

The Government's efforts to control flooding in urban areas

政府在市區進行的防洪工作

主席：

今次聆訊的議題是審計署署長第三十五號報告書第2章政府在市區進行的防洪工作。被邀請出席聆訊的證人包括工務局局長李承仕先生、渠務署署長郭禮莊先生、渠務署助理署長(操作維修)麥理思先生、拓展署署長黃鴻堅先生及食物環境衛生署署長劉吳惠蘭女士，共5位證人。

請李華明議員開始今天的聆訊。

李華明議員：

整份報告書可分為數方面，第一方面是報告書的第2部分：西九龍雨水排放整體計劃研究。我看完這部分後，可以用“震驚”來形容我的感受。在1995年，渠務署已接納顧問的建議，以25億元分3階段來進行排水研究，但是研究結果竟然遺漏了非常重要的流量數據，涉及的範圍相當嚴重，以致在完成工作後也不能解決洪水的問題，而這疏忽更引致額外的開支。請問渠務署在1995年為何會接受一份忽略了這些數據的顧問報告？而在兩年後當發現了疏忽，你們才進行補救工作，為何會出現這樣嚴重的疏忽呢？

主席：

郭禮莊先生。

Mr John Collier, Director of Drainage Services (D of DS):

Mr Chairman, this feasibility study in 1995 was intended to come up with a strategy for the drainage works in West Kowloon. It is true that there was an unfortunate error in omitting catchment data. This was picked up when the initial design work was done in the consultancy for the implementation of the work to do the detailed design when there was an adoptive review. I do admit that it is an unfortunate error but this was the first drainage master plan carried out by DSD in those days. We have done seven since and we have learnt from that problem. We now have an in-house team to look at the models produced by consulting engineers and I am confident that this could not happen again.

主席：

李華明議員。

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李華明議員：

主席。請問這是渠務署的疏忽，還是他們被顧問公司蒙騙了。我希望知道原因。

主席：

郭署長。

D of DS:

Mr Chairman, I would say neither. The amount of work that we could do at that time in checking computer models was limited. The error involved was not really major. When the error was pointed out to the original consulting engineer, he re-ran the models and the result of that re-run of the models resulted only in about 4% increase in the length of drains to be upgraded. The error was not major. I would not like Members to get the impression that this was a catastrophic error because it was not.

主席：

劉江華議員。

劉江華議員：

我不滿意署長的答覆。渠務署在報告書第2.24段解釋，當初渠務署聘請顧問的原因是由於他們缺乏有關的專業知識。渠務署給予公眾的印象是他們擁有這方面的專業人士，即使渠務署沒有直接進行研究，但是在接獲研究報告後，他們應該有責任和能力評估研究結果的準確性，可是渠務署在接獲研究報告後的兩年內，完全沒有發現報告內的問題，作為渠務署署長，這是否失職呢？

渠務署署長其後再聘請了另一間顧問公司進行有關研究，結果發現研究存有問題，因而證明了這項機制是有效的。不過，誰會相信這份新的顧問報告是完全準確呢？渠務署有否審查這份新的顧問報告呢？縱使顧問C現在已完成了報告，但公眾對此已失去信心。請問渠務署署長能否告訴委員會，這份最新的顧問報告是完全正確呢？

主席，相信你也發現最近許多顧問公司都出現“漏招”情況，例如將軍澳的不正常沉降便是其一。渠務署作為一個專業的部門如何承擔將來的風險呢？

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主席：

Mr Collier.

D of DS:

Mr Chairman, as I said earlier, we do have an in-house team now to check computer modelling from these drainage master plans. At the time this report was received, we did not. There is a limited amount you can do with the resources available to check the work of consulting engineers, but I do feel confident that this team now is capable of doing adequate checks on computer models. In addition, in this particular project, the completion consulting engineer has done physical modelling so the results of the study and the implementation in terms of detail and design have been physically checked by physical modelling. So, I do have a degree of confidence that the result we have come up with for this West Kowloon drainage project is going to be the solution to the problem.

主席：

劉江華議員。

劉江華議員：

主席。我希望新成立的這隊人員能有效地和準確地運作。不過，兩年前渠務署沒有這隊人員，亦無有關的專業知識，對顧問公司代為研究的問題，渠務署沒有進行有關的評估，這樣渠務署是否失職呢？請問署長會否承認這是失職呢？

主席：

Mr Collier.

D of DS:

I thought I answered that. I do not believe there was any negligence involved. I believe that at the time the staff did not have the tools necessary to check the modelling. The consultant made an error. People do make errors, and this was picked up and the consultant re-ran the models and provided the information he should have done in the feasibility stage. Now, there was nothing lost in terms of abortive work as a result of his error. It was picked up during the detailed design adoptive review. So, I do not think that it is reasonable to talk about negligence in this case.

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Chairman:

Maybe I would follow with four different questions. By the time I finish Members may be clearer. May I first direct the Director to one point, paragraph 1.2 of the Report, which says that the Drainage Services Department is responsible for planning, designing, constructing, operating, maintaining and so on. The public places a very large sum of public funds, something like \$368 million in this case, in the hands of the Department. It clearly says that it is responsible for the planning and designing. It does not say the consultant is responsible. It says that your Department is responsible. Is that statement correct?

D of DS:

That is a correct statement, yes.

Chairman:

Then I would like to turn to paragraph 2.9, with Table 2, which shows that the area omitted from the run-off calculation in Table 2 comes up to 27% variance, not 4%. I do not understand the 4% being mentioned. I would not want to debate on whether the 27% is catastrophic, to use the word of the Director, but it certainly sounds to a contractor or accountant or I think a reasonable man on the street that that is a pretty material error or omission. Would that be a correct description, a very material error?

D of DS:

Mr Chairman, a slight observation on this Table 2. The overall 27% is in fact presented as the percentage of that identified in the original model. It is not a percentage of the total area. If you present it as that, it is only 20%. Now, that is catchment. It translates to about 4% in terms of the length of drains to be upgraded at the downstream end. That is the 4% I was referring to.

Chairman:

Maybe I will later defer to the Director of Audit. I think whether this is 4% or 27% of the catchment area, particularly when the consultant feasibility study focuses on the catchment area, I would still think to describe it as a material omission is quite fair.

D of DS:

It is significant but, in terms of the project, it is not a catastrophic error, as I said, and it was picked up at the adoptive review stage.

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Chairman:

We will then choose our words. I do not think anyone uses “catastrophic” on our side but we will use “material”. Paragraph 2.14 on page 9 of the Report clearly reveals that at the time of the vetting of the Consultant A’s work the Department had no capability or had not got the right computer software, as illustrated at 2.14(b). Am I correct to assume that the Department, therefore, had not re-run the programme because of that and why did the Department not think of perhaps asking an outside consultant or use a computer bureau to help you to do the work of vetting?

D of DS:

Mr Chairman, I can only confess this must have been an oversight at the time.

Chairman:

So, it is an oversight. It was not re-run?

D of DS:

It was not re-run, no.

Chairman:

Then four, at last, I think the important question. Clearly, the Department thinks that the Consultant A needs to be brought to some sort of accountability and, as far as the Department is concerned, they felt that something has been omitted and it will require redress or perhaps even considering a legal case. If the Department does not consider that there has been negligence on the part of the consultant, why would you then ask the Legal Department to take a look at whether you can recover losses from them? You must see that as a case of negligence? According to the Department, do you think it is negligent on the part of the consultant?

D of DS:

Mr Chairman, again, it is a choice of words. There was undoubtedly an error and omission. We have been considering whether we have suffered any cost. We have been taking legal advice as to whether we should try to recover any additional costs caused by that omission from the original consultant. We have also been considering the issue of a retrospective report on the performance of the consultant. With regard to the latter, we have made a retrospective report, drawing attention to the poor performance of the consulting engineer, to the EACSB.

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With regard to the potential full recovering of cost, we have had a careful look at that issue. We have taken legal advice and, taking into account the fact that the consulting engineer re-ran the model, gave us revised data when requested to do so, and looking at the undeniable fact it has not really cost us any additional money in terms of abortive construction work or even abortive work by the subsequent consultant, we have concluded that we do not have a case to sue the original consultant. But we have taken action to submit a retrospective report pointing out his poor performance.

Chairman:

To round up, that Consultant A, which has been nameless here, has it done any other work for the Government that needs to be checked again? Is it just filing a report six years later?

D of DS:

Mr Chairman, this goes back a long way and the answer is that this is a large consulting firm and it does have a lot of work for the Government. The work he does for the DSD has been double-checked certainly as a result of this incident.

Chairman:

Can I ask the Secretary for Works too? I am sure they are not doing work just for the DSD but for quite a big part of the Government. Are you confident in hindsight with this report?

Mr LEE Shing-see, Secretary for Works (S for W):

Mr Chairman, this consultant does do a lot of work for the Government. Apart from the Drainage Services Department, they also do works for other works departments as well. On the checking of works of consultants, one has to strike a balance between the level of detail of checking. We employ consultants mainly to do the work for the Government. If we are to do all the work again, it will be duplicating the work. What we normally do is we check all the essential steps to make sure that all the essential steps are followed and to ensure that the designs that they produce are in accordance with the Government's requirements.

Chairman:

I think the question is have you ensured that all the other works of the particular consultant which has the report of non-performance, are you sure that their works on other projects for the Government are up to standard? I think that is the question I am asking.

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S for W:

As I explained, the general principle of checking the consultants' work is, as I explained, we do not normally check each and every step of all the work done by our consultants but, rather, we check all the critical steps to make sure that they are in accordance with Government requirements. This applies to this consultant as well as to other consultants.

主席：

李華明議員，請你跟進。

李華明議員：

1995年的顧問報告引申出兩個問題，第一，是九龍水塘；第二，是大坑東蓄洪計劃。我相信這兩項跟進工作都是用作補救1995年時所作的疏忽，以致額外多花金錢和時間。報告書第2.17段清楚說明顧問A的研究結果顯示，荔枝角集水區的排水設計對九龍水塘可能出現溢流的規定，而影響荔枝角一帶的居民。顧問報告建議水務署控制水塘的運作水位，這是解決問題的最簡單方法。不過，由於水務署認為建議並不可行，而問題過了兩年仍未解決，亦沒有任何跟進工作。雖然渠務署知道危機仍然存在，但仍只把問題擱在一旁，不加理會。在兩年後，才再就有關問題設計作解決方法，結果又浪費了時間。因此，我希望渠務署署長回答為何會出現以上情況呢？

主席：

郭署長。

D of DS:

Mr Chairman, on the subject of the reservoir overflow, it is true that after the efforts to adopt the recommendations of this first consultant to use the reservoirs as flood storage, the correspondence with the Water Supplies Department did not yield an agreement and there was a lapse of some time. I can remember this very clearly from personal involvement.

When I became aware of this issue in 1997, I instructed the current consultant, which in the report is Consultant C, to do a risk assessment, to take into account the potential for the overflow from the Lai Chi Kok group of reservoirs. I then approached directly the Director of Water Supplies, which has resulted in agreement to use the reservoirs as flood storage until such time as we can implement what is a very major project, to put a diversion scheme in downstream of the reservoirs.

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So, yes, there was an unfortunate lull between those two events of receiving the consultant's report in I think probably early 96, late 95 or early 96, until the matter was taken up again at a high level between the two departments.

主席：

李華明議員。

李華明議員：

水務署與渠務署之間，在爭拗時，是否會把問題擱置呢？水浸危機在當時是存在的，對荔枝角區的居民影響尤甚。雖然渠務署署長說在知道情況後便立即跟進，但是如果署長當時不知情，後果又會如何呢？而在署長跟進問題之前，確實有真空期。請問工務局局長有否留意部門間，當發生爭拗時，便會把問題擱置不理呢？局長能否接受這做法呢？

主席：

李承仕局長。

工務局局長李承仕先生：

工務局在這方面的處理都頗清晰的。如果工務部門間發生爭拗，局方會鼓勵部門盡量在工作層面上解決問題，但如解決不來，而事態嚴重，便應通知有關署長來解決問題，若署長也不能解決的話，便應盡快把問題提交工務局局長，使三方面可以一同商討解決方案。我們已在技術指引內，清楚列明處理的方法。在1998年，局方認為有關情況可能會出現，所以當時已向所有工務部門發出通函，提醒部門處理方法，而在2000年9月，更提交了一份技術通告，讓同事清楚了解一旦出現任何不能解決的問題時，便應盡快把問題提交有關署長，或提交工務局局長。

主席：

李華明議員。

李華明議員：

即在此之前是沒有這樣的安排。是否在汲取了這方面的教訓，才作出改善？

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主席：

李局長。

工務局局長：

我覺得是“common sense”，工務局在1998年得知有關問題後，便作出了這項指引。

李華明議員：

為何之前無“common sense”呢？

主席：

請大家參閱報告書第4.30段，在1998年5月，工務局局長發出了新指引，而於1988年7月，亦曾發出地政工務科技術通告，訂明指引。但委員會未曾參閱當時的指引內容，所以，我希望可以看看這些指引。當時既然已有指引，究竟是有關部門不遵照指引辦事，還是指引不清晰呢？這一點對委員會作出結論是非常重要的，亦可能會令委員會作出不同的結論。不過，1998年5月之後所發出的指引是以後的事情。作為一個管理架構，委員會對只是“一般常識”的說法會作出一番討論。

我希望了解清楚事情發展的經過，以便委員會能夠分析部門在遵照指引辦事時在哪個關卡出現錯誤的情況。請問部門會在何時知會有關署長，使有關署長知道部門間持不同意見？而署長又在何時知會局長，讓局方知道有不同意見呢？我希望知道這些關鍵的日子，希望局長能提供有關的來往書信或會議紀錄，讓委員會清楚知道在協調機制進行的過程中，究竟發生甚麼問題？由於期間出現了兩年的真空期，我相信委員有興趣知道這方面的答案。請問局長，對提供這方面的資料和時間的流程上會否有困難？

工務局局長：

就資料和時間流程方面，除了涉及工務局外，就報告書第4.28段，亦會涉及拓展署和渠務署，我可以聯絡有關部門，要求他們列出這方面的流程，讓事件可以更為清晰，這是可以做到的。

主席：

我相信要看完有關資料後，才知道問題何時傳達署長及至局長，而局長又在何時處理。

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李華明議員：

就九龍水塘方面，其他同事是否仍有跟進？否則我會跟進大坑東蓄洪的問題。

主席：

劉慧卿議員。

劉慧卿議員：

請問局長，指引有否清楚指明哪個部門有責任把問題提交至更高層？

主席：

李局長。

工務局局長：

在1998年5月，工務局向所有的工務部門發出通告，清楚說明，如果部門間出現問題而不能解決的話，他們應盡快把問題提交工務局。再者，我們在2000年9月18日亦發出了一份技術通告。

劉慧卿議員：

主席。我知道這是事後的情況，但我擔心如果部門間不能互相協調，會令問題擱置而不作跟進。因此，我想知道現時的指引是否有清晰的安排，讓部門知道有責任提交問題。

工務局局長：

假如部門間出現不能自行解決的問題，他們有需要把問題提交工務局，這一點在指引內是非常清晰的。

主席：

指引的內容不會太長篇吧？

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工務局局長：

不是太長篇。

劉慧卿議員：

主席，很多資料已存在，只視乎部門會否按指引辦事。我擔心的是部門不願作“醜人”，提出有困難的地方，那麼，便會不遵照指引辦事。不過，現在局長認為指引已非常清晰，應該不會再出現問題，而部門已經知道如果不能互相協調，便應立即把問題向上級提交。局長，你的想法是否這樣呢？

主席：

李局長。

工務局局長：

指引已清楚說明了這種處理方法。

劉慧卿議員：

即是說，指引已非常清楚列明了。局長，如果部門不遵照指引的話，是否失職呢？

主席：

這指引已發出了兩年多，從實際經驗而言，部門有否遵照指引，把部門間的糾紛提交局長呢？

工務局局長：

工務局與工務部門是有非常緊密的聯繫，我們有經常性的定期會議，討論部門間的問題，所以，在部門間未出現不同意見前，已可以把問題解決。因此，部門未必一定需要遵照指引把問題向上級提交。由於部門有緊密的聯繫，所以很多困難和問題都在向上級提交前獲得解決。不過，部門間如果出現困難，而又不能自行解決的情況，指引對此已有非常清晰的指示，他們是可以隨時向工務局局長提交有關的問題。

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劉慧卿議員：

如果工務部門確實經常召開議會，有關的問題便不會出現了。李先生是上任拓展署署長，應該非常清楚和了解這項問題。

主席：

石禮謙議員。

Mr Abraham SHEK:

According to paragraph 2.24, the \$5.1 million additional professional charges for services to rectify the flow data omission problem in West Kowloon Stormwater Drainage Study, that is not recoverable from Consultant A? Can you confirm that?

D of DS:

Mr Chairman, yes, I confirm that. In fact I have a breakdown of that \$5.1 million, which is not included in the Report, and I can take you through this if it would help.

Mr Abraham SHEK:

But whose fault was it that this extra \$5.1 million is now being incurred?

D of DS:

For the re-run of the original model by the original consultant, once the error was pointed out to him, he re-ran his models and produced a revised estimate of what was necessary to take into account the omitted catchment. The \$5.1 million was for the implementation consultant to do a number of items. What he did was he looked at the overall scheme proposed by the original consulting engineer, which called for the upgrading of 103 kilometres of drains, and he looked at the practicalities of implementing that and traffic problems. Because he was at the detailed design stage he had a brief to look at the problem in detail and he observed that to upgrade 103 kilometres of drains was going to take a long time and cause a lot of traffic disruption. He then came up with an alternative strategy which reduced that to 58 kilometres of drains to be upgraded, plus the Tai Hang Tung Storage Scheme and the Kai Tak tunnel export scheme and also the Lai Chi Kok scheme.

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Mr Abraham SHEK:

Are you suggesting that this \$5.1 million in fact helped us to save money? Cutting down from 131 to 58?

D of DS:

That is what I am coming to. If I can read out the list, \$2.7 million of that was to re-run the models because of the new strategy, not because of the omission by the original consulting engineer. There was also the QRA I just referred to for the reservoir overflow issue, which was 0.37. There was the PPFS for the Lai Chi Kok Transfer Scheme, there was the feasibility study for the Kai Tak Transfer Scheme, and there was the feasibility study for the Tai Hang Tung scheme, costing about \$0.3 million each. These were seen as legitimate extras on his original lump sum bid for this consultancy work. These were legitimate extra items incurred in the implementation of the project.

Chairman:

I think it can be quite easily verified. It sounds as if it is a tender document with quotations from the figures you quote or is it an instruction brief?

D of DS:

Mr Chairman, if I can just explain. With the new bidding system of employing consulting engineers - this is across the board through the works department - when a job has been awarded on a lump sum fee bid, if there is extra work to be done then the consulting engineer is asked to give estimates of the items of additional work based on a lump sum fee. Departmental staff then have the job of saying whether that is fair and reasonable and it is then either agreed within the authority of the department or re-submitted to the EACSB.

Chairman:

I did not realise that it is in that context.

Mr Abraham SHEK:

The brief must be so well written or else there would be a lot of those variation orders to the study and this would create a massive amount of additional money. If your original brief was not written properly and they give you a fixed sum, and you have a lot of add-ons, then they make more money on the add-ons than the original one required. The department must know exactly what they want. You cannot just let consultants lead you by the nose and tell you where to go and what to do.

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D of DS:

Mr Chairman, I agree it is far better if you can put everything in the brief. But, on a major complex project such as this I think it is understandable that things will change during the course of the detailed design work.

Mr Abraham SHEK:

Are you suggesting that we should have another consultant to write another consultant brief for the consultant to quote a fixed price sum?

D of DS:

No, I am not, Mr Chairman.

Chairman:

I think the matter will be clearer if you can get hold of a copy of the variation order but I think to them it is additional estimates.

D of DS:

That is a good suggestion, Mr Chairman. I can provide a detailed breakdown.

Chairman:

Can we take a look at that and judge whether that is a fair add-on or not and we can also see how the breakdown is being arrived at to the conclusion that only a small part of the \$5-point-something million relates to the omission? When we see the document I think we will be able to tell? Can we get that supplied?

D of DS:

Of course, yes.

主席：

李議員。

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李華明議員：

由於1995年顧問報告遺漏了某些資料，所以需要進行一些補救工作。正如署長所說，有兩個補救方法，第一，是啟德雨水轉運計劃；第二，是大坑東蓄洪計劃，以上兩點都是用作補救九龍水塘溢水等數據。報告書第3.12段令我感到非常奇怪，因為審計署在這方面應該不是專家……

主席：

審計署是邀請了一位專家。

李華明議員：

審計署在報告書第3.12段提到旺角雨水排放系統的表現不能完全令人滿意，更在表三列明不符合準則的設計，而第3.13段指出大坑東蓄洪計劃的渠管尺寸和蓄洪池的構造出現錯誤和不一致的地方。其後第3.15段則進一步指出，原先的設計根本不符合排洪標準，因此，渠務署便要更改設計，令其符合標準。渠務署在這方面應該有專家負責設計和規劃的，但如果不是審計署指出這些問題，便可能設計了一個不能排洪的計劃。為何會出現這種情況？渠務署是否基於同意審計署指出的錯誤，才會作出更改，還是有其他原因呢？

Chairman:

Mr Collier.

D of DS:

Mr Chairman, I think I had better try to explain as simply as I can the technical aspects of this issue. To do so, I would like to refer Members to Figure 1 and Figure 2 in the centre of the Report, which show the Mong Kok catchment. In particular, I would like you to turn to Figure 2. Figure 1 shows you the whole of the catchments, the drainage catchments in West Kowloon. Mong Kok is the largest. You can see from it. It is a very elongated catchment and all the drainage from that highly populated area now flows down and goes through Mong Kok.

The original design recommended by the original consultant allowed for upgrading 103 kilometres of drain, as I have said, downstream. One aspect of that was the nullah that goes through Mong Kok, which is a covered nullah and which caused a lot of the problems in 1997 and 1998 when we had in fact nine severe rainstorms which caused overflow from the Flower Market Road open section of that nullah. This was a very unusual period of intense weather, as most people know, 1997 and 1998.

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The implementation consultant looked at that. He looked at the recommendation to put a new box culvert through Mong Kok Road to relieve that situation and he found that it was impractical to do so. It would have closed Mong Kok Road I think for two years. We would never have got permission from police and the Transport Department to implement that. It was impractical to implement, which came out due to his detailed design investigation. He, therefore, came up with the joint solution of the Kai Tak Transfer Scheme, which you can see on Figure 2, and the Tai Hang Tung Flood Storage Scheme, which is a large box aimed at attenuating a major rainstorm so that at the peak the flow goes into the tank and when the peak of the rainstorm falls then the water can be taken out of the tank again and discharged at the rate acceptable to the drainage system.

In order to come up with the design of that tank the consulting engineer started doing some design runs on his computer models. This was during the period I think July through to December, when the Director of Audit's consultant was doing his investigation, and they asked to have copies of model runs and they were given raw data which was produced during the production of that design. It was not a design done right away. They were refining it as they went along. I do not think that it was as a result of the Director of Audit's consultant's observation which drew attention to some errors in the earlier model runs. I do not think it was as a result of that that there were any changes made. I think that the design engineer had it well in hand. He also had it well in hand to do a physical model.

What I am trying to point out is that the design engineer was doing his work when the Director of Audit came along and he came along in the middle of his work. I really do not think there is a case to say that the implementation process of the detailed design was being done incorrectly. There were some problems with these earlier raw data model runs, which the Director of Audit's consulting engineer did pick up.

主席：

李華明議員。

李華明議員：

主席。這裏出現了一些分歧。審計署署長在報告書內認為是有問題，但渠務署署長則否認。我相信委員會需作討論，或請審計署署長作出解釋。

主席：

報告書第1.5段指出審計署為了這問題，特別邀請一名顧問工程師，協助找出問題的根源。但究竟是渠務署的設計工程顧問公司在設計過程中發現問題，還是審計署的顧問工程師在事後才提出意見呢？我相信只有審計署才會清楚。委員會從報告書內是看不到工作時間的先後情況。

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審計署署長陳彥達先生：

主席。審計署在報告書第3.21段提出了建議，而當時渠務署仍未發現問題的存在。不過，對於審計署的建議，渠務署認為可以做得更好。渠務署在第3.21(b)段表示接受審計署的建議，但工程仍會作進一步修改。所以，這建議便見仁見智了。

Chairman:

Obviously the design consultant has submitted a work plan. It is very common in the construction and contracting industry, and a flow chart or a bar chart of some sort, showing the various times of completion. Can that be supplied to the Committee, showing exactly when they should reach a certain stage? I will separately ask the Director of Audit to give us evidence on when your consultant made a recommendation for the design consultant to change the data? Then we will know exactly how it fits into the timetable and then we will know which is the correct version. Is that possible?

審計署署長：

主席。當時顧問已經圓滿地完成工作及提交了初步報告，而渠務署署長表示仍會作進一步修正。對於審計署的建議，渠務署仍會接受。現在，問題是審計署應在何時再作檢討？

主席：

顧問在完成一份初步報告後，如果署方沒有任何意見，這份初步報告便是最後的報告，因此，這項建議對最後的報告是有影響的。石禮謙議員。

Mr Abraham SHEK:

It is not really a matter of the Audit Report. It is really the consultant and the employer in this case, the Drainage Services Department. That report itself is wrong in the first place. The report does not come out in the sense of the report but there must be a draft report leading up to the report which Audit would be able to see. It is really a matter of management of the consultant that itself is wrong and there were errors which eventually Audit picked up. This is a question of management of the consultant in the first place that itself was wrong and leading up to the Audit Report which specified and indicated that report was wrong.

Chairman:

We are not deliberating. I think this is a suggestion of your view that you would obviously like the Director to comment on.

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D of DS:

Mr Chairman, in paragraph 3.21 we have given our observation on this section of the Audit Report. I do not have anything to add, other than what I have already said. This was an intuitive process to come up with the design of this storage tank. It obviously involved a lot of toing and froing between our staff and the consultant engineer. It involved re-running the models a number of times and ultimately it involved the validation of the final model using a physical model. That was done in due course, later in 1999.

Chairman:

You are really suggesting Audit's consulting engineer came in, perhaps after your consultant had done their work, but before you had done the validation and seen the model?

D of DS:

I am suggesting that he came in part the way through the design process of the consulting engineer, and he made observations on preliminary model runs.

Chairman:

I really think that we need the bar charts and flow charts to verify. There are two slightly different versions. I think we will come to our own conclusion. We need to see the flow charts and what is expected by the Department before we can make any assertion like what Mr Fred LI has done.

李華明議員：

開始討論第四部分，有關拓展署和渠務署在西九龍填海區進行排水暗渠工程。在1993至1996年間，拓展署在新填海區負責建造7條主要暗渠的伸延部分。在拓展署完工後，渠務署接收前的這段期間，出現了很多問題，正如由於兩個部門的工作不協調，而引致1997年旺角區水浸。審計署報告書指出即使新機場工程統籌署介入，始終不能干預兩個部門的工作。報告書第4.5段指出，渠務署在1993年的11月和12月，先後兩次致函拓展署及顧問D重申立場，表示如果已竣工的暗渠處於其他正在施工的地盤，渠務署並不會接管該些暗渠的維修工作，但是拓展署及顧問D對此均沒有作出回應。當時拓展署為何不理會渠務署的意見，令完工的暗渠長時間沒人清理而堆積淤泥，尤其是櫻桃街一段的情況更為嚴重，結果引致旺角區水浸。拓展署可否對此作出解釋呢？

主席：

黃署長。

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拓展署署長黃鴻堅先生：

西九龍填海工程是一項龐大的工程，其中包括改善一些主要的渠道。建造這些主要渠道，需要經過填海區域，令施工過程相當困難。工程在拓展署竣工後，交予渠務署接收時，雙方曾有一些不同的意見。拓展署希望把暗渠以分階段的形式來完成後交給渠務署，但渠務署並不同意這樣的安排，他們認為拓展署應在工程全部完成後，才交給他們。然而，拓展署當時認為這做法有實際困難，因為建造暗渠的工程是不停地進行的，在某段暗渠竣工後，便會立即使用，而堆積物便會產生，所以不可能把渠內的堆積物清除，然後才交給渠務署。因此，拓展署希望能夠採用一方面建渠，一方面交渠的做法，但雙方當時不能就此達致統一的意見。拓展署承認當時兩個部門在這方面有不協調的情況，但雙方其後均對問題加以檢討，結果找出了妥協的方法，雖然阻延了交收，但是雙方最後也能妥當地進行交收。

主席：

拓展署當時為何不回覆渠務署呢？請署長嘗試解釋？

拓展署署長：

當時我不是拓展署署長，就有關問題我曾詢問同事，但未能得到一個滿意的解釋。據我的估計，當時部門在討論上未能就這問題得到結論，引致雙方未能充分合作。我希望以後不會發生同類情況，而各部門能夠衷誠合作。

主席：

為了讓事情更為清晰，署方可否提供部門間溝通的流程資料，讓我們知悉拓展署署長在何時得知此事及問題在何時提交局長？

我們明白興建機場時，由於多項工程在同一段路進行，暗渠是很容易堆塞淤泥。而暗渠淤塞了要待數年後才處理，實在令人難以置信。請問部門何時才把問題提交到適當的級別或局長解決呢？當時不是黃署長擔任拓展署署長，但請代為查看這方面的資料。

拓展署署長：

我們會做一個整體的流程表，包括所有這方面的書信來往，向委員會提交。

主席：

流程表內容請包括局長是在何時知悉這問題。

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拓展署署長：

我們會做一個流程表。

主席：

李華明議員。

李華明議員：

第一，當時兩個部門不妥協，這問題有否嘗試提交工務局局長解決呢？第二，在1990年至1992年間，即在設計這7條暗渠時，拓展署曾與渠務署開會，並徵詢渠務署的意見，他們討論設計方面，但沒有討論銜接和接管的安排，因而導致後來的問題出現，結果引致多次的水浸，例如1997年的水浸，顧問C便清楚表明是上述原因所造成。導致旺角水浸的原因，是由於兩個部門接收竣工的暗渠失當，讓暗渠堆積淤泥，不能排水所致。部門有否考慮由於部門不協調，會令市民、商戶和居民蒙受水浸之苦呢？

主席：

現在先讓工務局局長回答。

工務局局長：

工務局在政策方面是非常清晰的。若有水浸的危險，我們會盡量提升工程項目，以解決水浸的問題。因為興建西九龍填海區，要加大很多暗渠。在設計方面，拓展署和渠務署曾作商討，而從前的指引亦說明在工程完成後，渠務署要負責維修和保養。但這情況與一般的工程不同，地盤內有多項工程同時進行，所以較為特殊，結果是延長了渠務署和拓展署接收渠管的時間。

至於暗渠堆積淤泥而導致水浸的問題，顧問C在報告書內指出這是導致水浸的原因，但據拓展署當時提交的報告，清楚解釋暗渠堆積淤泥，並非導致水浸的原因。當時水浸的主要原因是：第一，嚴重下雨；第二，區內多數的暗渠，尤其是原舊區的暗渠，不足以排洪，因而導致水浸。下游的暗渠淤塞了，是會令水浸的時間延長，但並不是導致水浸的主要原因。

主席：

用英語說，這是“aggravating factor”.....

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工務局局長：

是“prolonging factor”。

李華明議員：

局長沒有回答在1990年至1992年為何沒有討論接管這方面的問題？

主席：

就接管方面的問題，是否有技術指引明確指出暗渠應由哪部門負責接管？如果沒有列明，作為工務局局長，以你的專業的意見，當時是否應先由渠務署接收呢？

工務局局長：

當時工務局已有這類指引，對於所有工務局的工程，工務部門都有責任把竣工的工程交給負責維修的部門管理，所以在工程最初規劃和設計時，會先與將來負責維修的部門商討，讓負責維修的部門提出維修上的困難，以便把這些困難計算在設計內。由於這項指引，拓展署在1990年至1992年期間曾諮詢渠務署。

主席：

根據當時的指引，渠務署是應該接收和負責維修暗渠，而且，工務局最後的決定亦是這樣。

工務局局長：

工程在完成後有部門負責維修和保養，這當然是最好的，而接收的部門會因應是否有困難來決定何時或應否接收工程。審計署署長在報告書內亦提出了這一點。

主席：

報告書指出兩個部門均不願意負責暗渠的維修，這可能是涉及維修保養的成本和額外的資源。工務局局長作為政策科的Controller，即負責監管金錢的控制人員，在分配公帑時，局長有否把這項成本預計在內？若否，局長應該指派由哪個部門承擔這項成本。這是否最後的解決方法？

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工務局局長：

工務局的指引是非常清楚的，指引規定所有竣工的工程，應盡快交給負責維修保養的部門。雖然渠管應該由渠務署接收，但審計署署長在報告書第4.4段也指出了渠務署當時的困難，因此當時應由兩個部門一同盡快解決。

主席：

劉慧卿議員。

劉慧卿議員：

局長指出水浸不是暗渠的堆積淤泥所致，這是難以令委員會信服的。部門延誤交收暗渠工程，便是水浸的原因之一。在水浸期間，大眾不知道部門間會這麼混亂，而局長現在說不是這原因，是很難令市民信服的。

此外，報告書第4.15段和第4.16段提到政府聘請的顧問D指示合約B的承建商按優先次序疏浚暗渠，但無指示須清理櫻桃街的一段，因為該承建商表示無可能在1997年4月維修期屆滿前清理好該段暗渠。雖然拓展署其後曾要求渠務署聘用定期合約承建商接手疏浚櫻桃街的暗渠，但是直至1997年雨季來臨前，雙方仍然未就疏浚安排達成協議。報告書內容第4.17段提到，在1997年的六、七月期間，西九龍發生了嚴重水浸，這是大家可預計會發生的事情。請問局長為何知道雨季將至，還不盡快聘請承建商疏浚暗渠，任由水浸發生？報告書的這兩段顯示出局方是完全知道問題的所在，但是部門間只懂互相推卸責任，結果釀成嚴重水浸，請問局方這是甚麼工作態度呢？

主席：

在發生水浸後的一年內便全部完成了。

劉慧卿議員：

在索償損失方面，其實應由局方負責。

主席：

局長。

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工務局局長：

旺角發生的水浸，並非由下段暗渠淤塞而成。如果議員有興趣的話，我樂意向委員會提交有關報告。

劉慧卿議員：

主席。請問顧問C所提的是否專業意見呢？

工務局局長：

當時有關部門均知道暗渠淤塞，亦希望能盡快清理淤塞的暗渠，所以拓展署與一直聘用的承建商商討，希望承建商能接受疏浚暗渠的工程。然而，這項工程並不包括在原先的合約之內，是屬於額外的工作，故此，承建商不願意接受這項工程，便導致報告書第4.16段所述，須找尋其他承建商來負責疏浚暗渠工程。

劉慧卿議員：

第一，請問顧問C是否這方面的專業？第二，報告書第4.15段及4.16段說明由於兩個部門一直未能就疏浚安排達成協議，所以便沒有進行任何有關工程。雖然承建商因為疏浚工程並不包括在原先的合約內而拒絕有關工程，但是局方當時有否考慮過進行疏浚工程的急切性呢？局方又有否考慮過水浸害苦了居民和商戶呢？報告書第4.16段顯示出局方並沒有考慮以上方面，請問局長是否知道當時的急切性呢？

主席：

李局長。

工務局局長：

主席。我想請拓展署署長回答以上問題。

主席：

黃署長。

政府在市區進行的防洪工作

拓展署署長：

我當時任職新機場工程統籌處，以政府而言，是非常清楚暗渠淤塞可能導致水浸的問題，如果各位查看政府的內部文件，尤其是新機場工程統籌處的文件，可以知道我們當時處於一個統籌的地位，明白急需進行疏浚工作。不過，渠務處和拓展署之間未能就有關問題達成共識，而新機場工程統籌處又無力提供資金協助，由於部門是需要動用自己部門的資金來負責有關的工程，因此，我相信雙方當時都從自己部門方面考慮，都不願花這筆金錢。我相信就這方面是必須檢討的。

主席：

我明白“role control”是一個問題，委員會必須知道拓展署合約B的承建商在何時表示不願意接受這項工程，而拓展署又在何時找尋另一承建商接手？這兩件事件相隔了多少時間呢？

劉慧卿議員：

根據報告書第4.16段，署方根本沒有尋找其他承商建商接手，因而導致第4.17段所提及的嚴重水浸。各部門都不願意負責及支出金錢，亦不考慮會引致甚麼後果。情形是否這樣呢？而在後來才尋找其他承建商。

主席：

這段期間確實有真空期存在。請問在有關部門當中，有哪個部門曾向工務局申請額外撥款，以處理這些當時未能預見的問題呢？如果部門曾這樣做，即使申請撥款失敗，最少也曾關心這問題。

拓展署署長：

當時拓展署有承建商負責暗渠的主要工程，但是合約內並不包括大規模的清沙工程。據我了解，如果拓展署必須要承建商兼顧大規模的清沙工程，費用是會非常昂貴的。所以，拓展署認為這並非合乎經濟原則，況且，清沙是渠務署的專長之一，更聘有承建商負責清沙工程。所以當時認為如果由渠務署負責，似乎會較為適宜。至於金錢方面，當時兩個部門都持有不同的意見，雙方都質疑應由哪個部門負責清沙的費用？

主席：

李華明議員。

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李華明議員：

我非常質疑工務局局長剛才對水浸的分析。報告書第4.17(a)和(b)段，均說明渠務署分別在1997年的6月和8月，告知工務局櫻桃街地下暗渠淤塞，導致太子地鐵站和彌敦道一帶嚴重水浸。當時清楚寫明是櫻桃街暗渠下游的淤泥仍未清理妥當，以致排水渠未能發揮原先設計的去水能力，這即是說嚴重的水浸其實可以減輕或避免的，只是因為部門未能完成疏浚工作。在第4.17(c)段，顧問C更指出導致水浸的原因，然而局長表示不贊同，但這些都是渠務署告知工務局的，而在報告書的註21亦表明渠務署所提交的報告已曾經諮詢拓展署。現在局長告訴委員會拓展署的報告指暗渠淤塞不是導致水浸的原因，只是延長水浸的原因，這遠較報告書第4.17(a)、(b)和(c)段低調和溫和。請問兩者為何有這些差異呢？

主席：

局長。

工務局局長：

報告書內第4.17(a)、(b)和(c)段主要是說明顧問C的報告，我剛才指出是拓展署當時的顧問報告，其結論與渠務署顧問C的結論不同，拓展署當時的顧問報告指出水浸原因不是關乎下游暗渠淤泥積聚而成。我們樂意把這份報告提交給帳目委員會。

李華明議員：

渠務署的顧問C向工務局提交了報告，但工務局較相信拓展署顧問提交的報告。

主席：

或是對局方較有利的報告。

李華明議員：

渠務署顧問C的報告曾經諮詢拓展署，這是報告書特別註明的。但我看不到工務局當時對這份報告有任何意見，請問工務局是否不贊同這份報告呢？

Chairman:

Mr Collier.

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D of DS:

May I add to this discussion? The issue of the Mong Kok nullah has been looked at very carefully, as I have said earlier, in the design of the Tai Hang Tung Storage Scheme and the Kai Tak Transfer Scheme. We have in fact verified that the floods in 1997 and 1998 were the result of the limitations of that nullah, primarily. That work has confirmed the report that the Secretary for Works is referring to.

The siltation was of the order of 30% at the time in 1997. That would have been a contributory factor, as he said in the Audit Report. It was not the primary cause of the flooding in Mong Kok. The primary cause of the flooding in Mong Kok during those nine severe events that occurred in that catchment in 1997 and 1998 was a combination of the very heavy rain and the restriction through that culvert nullah in Mong Kok. For Members' information, we have only had one such storm since in 1999, none in 2000, and for the period I think 1984 through to 1996, 13 years, there were actually only five events in 13 years running up to 1997 of that magnitude.

Analysis of those rainstorm events and analysis due to the detailed design work we have done for the two new projects has confirmed that the primary cause was the restrictions in the covered nullah going through Mong Kok and that the siltation was in fact the secondary issue. We can give the Committee facts and figures on that now.

主席：

劉慧卿議員。

劉慧卿議員：

剛才所說的報告有否提交審計署署長呢？在報告書內似乎沒有提及這一點。我相信審計署署長是公平的，如果報告曾提交審計署署長，署長必定會列出報告的內容。

主席：

這可能要Mr Collier才知道。

審計署署長：

審計署已看過有關報告。

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主席：

看過了報告。

審計署署長：

報告書第4.17(c)段說明“是導致水浸的原因之一”，我強調是“原因之一”，並沒有說是主要原因。

主席：

現在似乎不是“原因之一”，只是延長了水浸的時間。

審計署署長：

這便見仁見智了。

劉慧卿議員：

為何沒有在報告書內提及這份報告呢？

主席：

為何沒有提及看過另一份結論不同的報告呢？

劉慧卿議員：

署長是否不接受那份報告呢？

審計署署長：

不是。審計署看過報告後，認為屬於其中一個原因，並非是主要原因，至於比例佔多少，便見仁見智。審計署沒有強調是主要原因，但確曾指是導致的原因之一。

李華明議員：

我相信委員會須評估顧問C的報告和拓展署的報告，

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主席：

委員會可能需要聘請專家了。

劉慧卿議員：

我們又沒有這方面的專長。

主席：

委員會可以公開這些紀錄。我們會參考這些文件，然後與審計署再作討論，才作出委員會的結論。我希望能先取得有關報告的結論。李華明議員。

李華明議員：

有關市區道路排水系統的維修。涉及渠務署、路政署和食物環境衛生署（“食環署”）等3個部門。請問政府是否需要3個部門來處理渠務的問題？

主席：

還涉及兩個局。

李華明議員：

是涉及兩局、三署。此外，食環署每6個星期清潔公路渠道一次，審計署認為過於“死板”和“一刀切”。由於很多渠道從來沒有發生水浸情況，食環署是否需要每6星期清潔一次呢？應該如何調配資源呢？食環署在15年前對此已表示需要作出檢討，但在15年後，似乎沒有進行過任何檢討，請問現在會否趁此機會作出檢討呢？

主席：

劉太。

食物環境衛生署署長劉吳惠蘭女士：

食物環境衛生署在2000年1月1日成立，我本人也是從這天開始接管街道清潔，包括清渠服務。而我第一次接觸這份前市政總署的批核報告，即檢討清渠安排和計劃的報告，是在1999年9月，我當時是前市政總署署長。我在紀錄中看不到為何市政總署在過去，即由1985年至1999年，沒有跟進報告建議的紀錄，在部門的檔案內完全沒有這方面的過程和跟進資料。

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但在食物環境衛生署成立後，引用每6星期清渠一次的行動的原因是，當時食環署接管了市政總署(市區)和區域市政署(新界區)的有關服務。食環署為了穩定和延續服務水平，完全接納了前市政局和區域市政局的一貫工作指引、程序和政策。當然，食環署樂意接受和歡迎審計署署長在報告書內的建議，我們是欣然接受的。正因為審計署署長提出食環署須檢討這項服務，需要針對性地研究水浸的投訴，食環署已展開了有關的檢討工作，希望可以在數月內完成，以便更有效率、更妥善地調配人手資源，能針對服務的要求，食環署是完全接受審計署報告書內的建議。

李華明議員：

報告書圖六顯示了兩局、三署的渠務工作分配。李局長作為政策局是否滿意？若否，會否精簡清渠的工作。

主席：

政策局內由誰人負責這問題呢？

工務局局長：

有關工作安排方面，各部門已有多年的共識。然而，最近局方曾與劉署長討論如何能夠作出更好的安排。我們現時仍在討論有關渠務的維修和保養的問題，但在去水渠方面，我們稱為“gully”的，是用作清理垃圾的，這方面的工作與渠管的維修和保養不同，不過，局方會繼續與有關的局和署討論如何能夠做得更好。

主席：

在這方面，我希望委員會能早日獲得答覆。因為委員會希望在作出建議前，能夠得到局方或部門提供更明確的答案。請局長以書面答覆。

李華明議員：

食環署現正研究把清渠服務外判，而路政署亦已外判了清渠工作，雖然清理的部分不同，但是兩者亦應該要互相協調，我認為由兩個部門各自外判同類工作，最後會產生問題的。

工務局局長：

有關這方面的討論已經開始了。

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主席：

劉慧卿議員。

劉慧卿議員：

請問局長有否考慮交由一個部門完全負責呢？

工務局局長：

讓我們達成實質建議後才考慮這問題吧。我們都希望能夠研究出更好的方法。

主席：

今天的聆訊要結束了。謝謝各位證人出席聆訊，雖然提問的時間稍長，但希望能夠解決問題。謝謝大家。

