

立法會
Legislative Council

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Ref : CB1/PL/PLW/1

LegCo Panel on Planning, Lands and Works

**Extract from the minutes of special meeting
held on Tuesday, 21 November 2000, at 2:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon TAM Yiu-chung, GBS, JP (Chairman)
Dr Hon TANG Siu-tong, JP (Chairman)
Hon LAU Ping-cheung (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, JP
Hon James TO Kun-sun
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Albert CHAN Wai-yip
Hon IP Kwok-him, JP

Non-Panel members attending : Hon Andrew CHENG Kar-foo
Hon Henry WU King-cheong, BBS

Members absent : Hon WONG Yung-kan
Hon LAU Wong-fat, GBS, JP
Hon Timothy FOK Tsun-ting, SBS, JP

Public officers attending : **Agenda Item I**

Mrs Helen CP Lai YU
Head, Task Force on Building Safety and
Preventive Maintenance

Mr Kevin CHOI
Member, Task Force on Building Safety and
Preventive Maintenance

Mr C M LEUNG
Director of Buildings

Mr Geoffrey WOODHEAD
Principal Assistant Secretary for Planning and Lands
(Buildings)

Mr Francis LO
Principal Assistant Secretary for Home Affairs

Mr H T LUI
Deputy Director of Home Affairs

Agenda Item II

Mr Geoffrey WOODHEAD
Principal Assistant Secretary for Planning and Lands
(Buildings)

Mr C M LEUNG
Director of Buildings

Mr K M MO
Assistant Director of Buildings
(New Buildings 1)

Mr Paul PANG
Head of Building Innovation Unit
Buildings Department

Agenda Item III

Mr Gary Y S YEUNG
Principal Assistant Secretary for
Planning and Lands (Lands)

Miss WONG Yuet-wah
Assistant Secretary for Planning and Lands (Lands)

Mr A K PATON
Assistant Director of Lands (Acquisition)

Ms Angela CHAN
Senior Estate Surveyor(Acquisition Special Assignment)
Lands Department

Ms Grace KWOK
Assistant Secretary for the Environment and Food (C) 1

Clerk in attendance : Miss Odelia LEUNG
Chief Assistant Secretary (1)1

Staff in attendance : Mrs Mary TANG
Senior Assistant Secretary (1)2

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II Green buildings : a proposal to enhance the quality of our living
(LC Paper No. CB(1)181/00-01(02))

25. With the aid of a computer power point, D of B gave a presentation on the proposals for promoting green and environmentally friendly buildings. These proposals included the provision of balconies, wider common corridor and lift lobbies, communal sky gardens, set-back of buildings, prefabricated non-structural external walls, solar panels, water recycling facilities, green construction methods, automatic refuse collection systems, green material and energy efficient building services system.

(Post-meeting note: a copy of the presentation materials was circulated to members under LC Paper No. CB(1) 267/00-01)

26. Ir Dr Raymond HO appreciated the Administration's efforts in enhancing the quality of living through promoting green and environmentally friendly buildings. He agreed that these proposals would be able to achieve the intended purpose of maintaining sustainability and reducing maintenance cost and construction waste. He welcomed the Administration's proposal of using radon blockage materials as one of green construction method, as this would reduce the carcinogenic effect brought about by radon which was present in building materials. As to the use of pulverized fuel ash, he pointed out that there was a limit on the amount to be used in construction projects. He was however concerned about safety problems posed by the provision of balconies and suggested that where balconies were to be provided, they should be well designed and maintained to ensure safety.

27. Mr Abraham SHEK congratulated D of B for the innovative proposal in making Hong Kong an acclaimed area in the promotion of green buildings. He enquired whether the concept of green buildings would be applied to all land leases, both new and old. In response, the Principal Assistant Secretary for Planning and

Lands (Buildings) (PAS/PL(B)) affirmed that the proposals for promoting green buildings would apply to all buildings, including the retrofitting of existing buildings. In so far as amendments to leases were concerned, BD had established a Building Innovation Unit to facilitate the building industry in constructing environmentally friendly buildings. On Mr SHEK's further enquiry on whether the green measures adopted in old leases would incur the payment of extra land premium, PAS/PL(B) advised that this would depend on individual circumstances.

28. Mr SHEK pointed out that the Administration should not use green measures as a means to increase revenue. He opined that green buildings, whether built under old lease (as in the case of redevelopment) or new leases should be dealt with in the same manner. PAS/PL(B) assured him that the Administration would deal with the issue on an equitable basis. D of B supplemented that the green measures would be applied to all buildings to which occupation permits had not been issued. The intention was to extend the coverage as wide as possible. Provisions for green measures would be included in new leases. As for old leases, the Administration would need to look into the different provisions, in particular those concerning balconies. Although the provision of balconies was a green feature which should be encouraged, yet its exclusive access by occupiers and its enhancement of building value meant that a premium should be charged. As for the widening of corridors and lift lobbies, B of D said that since these were environmentally friendly features that would improve the quality of living, the Administration was of the view that these should not require the modification of leases, whether new or old, and a premium would not be charged on these common areas. Mr SHEK remained of the view that the same treatment should apply to buildings irrespective of whether they were built under new leases or redeveloped under old leases and he did not therefore consider the Administration's argument substantiated.

29. While congratulating the Administration for their innovative ideas, Mr Henry WU King-cheong expressed concern about the cost implications of providing green features. He said that high technology designs might incur additional maintenance, the cost of which would be borne by owners rather than by developers. In this connection, he enquired whether an estimate on the maintenance costs for these features had been made and if the Government would consider launching a pilot to assess the efficacy of such features and their cost effectiveness. He said that he was aware of such pilot schemes being implemented in provinces of the Mainland, some of which included features such as primary treatment of sewage.

30. D of B said that the Inter-departmental Working Group would examine an incentive scheme to promote the installations of such green features. The primary sewage treatment system and the automatic refuse collection system were options which could be considered. The management, maintenance and repair of the buildings should be coordinated and operated using a total life cycle approach. The responsibility of developers and owners in the maintenance of buildings should be more clearly defined in the DMC. Consideration should also be given to setting aside

a part of the management fee for the establishment of a maintenance reserve fund. There had been positive response from the building industry in the adoption of green features and in fact some developers had already been actively considering the implementation of these measures in their developments. Since these measures would incur extra initial costs, the Administration intended to examine the possibility of providing compensatory Gross Floor Area (GFA) equivalent to the extra cost incurred. With these incentives, it was hoped that more green buildings would be developed in Hong Kong.

31. As to Mr WU's further enquiry on whether there was any overseas experience on the measures proposed, D of B advised that the Building Innovation Unit had been gathering experience from other countries on the implementation of green measures. It would seek to obtain advice from outside experts and consultants on the issue. A close dialogue would be maintained with the construction industry, including professional institutes, contractors, developers, as well as academia on the proposals.

32. While expressing support for the proposals, Mr IP Kwok-him was also concerned about the additional cost for maintaining green features and the higher sale prices of green buildings. In response, D of B stated that the additional maintenance cost would be offset by savings in energy and water consumption. It was hoped that with the promotion of green buildings, green features would become standard provisions of new buildings.

33. Mr Albert CHAN welcomed the proposals. He hoped that the proposed GFA exemption for green features would have the approval from the Financial Secretary. He stressed that in working out the GFA exemptions for green features, care should be taken to ensure that owners' interests would be adequately protected. The ownership rights of these green features, such as balconies, widened corridors and lift lobbies should be clearly spelt out in the DMC and the sales brochures of these buildings. This would avoid future disputes on the ownership rights of these features. He pointed out that the proposed features, if applied to new buildings, would enhance the value of these buildings. However, such measures would have a negative impact on existing buildings as their value would be lesser by comparison. In this connection, he suggested that, subject to the structural feasibility of the building as confirmed by building professionals, owners of existing buildings should be encouraged to install green features and enjoy the same exemptions that would apply to new buildings.

34. D of B noted Mr CHAN's views. He said that the Administration's intention was to apply GFA exemptions for green features to developments under new leases and redevelopment under old leases. He assured members that the interests of owners would be protected and developers would be required to list out the green features and to exclude the areas exempted from GFA calculations from being regarded as saleable areas. He also informed members that the proposals for GFA exemption for green features had the full support of the Financial Secretary.

35. Mr James TO shared Mr Albert CHAN's view that as green features would add value to buildings, the incentive of providing GFA exemptions for green features should not only be limited to new developments. Subject to loading and structural requirements, existing buildings should also be encouraged to install these green features without the need to pay. The addition of green features such as balconies to existing buildings would not only enhance the value of buildings, but would also provide the incentive for owners to maintain and upgrade their buildings. He opined that the Administration should try to promote the use of green features and should not use this as a means to raise revenue.

36. While appreciating Mr TO's suggestion, D of B said that the addition of balconies to existing buildings might not always be viable technically and would incur high construction costs. The Administration would need to work out the premium associated with the additional space made available as a result of the provision of balconies, which were for the exclusive use by owners.

37. Responding to the Chairman's enquiry on whether the Administration would take the lead in adopting green features in Government buildings, D of B said that the concept would be conveyed to the Architectural Services Department and the Housing Department for consideration.

38. Mr Albert CHAN said that there were grey areas in some of the provisions of DMC which needed to be examined. He pointed out that the recreational areas of some developments, though maintained and shared for use by owners, remained under the ownership of developers under the DMC. As a result, developers could take advantage of these provisions and further develop these recreational areas to their own benefit. He opined that actions should be taken to plug these loopholes. Mr LAU Ping-cheung said that according to the provision of the Sales Descriptions of Uncompleted Residential Properties White Bill which was released for public consultation earlier, the GFA could be equal to the saleable area of the flat together with a proportionate share of all common areas. However, there were no provisions specifying whether and how much of the areas exempted from GFA calculations should be included as saleable areas. He therefore urged the Administration to work out clear guidelines on the provisions relating to areas exempted from GFA calculations. The concerns raised by members were noted by the Administration.

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