

**立法會**  
**Legislative Council**

LC Paper No. CB(1)3022/09-10  
(These minutes have been seen  
by the Administration)

Ref : CB1/PL/DEV/1

**Panel on Development**

**Minutes of meeting**  
**held on Tuesday, 27 July 2010, 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  
Hon James TO Kun-sun  
Hon CHAN Kam-lam, SBS, JP  
Hon WONG Yung-kan, SBS, JP  
Hon Tommy CHEUNG Yu-yan, SBS, JP  
Hon WONG Kwok-hing, MH  
Hon LEE Wing-tat  
Hon CHEUNG Hok-ming, GBS, JP  
Hon KAM Nai-wai, MH  
Hon Cyd HO Sau-lan  
Hon Starry LEE Wai-king, JP  
Dr Hon Samson TAM Wai-ho, JP  
Hon Alan LEONG Kah-kit, SC  
Hon Tanya CHAN  
Hon Albert CHAN Wai-yip

**Members attending** : Hon LAU Kong-wah, JP  
Hon WONG Sing-chi

**Members absent** : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP  
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP  
Dr Hon Philip WONG Yu-hong, GBS

Hon Timothy FOK Tsun-ting, GBS, JP  
Hon Abraham SHEK Lai-him, SBS, JP  
Dr Hon Priscilla LEUNG Mei-fun  
Hon IP Kwok-him, GBS, JP  
Hon Mrs Regina IP LAU Suk-ye, GBS, JP

**Public officers attending** : **Agenda item III**

Mrs Carrie LAM CHENG Yuet-ngor, GBS, JP  
Secretary for Development

Mr Tommy YUEN Man-chung, JP  
Deputy Secretary for Development  
(Planning and Lands) 2

Mr Damian CHAN  
Principal Assistant Secretary  
(Sustainable Development) (Acting)  
Environment Bureau

Mr Philip HAR  
Assistant Secretary (Energy) 3  
Environment Bureau

Mr AU Choi-kai, JP  
Director of Buildings

**Agenda item IV**

Mrs Carrie LAM CHENG Yuet-ngor, GBS, JP  
Secretary for Development

Mrs Jessie TING YIP Yin-mei, JP  
Deputy Secretary for Development (Works) 1

Mr Alan AU Yuk-lun  
Principal Assistant Secretary for Development  
(Greening, Landscape and Tree Management) (Acting)

Mr Donald CHOY Chi-mun  
Assistant Director (Leisure Services) 3  
Leisure and Cultural Services Department

Mr James CHAN Shiu-on  
Assistant Director (Technical)  
Highways Department

Ms Karen CHAN Pui-yee  
Assistant Director (Estate Management)  
(Lands Administration Office/ Headquarters)  
Lands Department

Mr Joseph SHAM Chun-hung  
Assistant Director (Country and Marine Parks)  
Agriculture, Fisheries and Conservation Department

**Agenda item V**

Mrs Carrie LAM CHENG Yuet-ngor, GBS, JP  
Secretary for Development

Mr Enoch LAM Tin-sing, JP  
Deputy Secretary for Development (Works) 2

Mr Peter LAU Ka-keung, JP  
Director of Drainage Services

Mr CHAN Kin-kwong  
Chief Engineer/Drainage Projects  
Drainage Services Department

Mr Ivan LEE Kwok-bun, JP  
District Officer (Tai Po)  
Home Affairs Department

Mrs Kathy NG MA Kam-han  
Assistant Director (Elderly)  
Social Welfare Department

Ms WONG Yin-yee  
District Social Welfare Officer (North Tai Po) (Acting)  
Social Welfare Department

Mr CHIU Kin-chee  
Assistant Director/Estate Management 2 (Acting)  
Housing Department

**Attendance by invitation : Agenda item III**

Mr Bernard Charnwut CHAN, GBS, JP  
Chairman  
Council for Sustainable Development

Professor Bernard LIM Wan-fung, JP  
Convenor, Support Group on Building Design to Foster  
a Quality and Sustainable Built Environment  
Council for Sustainable Development

**Clerk in attendance :** Mr WONG Siu-yee  
Chief Council Secretary (1)4

**Staff in attendance :** Mr Daniel SIN  
Senior Council Secretary (1)5

Mr Simon CHEUNG  
Council Secretary (1)7

Ms Christina SHIU  
Legislative Assistant (1)7

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Action

- I Confirmation of minutes and matters arising**  
(LC Paper No. CB(1)2602/09-10 -- Minutes of meeting on  
25 May 2010)

The minutes of the meeting held on 25 May 2010 were confirmed.

- II Information papers issued since last meeting**  
(LC Paper No. CB(1)2450/09-10(01) -- Administration's response to  
issues raised at the meeting  
between Legislative Council  
Members and Wong Tai Sin  
District Council members on  
27 May 2010 in relation to  
squatter problems in Ngau Chi  
Wan Village

LC Papers No. CB(1)2451/09-10(01) and (02) -- Issues raised at the meeting  
between Legislative Council

- Members and Kowloon City District Council members on 28 January 2010 in relation to proposed rail-based environmentally friendly transport system at Kai Tak and the Administration's response
- LC Paper No. CB(1)2458/09-10(01) -- Administration's response to issues raised at the meeting between Legislative Council Members and Kwun Tong District Council members on 13 May 2010 in relation to overall planning and development of Kowloon Bay
- LC Paper No. CB(1)2547/09-10(01) -- Issues raised at the meeting between Legislative Council Members and Islands District Council members on 27 May 2010 in relation to Phase III development of Tung Chung new town
- LC Papers No. CB(1)2550/09-10(01) and (02) -- Issues raised at the meeting between Legislative Council Members and Kowloon City District Council members on 28 January 2010 in relation to revitalization of historical sites/buildings in Kowloon City District and the Administration's response
- LC Paper No. CB(1)2555/09-10(01) -- Administration's paper on revision of fees and charges under the purview of the Water Supplies Department
- LC Paper No. CB(1)2559/09-10(01) -- Issues raised at the meeting between Legislative Council Members and Yuen Long District Council members on 10 June 2010 in relation to improvement works of Yuen Long Town Nullahs
- LC Paper No. CB(1)2576/09-10(01) -- Administration's paper on progress report on the Tamar

- Development Project
- LC Papers No. CB(1)2599/09-10(01) and (02) -- Issues raised at the meeting between Legislative Council Members and Tsuen Wan District Council members on 29 April 2010 in relation to illegal rooftop structures in single-staircase buildings and the Administration's response
- LC Paper No. CB(1)2640/09-10(01) -- Referral from the Complaints Division regarding new policy on change of usage of industrial buildings)

2. Members noted that the above information papers had been issued since the meeting on 22 June 2010.

### **III Report of the Public Engagement Process on "Building Design to Foster a Quality and Sustainable Built Environment" of the Council for Sustainable Development**

- (LC Paper No. CB(1)2601/09-10(01) -- Administration's paper on green buildings and building design to foster a quality and sustainable built environment
- LC Paper No. CB(1)2601/09-10(02) -- Paper on review of measures to foster a quality and sustainable built environment prepared by the Legislative Council Secretariat (Updated background brief))

3. Members noted a submission from Greenpeace tabled at the meeting.

*(Post-meeting note: The soft copy of the submission (LC Paper No. CB(1)2662/09-10(01)) was issued to members by email on 28 July 2010.)*

4. Secretary for Development (SDEV) briefed members on the Administration's initiatives and efforts in promoting a quality and sustainable built environment. She said that the Council for Sustainable Development (SDC) had released in June the "Report on the Public Engagement on Building Design to Foster a Quality and Sustainable Built Environment" (the Report) which included 51 recommendations. She noted that issues related to gross floor area (GFA) concessions and inflation of saleable areas were the major concerns. The Administration would consider the recommendations and announce new measures

in the fourth quarter of 2010. Any changes in prevailing policies to implement SDC's recommendations would be reflected in new practice notes that would be effective as early as April 2011, and applicable to new building plans submitted to the Buildings Department (BD). With the aid of a Powerpoint presentation, Mr Bernard CHAN, Chairman, SDC, briefed members on the salient points of the recommendations of the Report.

*(Post-meeting note: The soft copy of the presentation materials (LC Paper No. CB(1)2663/09-10(01)) was issued to members by email on 28 July 2010.)*

5. Mr WONG Kwok-hing asked if developers would be allowed to increase building height or bulk in return for setback for buildings abutting narrow streets. Mr Bernard CHAN, Chairman, SDC said that a justifiable scheme of GFA concessions was recommended for building setback to compensate developers for the loss of valuable lower floor areas. Such compensation might increase the building height or bulk. Noting this, Mr WONG asked how developers could increase building height as they were often required to limit building height to protect the ridgeline. Mr Bernard CHAN, Chairman, SDC said that the Report recommended that a performance-based approach in adjusting the setback requirement be worked out. The Administration should allow flexibility with reference to the specific conditions of the sites in questions.

6. The Deputy Chairman said that some of the recommendations put forward by SDC, such as reduction of building height and widening separation between buildings, were contradictory, but not much elaboration was given in the Report on how interrelated problems were to be resolved. Mr Bernard CHAN, Chairman, SDC said that there were competing objectives to be met in promoting a sustainable built environment. SDC could only focus on a few key issues given the study time frame. Other pertinent issues might need to be addressed in a separate context.

7. Mr Albert CHAN said that requiring building setback and the resulting increase in building height or bulk were trade offs. A community consensus was needed as to whether the trade-offs were acceptable. SDEV noted Mr CHAN's views. She added that it was reasonable to encourage developers to incorporate green features through granting GFA concessions, although it might imply an increase in building height or bulk. Certain mandatory features such as refuse storage and material recovery rooms were disregarded in the calculation of GFA. Developers were entitled to GFA concessions or other compensations if they allowed part of their properties to be used for public benefit. There were also other means to require developers to provide public facilities without any GFA concessions or compensation. For example, the Town Planning Board might, as a planning gain, impose planning requirements on a master layout plan.

Requirements of incorporating certain building features might also be included in the land sale conditions.

8. Mr Alan LEONG said that the Administration offered GFA concessions in return for developers providing certain public facilities such as footbridges. Before implementing the recommendations of SDC, the Administration would need to consider at the policy level how to delineate the responsibility for the provision of such public facilities. What facilities should be provided by the Government and the developers respectively should be reviewed. In the latter case, the maintenance responsibility of such facilities would likely be passed on to the property buyers.

9. SDEV said that the points raised by Mr LEONG had been covered in a separate policy review on the provision and arrangement of public facilities in private developments, particularly Public Open Space. Apart from handling issues related to public facilities, the Administration would also tackle other issues to foster a sustainable built environment. The work of the Hong Kong Green Building Council was particularly noteworthy in this regard. The Administration would assume a leadership role in encouraging sustainable initiatives in building designs, and was ready to review and introduce legislation as necessary. The Administration would also provide incentives and guidelines, as well as promote cross-sector collaboration in promoting a sustainable built environment. She added that several countries she had visited promoted green buildings via a government procurement policy, by, for example, renting for government offices only in private office buildings that had attained certain energy efficiency standards. She felt that such practices were worth exploring.

10. On inflation of saleable area, Mr WONG Kwok-hing said that in some residential developments, bay windows occupying between 20% and 30% of a unit's floor area were excluded from GFA calculation, but accounted for \$200,000 to \$400,000 of the property price. Whether bay windows could contribute to fostering a sustainability built environment was questionable, but developers were able to profit from them at the expense of buyers. He asked if the Administration would rescind GFA concessions for bay windows as in the case of Singapore. Mr Bernard CHAN, Chairman, SDC said that SDC also had reservations on the environmental value of bay windows and recommended that the Administration should review the matter. Director of Buildings (DB) clarified that bay windows were not regarded as green features which would attract GFA concessions. Bay windows within certain parameters would not be accountable for GFA calculation because they did not fall within the definition of GFA if they met certain criteria. According to the current legislation, GFA means the area within the external walls of a building measured at each floor level. A bay window, if it was fitted 500 mm above the floor, 500 mm from the ceiling, and projected not more than 500 mm from the outer face of an external wall, would not be accountable for GFA calculation.

11. Noting that bay windows would be accountable for GFA calculation if certain criteria were met, Mr Alan LEONG enquired about the effect of the provision of bay windows on the plot ratio. DB explained that as bay windows meeting certain criteria would be regarded as projections outside the external walls and would not fall within the definition of GFA, such bay windows would not be accountable for GFA calculation and therefore would not affect the calculation of plot ratio. The presence of such bay windows would however increase building bulk. Mr LEONG said that developers were, in effect, able to increase sales revenue by providing bay windows because while they were not accountable for the calculation of GFA and plot ratio, buyers had to pay for them.

12. Mr LEE Wing-tat said that the Administration should formulate a policy to deal with inflated saleable areas to protect property buyers' interests. SDC's recommendation to cap the GFA concessions allowable in a building was not sufficient as developers were able to inflate saleable areas by as many as 30% to 40% without increasing GFA. Mr Albert CHAN said that the Administration and SDC were able to identify the major issues, but the recommendations might not solve the problem completely. He criticized the current arrangement where a building's advertized saleable area included the areas of green building features, as it allowed developers to over-charge property buyers for areas that were either discounted as GFA concessions or where only low premium was needed. He said that such information should be stated clearly in the sales brochures.

13. SDEV said that property buyers were entitled to know the floor area as well as information on GFA concessions. To this end, new practice notes requiring detailed breakdown of all GFA concessions to be shown in building plans submitted to the Buildings Department (BD) would come into effect in September 2010. A summary of the GFA concessions would be published on BD's website upon completion of the project. SDC also recommended that such information should be disclosed in sales brochures of new developments. She would relay members' views on improving the transparency of property sales information to the Transport and Housing Bureau.

14. Mr LEE Wing-tat suggested that the Administration should implement its new policies as early as possible to avoid possible disputes because developers who auctioned for new sites in the coming few months would expect to be able to inflate saleable areas under existing rules. Any change in policies might affect their profits and the developers might have a case for action. SDEV said that any change in GFA concession policies would not have retrospective effect in the sense that the current arrangement in respect of granting GFA concessions would continue to apply to building plans approved by the Building Authority prior to the implementation of any new policy measures, which the Administration expected would not be earlier than 31 March 2011. This would remove developers'

uncertainties when participating in land auctions or in evaluating land premiums for lease modifications or land exchange.

15. Mr KAM Nai-wai supported introducing measures that would improve ventilation. He also suggested that GFA concessions should be provided for rooftops if they were used to install solar energy panels. However, he queried why underground car parks should be encouraged because they were not sustainable given the extra ventilation and lighting requirements. Some developers abused GFA concessions by providing over-sized car parking space, thereby inflating profits with little cost. The Deputy Chairman shared the view that underground car parks were not sustainable and said that the Administration should review the provision of car parking space in private buildings.

16. Mr Bernard CHAN, Chairman, SDC said that car parks were a major factor resulting in increased building height and bulk which would in turn affect ventilation. However, there were specific requirements under the Hong Kong Planning Standards and Guidelines (HKPSG) for provision of car parking spaces. Coupled with a recommendation to review HKPSG in this regard, SDC suggested promoting underground car parks with a recommendation that such other factors as building energy efficiency be taken into account in their design. Prof Bernard LIM, Convenor, Support Group on Building Design to Foster a Quality and Sustainable Built Environment, SDC said that ventilation and other energy efficiency problems of underground car parks could be addressed by incorporating better designs that enabled natural lighting and ventilation to be introduced.

17. SDEV said that the Transport Department was reviewing the current planning standards for car parking spaces to ensure that they were compatible with the current circumstances. Pending the completion of the review, the Administration was prepared to offer flexibility that allowed developers to justify, on a case-by-case basis, the provision of less car parking space than was required under the current guidelines.

18. Mr CHAN Kam-lam said that there should be more flexibility in the implementation of town planning policies and that more incentives should be provided to encourage developers to adopt more sustainable and energy efficient building designs. He considered it ineffective to impose building setback or widening of building separation haphazardly in pockets of densely built-up areas. He suggested that the Administration should explore whether such objectives could be implemented on a wider district basis. In Kwun Tong, the provision of open space fell short of the requirement as prescribed in HKPSG. He asked if the Administration could swap existing government industrial sites with certain private industrial sites to provide more greening opportunities and open space in the district.

19. SDEV said that even with the best intention, allowing more planning flexibility and providing incentives would easily be misconstrued as a collusive conduct between Government and the private sector. The selection of industrial buildings for land exchange could be sensitive. While implementing wider district planning was preferred to revitalizing industrial buildings block by block, given the diverse ownership, such a district-based approach could only be achievable via large scale redevelopment like the Kwun Tong Town Centre redevelopment project initiated by the Urban Renewal Authority. The Administration was exploring how to carry out revitalization on a larger scale within the existing policy framework. Although there were incentives to revitalize and refurbish old industrial buildings, the overall layout of buildings would remain unchanged after carrying out such works, and spacing out of buildings and provision of additional open space or greening features could not be achieved through revitalization and refurbishment of industrial buildings alone.

20. The Deputy Chairman appreciated the Administration's efforts to conduct the Urban Climatic Map and Standards for Wind Environment -- Feasibility Study. He said that when the study was able to identify any district that had poor ventilation, the Administration should consider resuming the properties involved and improve wind circulation in the area through redevelopment. SDEV said that it was necessary to strike a balance between respecting private property rights and achieving town planning objectives. Terms would be incorporated in the conditions of sales or during land lease renewal to require or encourage sustainable building design elements to be made.

#### **IV Tree Management**

(LC Paper No. CB(1)2601/09-10(03) -- Administration's paper on tree management

LC Paper No. CB(1)2601/09-10(04) -- Paper on tree management prepared by the Legislative Council Secretariat (Updated background brief))

21. At the invitation of the Chairman, SDEV advised that through various channels, the Administration had received views from the public on ways to improve tree management. She said that areas including risk management, training for frontline staff and community involvement had room for improvement. Despite resource constraints, the Administration would try its very best to further step up efforts in tree management.

22. Miss Tanya CHAN expressed concern about understaffing in the Tree Management Office (TMO) and other departments responsible for tree management. She queried whether it was appropriate to leave part of the tree monitoring responsibility to the public, and whether the public had adequate

knowledge to identify trees with potential dangers for reporting to the Administration. She referred to the conditions of a tree on Battery Path and another one on Upper Albert Road and expressed concern about the accuracy of the Administration's list of trees requiring further monitoring. As for the leaflets on tree management produced for the reference of private property owners and management companies, the Administration should specify the requirement that it was necessary for landowners to seek approval from the Lands Department before they could remove any trees on their lots. As regards the education sector, she asked whether the Administration could assist schools with trees on campus to build up their knowledge in and practices on good tree management. She also urged the Administration to consider putting up name tags around the trees so that the public could have a better understanding of the trees in their community.

23. On staffing in TMO and other departments responsible for tree management, Deputy Secretary for Development (Works)1 (DS(W)1) said that apart from staff engaged in tree management on a full-time basis, additional staff were involved in tree management work on a part-time basis. In addition, apart from deploying their own staff, some tree management departments engaged contractors to assist in tree management work. She said that TMO would educate the public on tree management so that the community could assist in the surveillance of trees in the territory. As regards the issue raised about the two trees in Central, she would follow up as appropriate. Apart from private property owners and management companies, the Administration had sent out leaflets on good practices on tree management to schools for reference. Staff from TMO would hold school talks on proper tree management from time to time. The Administration would consider the suggestions of including tree protection requirements in the tree management leaflets and providing labels for trees on Government land for easy identification by the public.

24. Mr KAM Nai-wai said that he noted that in addition to visual assessment, tree inspection staff would use other more in-depth inspection methods to ascertain the health conditions of the trees. In this regard, he enquired whether in-depth inspection methods would only be used in areas with heavy pedestrian or vehicular flows. Furthermore, he asked when the Administration would complete the whole tree inspection exercise, and enquired about the number of trees to be removed as a result.

25. DS(W)1 explained that tree inspection staff would carry out tree inspection according to a systematic methodology and prescribed procedures. Depending on the actual conditions of the trees, appropriate inspection methods using assessment equipment such as rubber mallet or sonic tomography would be carried out to augment visual assessment. The decision to remove a tree would only be taken as a last resort when there was no other way to reduce the risks it posed to public safety. She said that the Administration had no prescribed quota

for tree removal. So far, 11 trees had been removed after detailed inspection by staff of the relevant departments.

26. Mr Albert CHAN considered it necessary to set up a quick-response team with adequate professional training and knowledge in tree management within the Administration to handle urgent cases posing risks to residents and passers-by, because the reaction of government departments was often slow. Meanwhile, he was very disappointed that due to poor management, three old coral trees on Tak Wah Street, Tsuen Wan, which were managed by the Leisure and Cultural Services Department (LCSD), had to be removed. He urged the Administration to improve tree management standards and practices amongst government departments.

27. SDEV said that while the suggestion to set up a quick-response team was worth considering, whether such a team alone could cope with the large number of cases received through the 1823 Call Centre and government websites was an issue. As regards the three coral trees, Assistant Director (Leisure Services)<sup>3</sup> advised that staff of LCSD had been closely monitoring the conditions of these trees in the past few years. The trees had signs of pest and disease attacks. All possible treatments had been taken, but to no avail. LCSD was currently seeking the support of the Tsuen Wan District Council to remove these trees in view of the risks they posed to the public. Mr Albert CHAN was dissatisfied with the explanation and opined that the Administration should look into the reasons why, in comparison with other places, Hong Kong was having a far higher percentage of trees which had to be felled.

28. Prof Patrick LAU said that the lack of arboriculture programmes in Hong Kong's tertiary institutions could be a reason why no timely treatment was given to ailing trees. In the absence of adequate professionals in the Government and the private sector, he was worried that a large number of trees might have been removed unnecessarily. He enquired whether the Administration had effective measures to tackle the issue.

29. DS(W)1 advised that the Administration attached great importance to the professional standing of TMO. Of the 15 serving professional officers in TMO, 11 were qualified arborists. She stressed that one of the major tasks of TMO was to raise the professional standards of front-line staff in managing trees. Efforts were also made to educate the public on proper tree management. Some 13 000 leaflets on tree management had been sent to owners' corporations, mutual aid committees and property management companies in Hong Kong, and seminars would be organised for them. As regards proper tree management on construction sites, the Administration had started discussions with the sector on how to take forward the matter. Furthermore, the Administration would engage consultants, likely to be from tertiary education institutions, to carry out a research study on common biological tree decaying agents in Hong Kong. The Administration will

also develop a database to record relevant information on tree failures for further study.

30. Given the manpower constraints of TMO and other tree management departments, Mr WONG Kwok-hing urged the Administration to consider mobilising the public to assist in tree management. He enquired whether the Administration could assign a number to those trees that were subject to continuous monitoring, and post the tree numbers and the emergency contact telephone number on them so that the public could help monitor their conditions and report to the Administration when necessary.

31. In response, DS(W)1 said that it was the Administration's intention to step up tree management through community involvement. As a starting point, the Administration had released information on 1 154 trees which required special attention through a dedicated webpage. Through the Green Ambassadors and District Tree Care Volunteers schemes launched earlier, the Administration would engage local residents to assist in monitoring the conditions of the trees within their districts. TMO also co-operated with the Housing Department to enhance awareness of proper tree management amongst public rental housing residents. On the means to inform the Administration of problematic trees, the 1823 Call Centre operating round-the-clock would be as an ideal channel for the public to report such cases. In addition, the public could also make use of the on-line tree care report to inform the Administration of the location and conditions of problematic trees. The Administration would also consider the suggestion of assigning numbers to trees.

32. Mr Alan LEONG said that the Administration's "integrated approach" in tree management involved various departments. TMO was operating like an expert group, disseminating standards and knowledge on proper tree management to departments concerned and monitoring the implementation of the related policies. Nonetheless, he queried whether it was appropriate to apply the model of the Geotechnical Engineering Office (GEO) in maintaining slope safety to tree management, because the two areas were quite different. He doubted whether TMO could effectively oversee tree management departments and prevent the recurrence of tree falling incidents, if any of these departments failed to properly manage trees under their care.

33. SDEV responded that although GEO was tasked with the overall responsibility of maintaining slope safety, other departments would still carry out slope management works under their own portfolio. Such a model had been operating for over 30 years and proven to be reliable and effective. She was therefore confident that with TMO providing guidance and technical knowledge to departments and monitoring the standards of their work, the GEO model would be applicable to tree management. She supplemented that the Development Bureau

would coordinate a bid for the required resources for tree management departments.

34. Ms Cyd HO expressed grave concern about the way pruning for roadside trees- was done by various departments in old districts where space was limited for trees to grow healthily. Tree like the ones on Centre Street, Sai Ying Poon might pose risks to pedestrians. She asked whether TMO would assess the extent of the problem. She also asked whether it was the Administration's policy to plant new trees to replace those removed, and whether the Administration would avoid excessive tree planting in crowded old districts.

35. DS(W)1 advised that the Administration attached importance to minimising risks posed by problematic trees with health or structural problems at locations with high vehicular or pedestrian flow. As regards the conditions of the trees on Centre Street, the Administration would follow up as appropriate. On re-planting, the Administration would, having due regard to the site constraints, try its best to plant new trees as replacement. As regards planning for greening, with the setting up the Greening and Landscape Office, the Administration aimed to promote a holistic greening approach embracing adequate space allocation for new planting, selection of suitable planting species, adopting quality landscape design and planting practices, and proper vegetation maintenance on a long-term basis. Due emphasis would always be placed on ensuring public safety. The Administration also advocated reserving adequate space for the healthy growth of trees in a busy and densely-populated place like Hong Kong.

## **V Flood prevention and contingency measures**

36. SDEV said that the Drainage Services Department (DSD) had received several flooding reports during the recent heavy rainstorm, with the worst incidents in Choi Hung Road, Ying Pun Village, Wo Yee Hop Road, Sha Po Tsai Village, Shan Mei Street, and Mei Tin Road. The capacity of the existing drainage system in the first four locations was insufficient to cope with the flood; whereas in the latter two cases, the storm water channels were blocked by rubbles, which led to flooding. The heavy rainstorm highlighted the importance of flood prevention facilities. Some of the drainage facilities had proved to be effective in preventing flooding in the previous flooding black spots during the last rainstorm. In particular, the Sheung Wan storm water pumping station and the associated intercepting drains functioned effectively in preventing a similar flooding that had rampaged Wing Lok Street and the neighbouring area a few years ago.

37. As extreme weather had become more frequent, Mr LEE Wing-tat asked if the Administration would conduct flood assessment studies and evaluate the ability of Government departments and their contractors in handling heavy rainstorms and flooding situations. SDEV said that the Administration could

regularly review the works management and procedures during dry seasons as well as rainy seasons. The Administration would conduct an investigation into the flood in Tai Po and invite Prof Joseph LEE Hun-wei of the University of Hong Kong, who was renowned internationally in hydraulics, to audit the investigation. The investigation would be completed within six weeks.

38. Director of Drainage Services (DDS) presented photographs showing the situations of Sha Po Tsai Village before and after the flood. He said that the existing flood prevention capability of Tai Po River was not high and could only withstand rainstorms of a two-year or three-year return period. Drainage improvement works were being conducted to increase storm water flow capacity and reduce the risk of future flooding. A boulder trap, which measured approximately 30 metres in length, 10 metres in width and 1.5 metres in depth and capable of intercepting about 1 000 tons of rocks in the upper stream of Tai Po River, was found to be full of rocks after the rainstorm, demonstrating that massive amount of rocks had been carried downstream by the heavy rain. There were also signs that the water level had reached the rim of the boulder trap. Clearance of the washed-down boulders was immediately carried out.

39. Mr WONG Sing-chi queried DDS's explanation that the rocks and rubbles that were spread all over the river were carried down by the flood. He said if that was the case, many of the village houses would have been damaged and became uninhabitable. He asked if it was DSD's contractor that had laid the rocks and rubbles there to enable their vehicles to pass through the sludgy terrains. If the rocks and rubbles were in fact washed downhill by the rainstorm, he asked whether the rocks were set loose due to Government works projects. The Administration should investigate the source of the rocks and compensate the affected villagers and repair their houses if works departments were at fault. Many affected villagers were unwilling to be accommodated in interim housing in Tuen Mun. They requested to be temporarily relocated within Tai Po until their houses were repaired and restored. He suggested that the Administration should consider their request. DDS clarified that according to the site records, its contractor had not carried out any major construction works along the river during the rainy season and had not stockpiled boulders on the river bed within the site in Sha Po Tsai Village.

40. At this juncture, members agreed that the meeting should be extended to 5:15 pm. The Chairman therefore suspended the Panel meeting at 4:45 pm to allow the meeting of the Subcommittee on Building Safety and Related Issues to be called to order and then suspended immediately. The Panel meeting resumed thereafter.

41. Mr Albert CHAN said that whenever a location experienced rainstorms of a 50-year return period, there were casualties. He said that the Administration should particularly check the flood protection capability of those areas which had

not experienced rainstorms of a 50-year return period. He recalled that the Administration had previously conducted a consultancy study on a territory wide drainage system, and that some of the recommendations had been implemented. The flood and the subsequent casualties in Tai Po could have been prevented if all the recommended measures were implemented. He asked if the Administration had been negligent.

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42. DDS said that the Drainage Master Plan Studies covered eight water catchment areas over the territory. Many of the recommendations, including the improvement of the Tai Po River and Lam Tsuen River, had been/were being implemented. The Drainage Master Plan Studies would be reviewed. SDEV said that the Administration had identified and publicized flooding black spots, and was closely monitoring the situation. As an example, major drainage tunnels were being built in areas such as north Hong Kong Island, Tsuen Wan and Lai Chi Kok. Funding approval had also been sought for the Kai Tak Nullah improvement works to improve its drainage capability. The Administration undertook to provide information on the measures recommended in the Drainage Master Plan Studies that had been or would be put in place to prevent flooding in the territory.

43. Mr CHEUNG Hok-ming said that there were indications suggesting that the flood in Sha Po Tsai Village was caused by public works being carried out in the upper stream of Tai Po River. He said that the rubbles were probably smashed from boulders as materials for slope reinforcement works. These rubbles were washed downstream by heavy rain and clogged the lower stream of Tai Po River. Sha Po Tsai Village was bounded like an isolated patch of land by two branches of Tai Po River. When the lower stream of Tai Po River was blocked, the water overflowed and flooded the village.

44. Mr LAU Kong-wah said that villagers had repeatedly reflected their concerns to the Administration about the risks of the boulders in the upper stream of Tai Po River, but to no avail. The Administration should therefore be responsible for any damages caused to the villagers.

45. Mr WONG Yung-kan criticized the Administration for failing to take into account the suggestions about the flood from the Tai Po District Council members. He said that Sha Po Tsai villagers were worried that the rocks in the upstream areas could be carried down to the village in future flooding. He asked what measures the Administration would introduce to improve the safety of the village.

46. DDS said that the Administration was aware of the risks of boulders in upper stream areas. The boulder trap was therefore built in the upper stream of Tai Po River to hold the rubbles and rocks from being washed down and prevent damages to Sha Po Tsai Village and injuries. The rocks and rubbles collected demonstrated that the facility had functioned effectively. The Administration had already removed the rocks and rubbles in the boulder trap and would install

barriers to the boulder trap to increase its capacity. The Administration would also lower and widen the bed of Tai Po River before the next rainy season to minimize the risk of flooding.

47. Mr CHEUNG Hok-ming considered that the river improvement works of Tai Po River should start with the lower stream first so as to increase the water flow capacity, before works in the upper stream were carried out. He said that Sha Po Tsai Village was not one of 18 flooding black spots and it was not covered by the Government's flood watch system. Villagers were caught totally unguarded when the flood occurred. He suggested that the Administration should consider extending the flood watch system to those areas with higher risks of flooding. SDEV agreed to consider Mr CHEUNG's suggestion, and undertook to review the drainage works procedure.

48. Mr WONG Kwok-hing said that the Administration's priority at present should be on disaster relief. He asked whether the Administration could help Sha Po Tsai villagers rebuild their houses. District Officer (Tai Po) said that the Social Welfare Department and Housing Department had received six housing requests, and were following up with the villagers concerned. The Home Affairs Department's temporary shelters had been open for those with temporary housing needs. DSD contractors had also assisted villagers in cleansing and repairing their houses.

49. Mr LAU Kong-wah asked whether suitable public housing units within Tai Po could be made available specifically to meet the housing needs of these six households affected by the flood. Assistant Director/Estate Management 2 (Acting), Housing Department said that interim housing units were available in Tuen Mun for the affected residents with temporary housing needs. Subject to assessment and recommendation from the Social Welfare Department (SWD), the Housing Department would consider arranging public housing units to meet the longer term housing needs of the affected villagers. Assistant Director (Elderly), SWD, added that social workers were following up the six households' requests for compassionate rehousing. Some of them were still undecided whether to remain in the village or accept rehousing arrangements.

## **VI Any other business**

50. There being no other business, the meeting ended at 5:15 pm.