

立法會
Legislative Council

LC Paper No. CB(1)2322/07-08
(These minutes have been seen
by the Administration)

Ref : CB1/PL/DEV/1

Panel on Development

Minutes of meeting
held on Tuesday, 24 June 2008, at 2:30 pm
in Conference Room A of the Legislative Council Building

Members present : Hon LAU Wong-fat, GBM, GBS, JP (Chairman)
Prof Hon Patrick LAU Sau-shing, SBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon CHOY So-yuk, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Albert CHAN Wai-yip
Hon LEE Wing-tat
Hon Daniel LAM Wai-keung, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon CHEUNG Hok-ming, SBS, JP

Members attending : Hon Fred LI Wah-ming, JP
Hon CHAN Yuen-han, SBS, JP

Members absent : Hon James TIEN Pei-chun, GBS, JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Dr Hon KWOK Ka-ki

Public officers attending : **Agenda item III**

Mrs Carrie LAM
Secretary for Development

Mr Raymond YOUNG
Permanent Secretary for Development
(Planning & Lands)

Mr Tommy YUEN
Deputy Secretary for Development
(Planning & Lands) 2

Ms Ivy LAW
Principal Assistant Secretary for Development
(Planning & Lands) 4

Agenda item IV

Mrs Carrie LAM
Secretary for Development

Mr Raymond YOUNG
Permanent Secretary for Development
(Planning & Lands)

Mr Tommy YUEN
Deputy Secretary for Development
(Planning & Lands) 2

Ms Ivy LAW
Principal Assistant Secretary for Development
(Planning & Lands) 4

Agenda item V

Mrs Carrie LAM
Secretary for Development

Mr Raymond YOUNG
Permanent Secretary for Development
(Planning & Lands)

Mr Tommy YUEN
Deputy Secretary for Development
(Planning & Lands) 2

Mr Edward TO
Principal Assistant Secretary for Development
(Planning & Lands) 3

Ms Ivy LAW
Principal Assistant Secretary for Development
(Planning & Lands) 4

Mr Paul PANG
Assistant Director of Buildings/Existing Buildings 1
Buildings Department

Agenda item VI

Mrs Carrie LAM
Secretary for Development

Mr K K LAU
Director of Drainage Services

Mr W L CHUNG
Chief Engineer/Hong Kong & Islands
Drainage Services Department

Mr Raymond K S CHAN
Head of Geotechnical Engineering Office
Civil Engineering and Development Department

Mr H N WONG
Deputy Head of Geotechnical Engineering Office
Civil Engineering and Development Department

**Attendance by
Invitation**

: Agenda item III

Urban Renewal Authority

Mr Barry CHEUNG
Chairman

Mr Quinn LAW
Managing Director

Mr Joseph LEE
District Development Director

Mr Lawrence YAU
Director, Corporate Communications

Agenda item IV

Urban Renewal Authority

Mr Barry CHEUNG
Chairman

Mr Quinn LAW
Managing Director

Mr Joseph LEE
District Development Director

Mr Lawrence YAU
Director, Corporate Communications

Clerk in attendance : Ms Anita SIT
Chief Council Secretary (1)4

Staff in attendance : Mr WONG Siu-yee
Senior Council Secretary (1)7

Ms Christina SHIU
Legislative Assistant (1)7

Action

- I Confirmation of minutes and matters arising**
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|----------------------------------|----|--|
| (LC Paper No. CB(1)1952/07-08 | -- | Minutes of meeting on 22 April 2008 |
| LC Paper No. CB(1)1951/07-08(01) | -- | List of outstanding items for discussion |
| LC Paper No. CB(1)1951/07-08(02) | -- | List of follow-up actions |

LC Paper No. CB(1)1985/07-08(01) -- Letter dated 19 June 2008 from Hon LEE Wing-tat on policy issues relating to land administration and town planning)

The minutes of the meeting held on 22 April 2008 were confirmed.

2. Members agreed that issues relating to lease modification, land exchange and Comprehensive Development Areas should be discussed at the special meeting scheduled for 18 July 2008.

II Information papers issued since last meeting

(LC Paper No. CB(1)1822/07-08(01) -- Information paper on "Revision of fees and charges under the purview of the Lands Department" provided by the Administration

LC Paper No. CB(1)1904/07-08(01) -- Submission from three residents of Wan Chai Kennedy Road expressing concern about private developments involving land exchange and planning policies

LC Paper No. CB(1)1962/07-08(01) -- Submission dated 16 June 2008 from Alliance of Kwun Tong's Urban Renewal regarding Urban Renewal Authority's Kwun Tong Town Centre urban renewal project)

3. Members noted that the above information papers had been issued since the last meeting.

III Review of the Urban Renewal Strategy

(LC Paper No. CB(1)1951/07-08(03) -- Information paper provided by the Administration

LC Paper No. CB(1)2017/07-08(01) -- Supplementary information paper provided by the Administration

LC Paper No. CB(1)606/07-08 -- Minutes of meeting on 27 November 2007 (Item V is relevant))

4. The Chairman suggested and members agreed that the discussion of this item and the next item should be combined as they were closely related.

5. Members noted the following papers tabled at the meeting --

- (a) Submission dated 19 June 2008 from Alliance of Kwun Tong's Urban Renewal;
- (b) Submission dated 23 June 2008 from Alliance of Kwun Tong's Urban Renewal;
- (c) Submission dated 23 June 2008 from Central and Western Concern Group;
- (d) Submission from H15 Concern Group;
- (e) Referral memorandum dated 23 June 2008 from the Complaints Division in relation to the review of the Urban Renewal Strategy and urban renewal work; and
- (f) English version of the supplementary information paper provided by the Administration.

(Post-meeting note: The above papers (LC Paper Nos. CB(1)2044/07-08(01) to (04); and CB(1)2048/07-08(01) and CB(1)2017/07-08(01)) were subsequently issued to members on 25 June 2008 and 26 June 2008 respectively.)

6. The Secretary for Development (SDEV) said that a comprehensive review on the existing urban renewal strategy (URS) would be launched by the Administration in July 2008 in response to the Chief Executive's call for "quality city, quality life" and the rising aspirations of the general public towards urban renewal. The review was expected to take two years to complete. It was hoped that the review would enable the Administration to renew the URS which had been in force since 2001 and served as a guiding principle for the work of the Urban Renewal Authority (URA). During the review, URA would continue with its on-going projects, including the 25 projects inherited from the ex-Land Development Corporation (LDC), in accordance with the existing policies. Some submissions tabled at the meeting touched on three of these projects, i.e. H18 Graham Street, H19 Staunton Street and K7 Kwun Tong Town Centre projects. The H18 and H19 projects were already in the acquisition phase of the redevelopment process. For the H18 project, URA would endeavour to retain the open market in the vicinity of the project site. For the H19 project, the Administration had taken steps to reduce the development density. For the K7 project, URA would aim at starting a one-off acquisition exercise towards the end of 2008. Since the residents of the three projects had waited for many years to improve their living conditions, she hoped that members would support URA for

proceeding with these projects according to the current schedule. Given the scale and complexity of the existing projects, it was expected that URA could only afford to embark on two new redevelopment projects in the 2008-2009 financial year. Yet, enhanced efforts would still be made to launch two preservation projects.

7. On the review itself, SDEV said that it would be an open exercise with no pre-determined agenda or conclusions. Instead of making it an assessment on the performance of URA in the past seven years, she hoped that the review, thorough and forward-looking, should aim at the formulation of a new strategy for URA to take urban regeneration forward. To this end, further enhancement of the urban renewal efforts would have to tap on the wisdom of the citizens and resources of local communities. The Administration would adopt a people-oriented approach to engage the public in the review, which would comprise three stages, i.e. envisioning, public engagement and consensus building. At present, work was at hand to prepare a tender for engaging a public engagement consultant for the review. The selected consultant would formulate and refine an innovative and effective public engagement strategy. The Development Bureau planned to set up a steering committee to be chaired personally by herself and comprising about 10 unofficial members with sound knowledge in urban regeneration, preservation and community work to oversee the public engagement exercise. She invited Members to give views on the modus operandi and public engagement process of the review. SDEV said that she would like to engage members throughout the review process in an interactive way. She welcomed suggestions from members on their preferred ways of participation.

8. The Chairman, Urban Renewal Authority (Chairman/URA) said that URA welcomed the Administration's decision to launch a thorough review on the URS. The impending review would serve three purposes. First of all, the review would provide a good opportunity for the public to look back and learn from past experience in urban renewal. Secondly, given the rapid ageing of the buildings in urban areas, there was a need for URA and the public to identify in a practical manner the priorities Hong Kong as a whole wanted to achieve in urban regeneration given the resources available. Thirdly, looking ahead, URA also hoped that the forthcoming review could trigger off wide and in-depth discussion on urban renewal amongst members of the public so that they could have a better understanding of the various issues relating to urban renewal, which in turn would be conducive to building up a consensus in the community as to how URA should carry out its work.

9. Mr James TO said that as the values of the community had changed, he supported the conduct of a comprehensive review of the URS. He was however concerned that the pace of urban renewal would be slowed down during the two-year review period. He was also worried that the Administration would use the review as an excuse to buy time or withdraw from urban renewal. In conducting the review, the Administration was trying to give the public the impression that they could participate and voice out their views in the review. He

believed that the Administration should have already fully grasped the views of the community. The crux was whether it could find the best way forward. The Administration had to take the lead in conducting the review, put forward ideas and decide which values to adopt. Otherwise, he was worried that the review would lead to no avail. There was a cost for lowering development density and community consensus would be required. He considered that urban renewal could be carried out under different modes, with some districts having high-density and others low-density developments, and some districts erecting new buildings and others retaining old ones. While appreciating the need for urban development, he hoped the Administration could work out height limits for different areas according to actual situations on ground. He was worried that it might not be easy for small and medium shop owners to survive because after redevelopment, the prices of shops with a small area could still be sky-high. Borrowing the experiences of Singapore, he believed that consideration could be given to inviting owners of old shops to operate their business in the redeveloped areas.

10. In response, SDEV said that the Administration had no pre-determined agenda for or specific views on the URS review. Although the Administration had to make difficult acts and decisions in balancing development versus preservation, financial prudence and sustainability versus compensation demands, and the interests and needs of individual owners/tenants versus those of the public, it had no intention to withdraw from urban renewal. The Administration had put forward some initial observations in its paper, such as whether the target and pace of redevelopment as envisaged in the current URS was realistic or desirable under the current circumstances.

11. Mr LEE Wing-tat said that in urban renewal, members of the public were expecting lower development density, more open space and preservation of places of collective memories. A new comprehensive approach to urban renewal in response to these aspirations would inevitably raise costs. Clear objectives and value judgments in urban renewal were required and the community as a whole needed to arrive at a consensus in this regard. These preferences would inevitably affect the revenue from URA's redevelopment projects and run counter to URA's prudent commercial principles. He believed that the time had come for the Administration to consider whether URA should continue to adopt a self-financing approach, and put in place new and innovative measures to assist URA with its work in future. Homogeneity should be avoided after redevelopment of an area. Instead of building monotonous malls, URA should aim at encouraging more street-level activities that would add diversity and vibrancy to the city after redevelopment.

12. In response, SDEV said the Administration had no pre-determined views on whether URA's current business financial model should be amended since a community consensus on this issue was required. Otherwise, the Administration would be putting the cart before the horse. A practical approach was to proceed with the review first and map out a new direction for urban regeneration during the course of the review. She agreed entirely that there were rising public aspirations

for street-level activities rather than large shopping malls with similar chain stores inside. She pointed out that the community had to pay a price for a low-rise, heterogeneous living environment. Yet, in so doing, the Administration might invite harsh criticisms for failing to make the best use of scarce land resources. It was always necessary for the community to balance cost-effectiveness with a quality living environment in urban redevelopment. The Chairman/URA said that he concurred fully that the URA should plan for more street-level shops in its new redevelopment projects to enrich street life, and this had been done in some of the projects. Besides, smaller shop units were made available for renting by small and medium shop owners who otherwise would fail to compete with chain shop operators.

13. Mr Albert CHAN said he was sad to see the damages done by redevelopment projects such as destruction of communities with special characters and their replacement by high-density developments creating a wall effect over the years. He was concerned that the review was just a means to allow the announced redevelopment projects to continue to proceed as planned during the review period. In his opinion, the Administration should put a halt to controversial redevelopment projects, and should attach greater importance and urgency to restoration and conservation of old buildings and streets rather than clearances. He urged the Administration and URA to commit not to destroy history, not to increase redevelopment density and not to bring in high-rise buildings. Besides, he was upset with URA's repeated failure to provide members and the general public with clear and up-to-date financial results of each redevelopment project. He had an impression that URA often highlighted the deficits of its projects and underplayed the surpluses of other projects.

14. In response, SDEV said that Mr CHAN's criticisms on URA were not a fair evaluation of its work. It was beyond doubt that URA's urban renewal efforts had over the years brought about substantial social benefits such as improved living environment, increased open space and enhanced community facilities. She noticed that there were diverse views on urban renewal even amongst Legislative Council Members. Hence, it had led her to believe that a comprehensive review on URS was definitely required. On promulgation of the financial results of each URA redevelopment project, the Permanent Secretary for Development (Planning & Lands) (PS(PL)) said that since the operation of URA involved highly sensitive information on commercial dealings with private developers and affected parties, it would not be advisable to release indiscriminately all financial information. On Mr CHAN's further enquiry on the surplus generated by URA's redevelopment projects, the Managing Director, URA (MD/URA) supplemented that as reported in paragraph 39 of LC Paper No. CB(1)1951/07-08(04), six completed projects inherited from LDC had generated a surplus of about \$890 million for URA. The URA would continue to provide similar financial reports to Members in future.

15. Miss CHOY So-yuk considered that although URA had carried out some preservation work in its projects, the preservation efforts were inadequate and should be further stepped up. The compensation offered to affected parties,

meanwhile, was insufficient. Many traditional trades were forced to wind up as a result of redevelopment. She expressed support for the review and sincerely hoped that the Administration would listen to the views of affected parties and understand their difficulties. She considered that private property right should be respected in all circumstances. She reckoned that projects receiving most support should be implemented as soon as possible and those controversial ones such as H19 should be put on hold for further review. She was also very concerned about the erection of high-rise buildings in replacement of old low-rise buildings with memorial values in the redeveloped areas.

16. Citing the repeated appeals from affected residents in Kwun Tong Town Centre and Nga Tsin Wai Village to illustrate her point, Miss CHAN Yuen-han said she believed that the focus of urban renewal should be placed on the stakeholders rather than the developers. The Administration should ensure that the views of stakeholders could be heard. They should be allowed to participate in and share the fruits of urban renewal. The URS review should address issues relating to acquisition arrangements, connectivity between old and redeveloped areas and compensation options for affected parties. Urban renewal should provide room for the continued existence of traditional trades. The unique characters of old districts should be maintained and efforts should be made to integrate these districts with the new ones. She requested the Administration to see if certain buildings within the redevelopment project area of H19 could be spared for preservation. She found it sad to see the disappearance of the old buildings and the atmosphere thereat.

17. In response, SDEV commented that some of the issues mentioned by Miss CHAN were actually beyond the existing powers and scope of work of URA. Hence, it was now a good time to review the URS. As regards the suggestion of Miss CHOY So-yuk and Miss CHAN Yuen-han to put on hold commenced projects, it would not be beneficial to residents and tenants awaiting to improve their living environment.

18. Mr CHAN Kam-lam expressed disagreement to the comment that urban renewal had achieved nothing except destroying old districts. He said that the many achievements of LDC and URA in renewing and revitalizing different parts of Hong Kong were indeed commendable. He held that URA should look back, review critically and plan ahead in meeting the rising aspirations from different social sectors involved in urban renewal projects. While expressing support for conducting the review, he felt strongly that it should in no way hold up the progress of the existing projects. Mr CHAN believed that in future, URA should adopt a "bottom-up" approach in urban renewal projects, bringing in voices of the affected parties. The existing arrangement of making acquisition offers after completion of the statutory planning process should be reviewed. Besides, to uphold a positive corporate image, URA should strive to remove a negative impression that URA was infringing the private property right of owners through offering inadequate compensation. He hoped that effective publicity measures would be conducive to changing this negative impression.

19. Mr Albert HO expressed support for conducting the URS review and said that the mindset, values and expectations of the general public towards urban renewal had changed. To take the matter forward, the community had to identify with a set of common values in implementing urban renewal and be prepared to bear the costs for its choice. He agreed that public engagement should be stepped up and be brought in at the early stage of the planning process. Under the existing approach, if URA's financial arrangements remained unresolved, it would be difficult for URA to respond to the calls of the community. He shared the view that URA should have provided the financial results of each completed project. In his view, URA should be a highly transparent public organization operating not on commercial values and principles, but for the benefits of the community.

20. In response, SDEV said that the approach of URA and the Administration to urban renewal had been changing gradually. Urban renewal projects such as preservation of shophouses and revitalization of old Wan Chai were both meant to be non-profit making. Greater importance was being given to preservation and rehabilitation. As promulgated by the Chief Executive in his policy speech, URA would have more social functions and responsibilities to perform under the umbrella of urban renewal. Nevertheless, responding to the views of Mr HO, she believed that it was still too early to decide that all urban renewal projects had to be non-profit making before the conclusion of the review.

21. Mr Alan LEONG welcomed the Administration's plan to conduct the review and believed that it was the right time to bring positive changes to the outdated and inflexible URS. He also welcomed the Administration's initiative to collect public views on the review through a dedicated website. As making acquisition offers only after completing the statutory planning process was non-conducive to urban renewal, the Administration should consider making acquisition offers first. Instead of adhering to the existing policy, he believed that it was necessary to attend to the needs of the affected parties through new and innovative measures during the review period. The Administration should consider flat-for-flat and shop-for-shop compensation and joint redevelopment with owners. As some owners might just want to stay where they were, the review should handle such issues in a more open manner. He hoped that during the review period, his suggestions would be put on a trial basis in some of the redevelopment projects to test their effectiveness.

22. In response, SDEV said that staff of URA would always take the initiative to undertake improved measures in accommodating the needs of the affected parties. As for the next two years, URA would focus on less controversial projects, for instance those relating to preservation and rehabilitation. It was in the best interests of the affected parties and the community for URA to adhere to the existing plans and schedule in completing the commenced projects, the sooner the better, given that the implementation of these projects had gone through a lot of difficulties.

23. Mr Abraham SHEK expressed support for conducting the review and pointed out that a lot of changes had taken place in the past 20 years of urban renewal. Hence, it was necessary for the Administration to adopt a new approach towards urban renewal, which was an exceptionally complicated subject. He considered that urban renewal required a new direction and feasible measures to effectively address issues relating to compensation; whether urban renewal should be planning-led, conservation-led, or environmental improvement-led; and whether the public had to shoulder the costs. All these factors would need to be considered thoroughly during the review. Viewing urban renewal from the economic perspective could be problematic, but without adequate financial resources, it would be impossible to carry out any urban renewal work. Instead of trying to draw reference from experiences of overseas places, he believed that it would be adequate for the concerned parties to critically look back at what Hong Kong had done on urban renewal in the past 20 years. While the Administration should adopt an open mind, it should play a leading role and give direction for the review.

24. Prof Patrick LAU also expressed support for conducting the review. He held the view that a macro perspective should be adopted in urban renewal and that forward planning was of paramount importance. He considered that the Administration should expedite the review and was worried that commenced projects would all be completed within the review period. He pointed out that preservation of buildings alone was inadequate; how to make the best use of the preserved buildings was equally important. For the K28 project, he was dissatisfied that a viable alternative proposal was rejected without explanation. For the H18 project, he queried why a rehabilitation approach could not be adopted. He also queried why flat-for-flat compensation and owners' participation in joint redevelopment could not be offered in urban renewal. Affected parties should be given options so that those who wanted to stay could stay and those who wanted to receive compensation could move out.

25. Mr Albert CHAN also expressed disappointment that the alternative proposal for the K28 project, which would benefit all, had been rejected. Instead, URA had decided to offer an incredibly high price of \$90 million to acquire a shop for redevelopment.

26. In response, SDEV said that using the public engagement for the Kai Tak Development planning as a reference, which required over two years' time, there was hardly any room for compressing the timetable of the URS review. The commenced projects would continue to proceed during the review. Otherwise, it would not be in the interests of the affected parties. As regards preservation of the open market in the vicinity of the site of the H18 project, enhanced options would be available by early August 2008. MD/URA added that as the master layout plan for the H18 project had been approved and acquisition was in progress, it would be difficult to put the project on hold. The vibrancy in the area would be maintained and the business of shops would not be seriously affected by the redevelopment project.

27. Ir Dr Raymond HO expressed support for urban regeneration and the impending URS review. He believed that the existing redevelopment projects, long overdue, should be implemented as soon as practicable. He commented that it was not the right time to try out the proposed new approaches for urban renewal put forth by Mr Alan LEONG.

28. Mrs Sophie LEUNG pointed out that it would be impossible to satisfy the conflicting demands of all parties concerned. The Administration had to strike a balance in carrying out urban renewal. While supporting conservation and low density, she pointed out that going after these "desired" directions would mean a corresponding reduction in usable area for development and individual living space. As in the case of Tokyo, this was something the community as a whole had to face and live with in future.

29. Mr Albert CHAN reiterated his view that in the next two years, URA should refrain from demolishing buildings of historic values. Urban renewal should in no way be adopted as a means to clear away historic buildings and erect high-rise buildings creating the wall effect such as Langham Place in Mongkok. The community had to decide what values to adopt for urban renewal in future, such as profit-making, benefits of residents and preservation of history.

30. Expressing a different view, Mr Abraham SHEK said that urban renewal projects such as the Langham Place project had brought about substantial improvement to the living environment. He was of the view that, in all fairness, LDC had most successfully accomplished its given historic mission.

31. SDEV thanked members for their views and commented that LDC had made commendable achievements in urban renewal. She requested to put on record her tribute to Mr Abraham SHEK for his many contributions to LDC. She clarified that the phrase "projects inherited from LDC" was used for simplicity's sake only. She pledged that the Administration would be prudent and adopt an open attitude in conducting the URS review. The Chairman/URA added that he and many URA staff members had worked for LDC in the past. They fully acknowledged LDC's contributions in urban renewal and took pride in LDC's achievements.

IV Work of the Urban Renewal Authority

(LC Paper No. CB(1)1951/07-08(04) -- Information paper provided by the Administration

LC Paper No. CB(1)1997/07-08(01) -- Submission dated 18 June 2008 from Central & Western Concern Group regarding two urban renewal projects in Central)

32. The discussion of this item was combined with that for the previous item on "Review of the Urban Renewal Strategy".

V Mandatory building inspection scheme and mandatory window inspection scheme

(LC Paper No. CB(1)1602/07-08(05) -- Information paper provided by the Administration

LC Paper No. CB(1)2122/06-07 -- Minutes of meeting of the Panel on Planning, Lands and Works on 22 May 2007 (Item IV is relevant)

LC Paper No. CB(1)2404/06-07 -- Minutes of meeting of the Panel on Planning, Lands and Works on 24 July 2007 (Item V is relevant)

LC Paper No. CB(1)1602/07-08(06) -- Issues raised by Kwun Tong District Council members at the meeting with Legislative Council Members on 8 May 2008 relating to "Private building management problems")

33. PS(PL) said that to facilitate the legislative process, the Administration would like to have early discussion with members on the target buildings, inspection items and operational procedures of the Mandatory Building Inspection Scheme (MBIS) and Mandatory Window Inspection Scheme before the formal introduction of the proposed legislation.

34. Mr CHAN Kam-lam welcomed the Administration's proposal because many old buildings lacked proper maintenance. While hoping that the Administration's target of inspecting and repairing 2 000 private buildings under MBIS could be achieved, he was concerned about whether the Administration had sufficient human resources to cope with the work. He was also concerned that under MBIS, clearance of unauthorized building works (UBWs) such as rooftop structures would not be given any priority if they did not pose immediate danger to the public.

35. In response, PS(PL) said that the Administration had sufficient human resources to cope with the work. The Administration noted that there were calls for clearing UBWs when implementing MBIS. However, as the clearance of UBWs such as illegal rooftop structures might invite strong objections and involve rehousing of the residents, to dovetail the clearance of UBWs with mandatory building inspection might create unnecessary obstacles to the smooth implementation of MBIS. Therefore, the Administration considered that the Buildings Department should follow its established enforcement policy of prioritizing the clearance of UBWs based on the level of danger they posed to the public. However, the Buildings Department would be given flexibility in responding to reports on UBWs made during mandatory building inspections. The Assistant Director of Buildings/Existing Buildings 1, Buildings Department (ADB/EB1) added that Registered Inspectors (RIs) had to report the details of the UBWs identified during the inspection under the MBIS to the Building Authority. The Buildings Department would see to it that building maintenance and clearance of UBWs could proceed in a concerted manner.

36. Miss CHOY So-yuk commended ADB/EB1 for his efforts in meeting residents and carrying out inspections. She suggested that there should be flexibility in implementing MBIS, and owners' corporations of buildings not yet selected as target buildings but were vulnerable to problems such as spalling concrete should also be allowed to join MBIS.

37. In response, ADB/EB1 said that the Administration would carry out special inspection on the external walls of vulnerable buildings. Heavy rain might lead to a greater chance of spalling concrete for aged buildings. If problems were identified, immediate actions would be taken.

38. Mr LEE Wing-tat pointed out that owners' corporations might face difficulties when requesting some uncooperative owners to clear their UBWs. He asked what measures the Administration would take to assist those owners' corporations. He pointed out that the timing of issuing removal orders for some UBWs might not tie in with the maintenance schedule of the buildings and asked whether the two could be synchronized.

39. In response, ADB/EB1 said that if the UBWs concerned posed immediate danger, the Administration could demolish those UBWs first and then recover the costs from the owners concerned. For other UBWs, the Administration could prosecute the owners concerned. The Administration also had a policy that newly erected UBWs would require immediate clearance. He agreed that synchronization of the timing of issuing removal orders for UBWs with the maintenance schedule of the buildings would reduce the total costs required, and said that the Buildings Department would, where possible, try to complement the owners' corporations in this regard.

40. Given the breadth and stringency of the requirements under the MBIS, Mr James TO was concerned whether the RIs were able to carry out a

comprehensive inspection capable of identifying hidden or potential problems if the fees they received were on the low side. He had considerable doubt that the work of the RIs as laid down in paragraph 16 of the Administration's paper might not be dutifully carried out under most circumstances.

41. In response, ADB/EB1 said that the fees for appointing the RIs were determined through bidding. The fees were set by the market rather than the Administration. He was confident that being professionals, the RIs would carry out their work in accordance with professional standards and the guidelines and practice notes drawn up by the Administration.

VI Flood prevention and contingency measures

(LC Paper No. CB(1)1951/07-08(05) -- Information paper provided by the Administration

LC Paper No. CB(1)2017/07-08(01) -- Supplementary information paper provided by the Administration

LC Paper No. CB(1)1914/07-08(01) -- Letter dated 12 June 2008 from Hon CHOY So-yuk)

42. SDEV said that the Administration had prepared a supplementary information paper providing further details of the flooding in Sheung Wan. She emphasized that although the rainfall on 7 June 2008 was among the heaviest in the records of the Hong Kong Observatory, she was relieved to note that except for the flooding in Sheung Wan, flooding in the New Territories was in general under control. She attributed this to the result of years of flood prevention projects undertaken by the Drainage Services Department. In addition, man-made slopes in the territory had shown their robustness amid the heavy rains. She assured members that the Administration would continue to carry out works to improve the drainage systems in Hong Kong.

43. Mr Daniel LAM said that he had taken note of the Administration's measures in enhancing the drainage systems in the New Territories to prevent flooding, the effects of which were commendable. The Administration's after care work in Tai O showed that it was staying close to the community. He urged the Administration to continue to devote more resources for slope maintenance and drainage improvement. He emphasized the importance of regular clearance of the drainage systems and urged the Administration to find measures to prevent mud and sediments from entering the drainage systems as far as possible.

44. SDEV noted Mr Daniel LAM's comments and responded that there would be sufficient resources for slope maintenance and drainage improvement.

45. Mr CHAN Kam-lam also shared the view that the flooding problem in the New Territories had been substantially alleviated. Nevertheless, he pointed out that flooding still occurred in Sheung Wan because the design capacity of the aged

drainage systems could not cope with the exceptional heavy rainfall. He urged the Administration to clear the drainage system more frequently to ensure that there was no blockage. The Administration should also increase the frequency of inspection of man-made slopes to ensure that the drainage systems were not blocked. As there were some criticisms that the after care work for Tai O was not fast enough, he urged the Administration to improve in this aspect.

46. In response, SDEV said that the Administration would further enhance coordination among different departments so as to fully utilize their resources at the earliest opportunity to handle similar situations in future. The Director of Drainage Services (DDS) shared the view of Mr CHAN that frequent clearance of the drainage systems was required. The Administration would regularly clear blockage materials such as silt and rubbish brought into the drainage systems by storm water to ensure that they would not cause blockage.

47. Miss CHOY So-yuk asked whether the enhanced emergency support was limited to Sheung Wan and what specific measures the Administration would take to assist shop owners in Sheung Wan to reduce their loss from flooding. She enquired about the location of the three flooding black spots on Hong Kong Island and pointed out that areas such as Pok Fu Lam, Happy Valley, Wan Chai and Chai Wan were also susceptible to flooding. She asked how the Administration would prevent flooding in future. Apart from measures to prevent flooding, the Administration should also implement measures such as greening of natural slopes to prevent landslips. Although a lot of work in flooding and landslip prevention had already been done, the Administration could still further put in more efforts in this area.

48. In response, SDEV said that due regard should be given to the efforts made by the concerned departments over the years in flood prevention. The loss could have been far greater if the flood prevention and contingency measures had not been in place. DDS further explained that the Administration provided enhanced emergency support to Sheung Wan based on previous experience of frequent flooding in the area. In other places, flooding occurred mainly because silt and rubbish blocked the drainage systems. However, a part of Sheung Wan was low-lying and therefore susceptible to flooding, especially when the tide level was high. There were occasions of extreme high tide with level higher than the ground level of Wing Lok Street resulting in sea water flowing out of manholes and gully gratings. As such, Sheung Wan needed enhanced emergency support. The three flooding black spots on Hong Kong Island were Wing Lok Street, Pok Fu Lam Village and the area near Wong Chuk Hang Road and Nam Long Shan Road. The Administration had regular discussion with District Councils on measures for flood prevention. Emergency teams would regularly inspect and clear silt and rubbish blocking the drainage systems to prevent flooding. The construction of the Sheung Wan Pumping Station, flood storage tank and intercepting drains would alleviate the flooding problem in Sheung Wan in the long term. On the landslide site at North Lantau, the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (Hd/GEO)

said that there were measures to cope with future landslips, such as spraying cement to stabilize the slopes and the origin of the debris flow and constructing intercepting dams.

49. Mr James TO said that he had a high regard for the Administration's efforts in addressing the landslip problem in Hong Kong. He was however concerned about the blockage of the North Lantau Highway on 7 June 2008. As it was the only traffic line connecting the Hong Kong International Airport with the rest of the city, the impact of its blockage was too substantial for Hong Kong to afford. He sought explanation on its blockage and asked whether there was any fault in its design. He was worried about how the Administration could handle similar situations before the completion of the various improvement works. Apart from stepping up improvement works, the Administration should have a contingency plan on how to maintain access to the Hong Kong International Airport in case of a future blockage, such as providing emergency ferry services.

50. In response, SDEV took note of Mr TO's views and said that the flooding on 7 June 2008 was beyond normal circumstances. Hd/GEO displayed pictures showing the landslip locations and explained that the mud and sediments from the landslips accumulated at the drainage inlets, causing blockage to the drainage systems. The slopes concerned had already been included in the Landslip Prevention and Mitigation Programme but the landslips occurred before improvement works had been carried out. The Administration would take immediate actions to enhance the intercepting drains and the drainage systems.

51. The Chairman said that although the Administration's flood prevention work in the New Territories was commendable, it should make further efforts to elevate the design standards of the existing drainage systems so that they would be able to cope with exceptionally heavy rainfalls which were becoming more common these years due to the drastic change in global climate. He expressed concern about the existing arrangement of requiring land owners to sign voluntary agreements to enable the Administration to carry out flood prevention works at tributaries of major rivers in the New Territories. As the arrangement might adversely affect the progress of the flood prevention works, he requested the Administration to consider using the land resumption approach to facilitate its flood prevention works.

52. In response, DDS said that the design standards of the drainage systems in Hong Kong were comparable to those of developed countries. The Administration would consider the suggestion of further enhancing those standards. SDEV assured members that the Administration would learn from the lessons and endeavour tirelessly to improve the existing preventive measures against flooding and landslides. She would be happy to consider the Chairman's suggestion of using the land resumption approach to facilitate flood prevention works.

53. At the initiation of Miss CHOY So-yuk, the Chairman commended SDEV for her high turn-up rate at meetings of the Panel.

VII Any other business

54. There being no other business, the meeting ended at 6:15 pm.

Council Business Division 1
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