through intake briefing sessions and decoration handbooks, not to alter existing facilities without approval in order to avoid wastage of resources and generation of construction waste. During decoration, tenants should not dispose of decoration wastes and/or refuse in public areas to avoid damaging environmental hygiene and creating public safety hazards.

During decoration, workers are required to wear permits issued by estate offices for identification purpose. They should also register at the security guard counters at the lobby when entering or exiting the building. Tenants should, during the decoration period, display the approval documents together with information of the approved work items at a conspicuous place in the unit in order to facilitate inspections by estate staff to ensure that the decoration works are carried out as approved and that there is no other irregularity, including indiscriminate disposal of decoration wastes.

In view of the various potential environmental hygiene and safety problems caused by simultaneous execution of decoration works by many tenants in newly completed PRH estates during the intake period, the estate offices would carry out cleaning operations at estate common areas and inside buildings more frequently, step up patrol and take control actions including referring cases to relevant authorities for enforcement actions.

Contractors on the Reference List of DCs must comply with the Guidelines for Reference List of DCs and the terms and conditions of undertaking decoration works when providing services, including taking precautionary measures to safeguard public health, ensure work safety, and abate fire hazards. DCs must properly place all decoration debris at the dumping point within the estates and should not dispose of them recklessly or cause any obstructions. If irregularities are found, the HA will, depending on the circumstances, take appropriate regulatory actions including issuing

warnings; or in more severe circumstances, revoking the work licence of the contractor; or even delisting the DC from the Reference List. A delisted DC will be barred from re-admission to the Reference List for two years.

Moreover, for misdeeds committed by tenants at the estate (including the tenant and his/her family members in the tenancy), HA can take regulatory actions in accordance with the Marking Scheme for Estate Management Enforcement. Five penalty points will be allotted if a relevant person is found "obstructing corridors or stairs with sundry items rendering cleansing difficult" or "disposing of domestic refuse indiscriminately, such as improper disposal in lift lobbies or inside bins without cover"; and seven penalty points will be allotted for "dumping or disposing of decoration debris indiscriminately at refuse collection points, within building or in other public areas". When a tenant has accrued 16 points within two years, his/her tenancy is liable to termination.

The HA does not maintain consolidated statistics on warnings or penalties imposed on DCs for the non-compliant disposal of decoration wastes.

For the recently completed Ying Tung Estate, Yan Tin Estate and Kwai Tsui Estate mentioned in the question, the HA issued 28 warnings to DCs regarding dumping of decoration wastes and the DCs concerned had followed up the matters immediately.