

立法會
Legislative Council

LC Paper No. CB(1)694/11-12
(These minutes have been seen by
the Administration)

Ref : CB1/PL/DEV/1

Panel on Development

Minutes of meeting
held on Saturday, 16 July 2011, at 9:00 am
in Conference Room A of the Legislative Council Building

Members present : Prof Hon Patrick LAU Sau-shing, SBS, JP (Chairman)
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
Hon WONG Yung-kan, SBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon WONG Kwok-hing, MH
Hon CHEUNG Hok-ming, GBS, JP
Hon KAM Nai-wai, MH
Hon Starry LEE Wai-king, JP
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon Tanya CHAN

Member attending : Dr Hon PAN Pey-chyou

Members absent : Hon LAU Wong-fat, GBM, GBS, JP (Deputy Chairman)
Dr Hon Philip WONG Yu-hong, GBS
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon LEE Wing-tat

Hon Cyd HO Sau-lan
Dr Hon Priscilla LEUNG Mei-fun, JP
Hon Albert CHAN Wai-yip

**Public officers
attending**

: Agenda item III

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

Miss Annie TAM Kam-lan, JP
Director of Lands

Ms Karen CHAN Pui-yee
Assistant Director/Estate Management
Lands Department

Mr Kelvin WONG Kin-wai
Senior Land Executive/Special Duty (2)
(Village Improvement and Lease Enforcement/
Land Control Section)
Lands Department

Mr CHING Kam-cheong, JP
Deputy Commissioner/Planning & Technical Services
Transport Department

Mr Clement LEUNG Cheuk-man
Director of Food and Environmental Hygiene

Ms CHU Lan-ying
Assistant Director (Operations)³
Food and Environmental Hygiene Department

Ms Florence HUI Hiu-fai, JP
Under Secretary for Home Affairs

Ms Mimi LEE Mei-mei, JP
Deputy Director of Home Affairs (1)
Home Affairs Department

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 Robin LEE Kui-biu
Chief Assistant Secretary for Development
(Works)2
Development Bureau

Agenda item V

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 Lawrence CHAU
Head/Tree Management Office
Development Bureau

Agenda item VI

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

Mr Jimmy CHAN Pai-ming
Principal Assistant Secretary (Works)3
Development Bureau

Mr MA Lee-tak, JP
Director of Water Supplies

Mr CHIN Chu-sum, JP
Assistant Director/Customer Services
Water Supplies Department

Mr CHEUNG Ping-nang, JP
Assistant Director/Operations
Water Supplies Department

**Attendance by
Invitation**

: Agenda item IV

*Representatives from Kadoorie Farm and Botanic
Garden*

Mr Andy BROWN
Executive Director

Ms Idy WONG
Head of Sustainable Living and Agriculture

Mr Billy TAM
Lead Architectural Consultant,
Thomas Chow Architects Limited

Representatives from St James' Settlement

Mr Michael K C LAI, MH, JP
Chief Executive Officer

Ms Suki CHAU
Team Leader

Mr C M LEE
Lead Consultant
LWK & Partners (HK) Limited

*Representatives from Wing Kwong So-Care
Company Limited*

Rev Joanne WONG
Chairman

Ms MO Pui-yee
General Secretary

Mr Johnny LEE
Design Advisor
Spence Robinson Limited

Clerk in attendance : Ms Connie SZETO
Chief Council Secretary (1)4

Staff in attendance : Ms Sharon CHUNG
Senior Council Secretary (1)4

Mr Simon CHEUNG
Senior Council Secretary (1)9

Ms Christina SHIU
Legislative Assistant (1)4

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I Confirmation of minutes
(LC Paper No. CB(1)2691/10-11 -- Minutes of meeting on
20 April 2011)

The minutes of the meeting held on 20 April 2011 were confirmed.

II Information paper issued since the last meeting
(LC Paper No. CB(1)2609/10-11(01) -- Submission on
redevelopment of Kwun
Tong Town Centre from a
deputation (仁信里商戶
關注組) dated
28 June 2011)

2. Members noted that the above information paper had been issued since the meeting on 28 June 2011.

III Implementation of the revised management scheme for the display of roadside non-commercial publicity materials

(LC Paper No. CB(1)2690/10-11(01) -- Administration's paper on the Management Scheme for the Display of Roadside Non-commercial Publicity Materials

LC Paper No. CB(1)2690/10-11(02) -- Paper on the Management Scheme for the Display of Roadside Non-commercial Publicity Materials prepared by the Legislative Council Secretariat (Background brief)

3. The Secretary for Development ("SDEV") briefed the Panel on the Administration's plan to revise the Management Scheme for the Display of Roadside Non-commercial Publicity Materials ("the Management Scheme"). She explained that under the existing Management Scheme, while enforcement against illegal display of bills and posters, including removal and prosecution actions, was taken by the Food and Environmental Hygiene Department ("FEDH"), the Director of Food and Environmental Hygiene ("DFEH") had delegated the authority to three grades of officers in the Lands Department ("LandsD") to approve applications for use of designated spots on roadside railings and central dividers by the Legislative Council ("LegCo") and District Council ("DC") Members, DCs and their committees, Government departments and non-profit making bodies to display non-commercial publicity materials. The arrangements were formalized in the form of the Management Scheme which was put into implementation since 2003. At present, there were 22 451 designated spots in the whole territory, including 2 816 spots at central dividers, 3 342 spots within 10 metres on the traffic downstream side of pedestrian crossings/road junctions, and the remaining 16 293 spots in other locations. She said that the revision to the Management Scheme was in response to a report of The Ombudsman on "Control of Roadside Banners" ("the Ombudsman report") issued in December 2008. The recommendations in the Ombudsman report touched mainly on the objective and rules of the Management Scheme, as well as the locations of the designated spots for displaying non-commercial publicity materials under the scheme. In revising the Management Scheme,

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the Administration had given careful consideration to the Ombudsman report.

4. On the locations of the designated spots under the Management Scheme, SDEV said that The Ombudsman had expressed concern that roadside banners could come loose over time or in poor weather conditions, thereby posing traffic hazard, especially where they were attached to central dividers of roads or close to pedestrian crossings, and the Ombudsman report had recommended replacing or cancelling the designated spots at these locations. With a view to revising the Management Scheme to take forward The Ombudsman's recommendations, the Administration had consulted DCs, motorist associations/road safety concern groups and the public during the last two years. While the Administration was prepared to replace all the 2 816 designated spots at central dividers and 3 342 spots within 10 metres on the traffic downstream side of pedestrian crossings/road junctions, it had received views from DCs strongly opposing the 10-metre traffic downstream prohibition. The Administration understood the need for LegCo and DC Members to communicate with their constituents by way of roadside publicity materials in promoting public awareness of and participation in matters of district administration and community building. After careful consideration of DCs' views on the locations of the designated spots, the Administration would revise its earlier plan by proceeding to replace only the 2 816 spots at the central dividers of roads and keep the 3 342 spots within 10 metres on the traffic downstream side of the pedestrian crossings/road junctions pending further study.

5. SDEV added that during the consultation process, DC Members had also commented on the enforcement against unauthorized display of publicity materials, and voiced dissatisfaction with the current enforcement efforts. In this regard, DFEH would, pursuant to the power vested in him under the Public Health and Municipal Services Ordinance (Cap. 132), step up enforcement actions against unauthorized display of publicity materials outside the designated spots, remove authorized ones not complying with the revised implementation rules and recover the concerned cost. Prosecution would be taken where appropriate.

6. The Under Secretary for Home Affairs advised that the Administration had consulted various parties in 2010 and 2011, and conducted a public opinion survey in 2010 on The Ombudsman's recommendation to replace the designated spots at central dividers of roads or close to pedestrian crossings. Motorist associations/road safety concern groups and academics generally supported the proposed changes on traffic

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safety grounds, and the public was largely in favour of the proposal to replace the existing designated spots at central dividers and those within 10 metres on the traffic downstream side of pedestrian crossings/road junctions. DC Members in general viewed the prohibition of publicity materials at central dividers as less controversial given the road safety concerns but opposed more strongly the 10-metre traffic downstream prohibition. In 2011, the Administration briefed concerned parties, including DCs, Area Committees, community organizations and non-governmental organizations ("NGOs") on the revised plan of replacing only the spots at the central dividers of roads and keeping those within 10 metres on the traffic downstream side of the pedestrian crossings/road junctions under review. Concerned parties were generally supportive of the revisions and agreed that the implementation of the revised plan could improve traffic safety and the cityscape.

Replacement of designated spots at the central dividers

7. Mr KAM Nai-wai expressed concern that the Administration would reduce the number of designated spots step by step, and eventually replace or cancel all spots on the grounds of road safety as publicity materials displayed at both central dividers and road junctions could come loose over time, damaged by unknown parties and might cause hazard to road users. He pointed out that while most owners of private properties did not allow the display of publicity materials at their properties, roadside publicity materials were the major tools for LegCo/DC Members to keep constituents informed of their work and community activities. He was worried that the communication between LegCo/DC Members with their constituents would be constrained. He requested that the Administration should provide data about road accidents caused by the display of roadside material in the past.

8. SDEV reiterated that the Administration's proposal was in response to The Ombudsman's recommendations and due regard was made to public safety grounds. She said the Administration fully understood the concerns of LegCo/DC Members on the replacement of some designated spots and had no intention to constrain the communication between LegCo/DC Members and their constituents. In fact Government departments also needed these spots to publicize their services to the community. The Office of the Ombudsman had sought the Administration's views on the recommendations before issuing the Ombudsman report, and was aware of the reservations expressed by LandsD having regard to the possible reaction of DC and LegCo Members. The Ombudsman maintained that the recommendations should be followed up. The Administration had revised

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its earlier plan having further considered DCs' views and would only replace the spots at the central dividers. This should strike a balance between ensuring public safety and facilitating the communication between LegCo/DC Members and their constituents. SDEV assured members that the Administration at present had no plan to gradually replace or cancel all roadside designated spots. She also stressed that the revised Management Scheme had no political purposes, as it would apply to all spot users regardless of their political background.

9. Mr WONG Yung-kan and Mrs Sophie LEUNG pointed out that the publicity materials at central dividers near pedestrian crossings might block the view of drivers and pose hazard to road users, in particular, children crossing the road. They supported that the spots at central dividers be replaced. Mr WONG added that damaged materials waving at the central dividers would pose risks to drivers.

10. Miss Tanya CHAN urged the Administration to consider the communication effectiveness of the locations when choosing new spots for replacing those at central dividers. She pointed out that during the 2010 LegCo By-election, one of her banners was allocated a spot at Ka Wai Man Road, which was a remote location facing the sea instead of the pedestrian way. She considered this arrangement a waste of public resources. Miss CHAN also enquired about the circumstances under which approval would be given for displaying publicity materials on lamp posts, the concerned approval authority and the conditions users had to comply with.

11. The Director of Lands ("D of L") said that the display of publicity materials on lamp posts in the past had been allowed for promoting festive occasions or city-wide events such as the Hong Kong 2009 East Asian Games. Under the Management Scheme, the 22 451 designated spots did not cover lamp posts. LandsD had already identified spots for replacing those at central dividers. The replacement spots were mostly in the vicinity of existing ones.

12. Mr WONG Kwok-hing welcomed the proposal to replace the 2 816 banner spots at central dividers on the grounds of public safety. He asked whether the Administration would carry out greening works at these spots, where possible, to improve the cityscape.

13. SDEV said that the spots at central dividers could be considered for greening to support the implementation of Greening Master Plans in urban

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areas. Mr WONG suggested that the Administration should inform the Panel in future about the progress of greening works at these spots.

Rules for display of roadside non-commercial publicity materials

14. Mr KAM Nai-wai referred to the rules for display of publicity materials in the Administration's paper which stated that the contents must not promote any commodities, services provided at a fee, fee paying training courses and activities; and that transfer, loaning out or assignment of the designated spots was disallowed. He enquired whether users of spots would be allowed to publicize fee-paying community activities which were non-profit-making in nature, such as outings organized by offices of DC Members, and the annual candlelight vigils on 4 June 2011 of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China.

15. D of L replied that it was among the requirements stipulated in the Implementation Guidelines for the existing Management Scheme ("the Implementation Guidelines") (at Annex A to the Administration's paper) that non-commercial roadside publicity material posted at the designated spots must not be used to promote fee-paying activities. The information imparted must not promote any commodities or services provided at a fee or any form of fee-paying training courses and activities. However, fee-paying or non-fee-paying social service related events organized jointly by Government departments and NGOs/charitable bodies would not be restricted. In other words, the requirement already existed and the Ombudsman report had made no specific recommendations to change this. As for the transfer, loaning out or assignment of designated spots, The Ombudsman had expressed strong views in paragraphs 4.2 and 4.3 of the report and recommended that the documentation for the Management Scheme should make clear explicitly that the spots were not transferable and not for loaning out. Hence, the Administration would make clear in the revised Implementation Guidelines that transfer, loaning out or assignment of designated banner spots was not allowed; there should be conspicuous and clear indication on the display itself of the individual or organization allocated the spot; and the individual or organization must be the chief beneficiary of the display. D of L added that so long as the requirements prescribed under the revised Management Scheme were met, the chief beneficiary could make use of the spots to display material for publicizing activities that met the objective of the Management Scheme.

16. Referring to paragraph 6 of the existing Implementation Guidelines, Miss Tanya CHAN enquired the reasons for disallowing the display of

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publicity materials on footbridges, and whether the Administration would consider revising the rules to allow for display at these locations. She also sought clarification on whether the use of two adjacent spots would continue to be allowed.

17. Deputy Commissioner (Planning and Technical Services)/Transport Department ("Deputy Commissioner (Planning and Technical Services)/TD") advised that display of publicity materials at footbridges could be allowed if they were placed inside the footbridges and not facing the roadway. D of L added that the arrangement was made for the sake of road safety and DCs had been consulted. The displayed materials on roadside railings would be allowed to face both the pavement and the roadway. As for the use of adjacent spots, she advised that the arrangement would continue and would be counted as two spots. In fact, some LegCo/DC Members discussed among themselves the choice of designated spots. If they preferred to have adjacent spots, subject to no clash with choices of other LegCo/DC Members, the Administration would allow such display.

18. Miss Tanya CHAN said that the Implementation Guidelines should clarify the arrangements regarding the display of publicity materials on flyovers or bridges. Mrs Sophie LEUNG opined that the Administration should consider whether there should be separation between designated spots which were in close distance.

Enforcement actions against unauthorized displays

19. Mr CHAN Kam-lam supported the replacement of designated spots at central dividers on traffic safety grounds. He urged the Administration to strengthen its enforcement actions against unauthorized and non-compliant display of publicity materials in future, and considered that there was much room for improvement in the current enforcement arrangements. He pointed out that given the serious non-compliance situation of political and non-political figures/bodies, as well as commercial entities, the existing enforcement regime, which largely relied on complaints rather than patrol, was not effective. To enhance work efficiency and facilitate identification of unauthorized and non-compliant display, he suggested that the Administration should consider highlighting the designated spots, for example in the case of roadside railings, colouring the railings with paint. Mrs Sophie LEUNG supported marking the locations of designated spots by paint to facilitate orderly display and enforcement of the relevant rules.

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The Chairman suggested that the paint marks could be small in size and it might not be necessary to paint the entire railings.

20. DFEH assured members that the Administration would step up enforcement actions and deploy additional resources and manpower to take actions against unauthorized display of publicity materials. He advised that staff of FEHD and LandsD at present carried out regular joint enforcement actions about once a week to remove unauthorized roadside display. Staff of FEHD were assisted by LandsD in the identification of unauthorized display as the latter was responsible for the approval of use of designated spots. The frequency of joint enforcement actions would be increased to about three times in two weeks upon public complaints and after periods of bad weather to ensure publicity materials had not come loose and would not cause potential safety hazard.

21. D of L supplemented that each publicity material displayed at a designated spot was required to have the approval number and other specifications issued by LandsD put on the top right corner of the material. Information on the locations and approval numbers of the designated spots would facilitate users in posting the publicity materials at the right locations and the Administration in carrying out enforcement actions. The Administration would consider members' views to see if the existing enforcement arrangements could be further improved. SDEV took note of members' views. She said that the impact of display of publicity material on the cityscape was a concern of The Ombudsman. Nonetheless, she welcomed the suggestions of members and the public on the subject.

22. Mr IP Kwok-him said that DC Members accepted the Administration's proposal to replace designated spots at central dividers for public safety reasons. However, if the Administration's next step was to replace the spots within 10 metres on the traffic downstream side of the pedestrian crossings/road junctions, DC Members would not agree to such arrangement as this would adversely affect the communication between LegCo/DC Members and their constituents. He observed that there was unfairness in the Administration's enforcement actions. While some unauthorized materials were removed quickly upon complaints, there was no action against some unauthorized display due to political sensitiveness. He stressed the need for the Administration to take enforcement actions in a fair and effective manner in implementing the revised Management Scheme.

23. DFEH reiterated that the Administration would step up enforcement actions and deploy adequate manpower to implement the revised

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Management Scheme. Noting that there was short-term unauthorized display of materials during weekends and public holidays, the Administration would adopt flexible enforcement strategies to tackle such displays. It would also work closely with DCs and take more vigorous actions in following up complaints.

24. Mr Paul TSE held the view that roadside publicity materials, demonstrating creativity to a certain extent, were part of the characteristics of Hong Kong and should not be banned on the grounds of road safety. He opined that with effective enforcement against unauthorized display or display posing hazards, roadside publicity materials should not cause hazard to the public. He requested that the Administration provide information on the number of accidents caused by display of roadside materials, the number of prosecutions taken against illegal display of materials and the number of complaints against such display. To enhance the management of display of roadside publicity materials, Mr TSE suggested giving consideration to the following measures --

- (a) spots with higher risks should be allocated for use by Government departments and related organizations because they would be able to better maintain the conditions of the displayed materials;
- (b) not only the name, but also the telephone number of the organization allocated with the designated spot and the number for making complaints to the concerned authority should be shown on the materials; and
- (c) a programme similar to the Smoky Vehicle Control Programme and Spotter Training of the Environmental Protection Department could be implemented for the reporting of authorized or non-compliant display of publicity materials.

25. The Deputy Commissioner (Planning and Technical Services)/TD replied that in 2010, there were 3 077 drivers involved in road traffic accidents related to driving inattentively, and these accidents resulted in 37 fatalities and 393 seriously injured casualties. He added that the Administration had been monitoring and analyzing road accidents with a view to introducing remedial measures. DFEH advised that there were less than 200 complaints a year about the display of non-commercial roadside publicity materials, including damage and improper locations. The number of complaints received in the first half of 2011 was about 170. On

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enforcement, FEHD took around 2 000 actions a year to remove illegal or damaged materials. He said that complaints about display of roadside publicity materials could be made to the Government's 1823 hotline, or District Environmental Hygiene Offices direct. FEHD would take prompt action to follow up the complaints. He did not see the need to implement a spotter programme for roadside publicity materials at this stage. SDEV said that members' suggestions on the management of display of roadside publicity materials were noted and would be considered.

26. Ms Starry LEE declared that she was a user of designated spots in her dual capacity as a LegCo and DC Member. The Chairman declared that he and other members had the same interest in the matter under discussion. Ms LEE shared other members' views that designated spots should be retained and the Administration should ensure that enforcement actions were taken in an impartial manner. She was not convinced that the display of roadside publicity materials had been a contributing factor to road accidents because the figures on road accidents provided by the Administration covered all kinds of distraction to drivers not just publicity materials. It was unclear how many of these cases were related to roadside publicity materials and whether the Ombudsman had made the recommendations on the basis of the number of such accidents. The Administration should improve the management of the Management Scheme, which required cooperation of users of the spots, instead of prohibiting the display. She opined that the replacement of some of the designated spots would reduce the channels for informing the public about the services and activities of Government departments and LegCo/DC Members. She urged that the Administration should strike a balance between safety concern and the public's access right to information. Citing examples of delayed actions against unauthorized display of publicity material by commercial and political bodies including Falun Gong organizations, Ms LEE queried the fairness of the Administration's enforcement actions. She added that LegCo/DC Members always observed the rules, but were often the targets of enforcement actions. Despite this, LegCo/DC Members generally took remedial actions promptly. While she had no strong views on the replacement of designated spots at central dividers, she opined that the spots within 10 metres on the traffic downstream side of the pedestrian crossings/road junctions should be retained. For the latter case, management could be improved by removing immediately any publicity materials that might cause hazard and charging the concerned parties the removal costs.

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27. SDEV reiterated that under the revised Management Scheme only designated spots at central dividers would be replaced. She fully appreciated the need for LegCo/DC Members to make use of roadside publicity materials to disseminate information about their services and activities to the community. DFEH assured members of the Administration's determination to ensure that enforcement actions against unauthorized display of roadside publicity materials would be carried out in an effective and fair manner. He stressed that more resources would be provided and adequate manpower would be deployed in implementing the revised Management Scheme. As regards the displays that took "guerilla tactics", the Administration would tackle them with appropriate strategies. He explained that for unauthorized roadside publicity materials that were non-commercial in nature, in which the messages conveyed were often related to matters of a public nature and to which the public tended to have a higher level of tolerance, the Administration would remove them and recover the removal costs from the owners. However, for unauthorized commercial publicity materials, other than removal and recovery of costs, the Administration would take prosecution action if there was sufficient evidence.

28. Mr WONG Yung-kan said that he had taken prompt action to rectify the situations when he was informed of complaints about his publicity materials. However, he noticed that sometimes a large number of publicity materials publicizing demonstrations came out overnight, but the frontline Government staff were inclined not to take action against such materials lest the Government would be accused of making political suppression. Mr WONG opined that this reflected unfair and selective enforcement actions by the Government.

29. Ms Starry LEE requested that the Administration should inform the Panel on the administrative arrangements for ensuring fair enforcement of the rules in implementing the revised Management Scheme. Mrs Sophie LEUNG suggested that consideration be given to impose stiffer penalties on those who displayed publicity materials without authorization. DFEH assured members that the Administration would ensure enforcement of the rules in an impartial and effective manner, and take prompt actions to follow up complaints.

30. Mr WONG Yung-kan said that his constituents of the agriculture and fisheries sector usually worked or lived in remote places in the countryside. While he were not allocated designated spots at those areas currently, he hoped that he could choose spots in those areas in future.

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D of L advised that if a LegCo/DC Member's designated spots were required to be relocated, say, due to a public works project to be carried out at the concerned area, LandsD would allocate other spots to the Member as far as practicable. However, choice was restricted to within the pool of about 22 000 designated spots.

31. Noting that under the current Implementation Guidelines, each LegCo Member returned by Geographical Constituencies ("GCs") could choose 50 designated spots in each of the DC districts within his/her own GC and each LegCo Member returned by Functional Constituencies ("FCs") could choose nine designated spots in each of the 18 DC districts, Mr WONG Yung-kan asked about the arrangement in future for the allocation of spots for the Members of the five Super DC FC seats.

32. D of L replied that the arrangement for the designated spots for the five Super DC FC seats was being considered in consultation with the Constitutional and Mainland Affairs Bureau. After the DC election in November 2011 was completed, the Administration would invite all LegCo/DC Members to choose the spots as soon as possible. If there were overlapping choices, LandsD would discuss with concerned Members or arrange lot drawing. It was expected that the allocation of spots would be completed by 1 January 2012, less than two months after the DC election.

IV Progress report on heritage conservation initiatives

(LC Paper No. CB(1)2690/10-11(03) -- Administration's paper on progress report on heritage conservation initiatives and revitalisation of the Old Tai Po Police Station, the Blue House Cluster and the Stone Houses under the Revitalising Historic Buildings Through Partnership Scheme

LC Paper No. CB(1)2690/10-11(04) -- Letter dated 16 June 2011 from Hon Tanya CHAN on conserving Central

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- File ref: DEVB CS/CR 6/5/274 -- Legislative Council Brief on preservation-cum-development of the Hong Kong Sheng Kung Hui Compound in Central
- LC Paper No. CB(1)2690/10-11(05) -- Paper on heritage conservation prepared by the Legislative Council Secretariat (Updated background brief))

33. SDEV updated members on the progress of the Administration's heritage conservation initiatives since its last report submitted to the Panel in November 2010. She highlighted the following points --

- (a) Batch I of the Revitalizing Historic Buildings through Partnership Scheme ("the Revitalization Scheme") which consisted of six projects was progressing smoothly. One of the projects, i.e. the Savannah College of Art and Design Hong Kong Campus, which was converted from the Former North Kowloon Magistracy, had been completed and achieved good results. The College commenced operation in September 2010 with an intake of 141 students for the fall semester of 2010, and was able to obtain accreditation from the Hong Kong Council for Accreditation of Academic and Vocational Qualifications for its 14 programmes. By the end of 2010, over 1 300 people had visited the revitalized facilities thereat.
- (b) The remaining five projects under Batch I would be completed either in 2011 or 2012. The renovation works for revitalizing the Old Tai O Police Station into a boutique hotel would be completed in 2011. The renovation works turning Fong Yuen Study Hall and Mei Ho House into a tourism and Chinese cultural centre and a youth hostel were expected to complete in March and September 2012 respectively. As regards the revitalization works at Lui Seng Chun and the Former Lai Chi Kok Hospital, they were expected to complete in January and October 2012 respectively.
- (c) As for the revitalization projects under Batch II of the Revitalization Scheme, i.e. the Old Tai Po Police Station ("OTPPS"), Blue House Cluster ("BHC") in Wan Chai and

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Stone Houses in Kowloon City, subject to the Panel's support, the Administration intended to seek funding approval from the Public Works Subcommittee ("PWSC") and the Finance Committee ("FC") in the forth quarter of 2011 to the first quarter of 2012. The projects were expected to complete in 2013 or 2014.

- (d) The Administration would soon invite proposals for the conservation and adaptive re-use of specified historic buildings by non-profit making organizations in the form of social enterprises under Batch III of the Revitalization Scheme. The Administration planned to include the Former Fanling Magistracy, King Yin Lei and the Bridges Street Market in Batch III.
- (e) In 2011, the Administration had organized or planned a series of publicity and public education activities. These included the King Yin Lei open days which had attracted 27 800 visitors, and the heritage tourism expo held from December 2010 until July 2011 to showcase Hong Kong's rich built heritage which had attracted more than 103 000 visitors. An International Conference on Heritage Conservation would be held from 12 to 13 December 2011.

34. The Chairman reminded members that in accordance with rules 83A and 84 of the Rules of Procedures of LegCo, they should disclose direct or indirect pecuniary interests, if any, relating to the subjects under discussion at the meeting as appropriate.

Revitalization of the Old Tai Po Police Station

35. Mr Andy BROWN, Executive Director, Kadoorie Farm and Botanic Garden briefed members on the revitalization project as follows --

- (a) Kadoorie Farm and Botanic Garden ("KFBG") would adopt an integrated approach in revitalizing OTPPS into a Green Hub with a view to preserving the historic, cultural and architectural value of the historic buildings as well as the old trees and ecologically important egretry within the site.
- (b) In order to preserve OTPPS in its original style, there would be very light touch on the buildings. The Main Building, Staff

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Quarters Block, and Canteen Block were expected to serve similar functions as they did in the past. For instance, a community canteen would be set up within the Canteen Block to provide vegetarian food. Simple, "low-tech" rooms without air conditioning would be provided in the Staff Quarters Block as accommodation for those attending workshops/courses.

- (c) The Green Hub would serve as a centre for developing, teaching and promoting affordable strategies for ecologically responsible and low carbon living. "Eatwell" programmes targeting at families and schools would be organized regularly as primary source of revenue. A wide range of training courses in transformative education would be provided to enhance public understanding of pressing ecological and social concerns. Experts from the Mainland and overseas would be invited to provide training for local academics, senior business people and Government officials.
- (d) Members of the public would be given free access to the exhibition area within the police station compound, and pre-arranged guided tours would be organized from time to time.
- (e) There would also be a community shop for selling handicrafts and artistic pieces created by Green Hub users.

36. Mrs Sophie LEUNG declared that she was Chairman of the Hong Kong Organic Resource Centre of the Hong Kong Baptist University. As a believer in "slow food culture", she was of the view that the Green Hub should promote healthy eating, since the stressful pace of life in Hong Kong was forcing many people to consume food quickly without truly enjoying it. As many people had developed a habit of eating fast food, this would lead to health problems in the long run. She sincerely hoped that a "slow food culture" could be developed in Hong Kong which could enrich and modify the traditional food culture in Southern China and promote respect for the nature.

37. Sharing Mrs Sophie LEUNG's views, Mr Andy BROWN advised that KFBG was organizing programmes of similar nature with aims to promote the culture of respect for food and community support for agriculture through various activities. The Green Hub would continue KFBG's efforts in this aspect through a wider range of activities for children

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and families, such as planting, reaping and harvesting food, preparing meals, learning how to select good and healthy food, respect and enjoy food etc.

Revitalization of the Blue House Cluster in Wan Chai

38. Mr Michael LAI, Chief Executive Officer, St James' Settlement ("SJS") briefed members on the proposal to revitalize BHC in Wan Chai into the Viva Blue House ("VBH"). He pointed out that BHC was a typical tenement house of the early 20th Century which comprised three houses of three/four storeys, namely the Blue House, the Yellow House, the Orange House and an open space. In recognition of their historical and architectural value, Blue House and Yellow House were graded as Grade one and Grade three buildings respectively. The revitalization project was as follows --

- (a) VBH would be operated as a multi-functional complex by SJS in partnership with Community Cultural Concern, Heritage Hong Kong Foundation Limited and a local resident group in the form of a social enterprise. It would provide residential accommodation, catering services, cultural and educational programmes as well as heritage tours to promote a sense of neighbourhood and "Wan Chai culture" experience to the local community. VBH would become a unique landmark in Wan Chai for both locals and tourists. It would bring vitality to local economy, and arrangements would be made to facilitate public access to the exhibition areas, shops, restaurants, classroom and recreation areas as well as public open space free-of-charge.
- (b) SJS had adopted a "bottom-up" approach since the early stage in planning BHC revitalization project. It had consulted the views of local residents and organizations and addressed their concerns. The Blue House Living Rights Concern Group comprising local residents had been formed to monitor the project. A major characteristic of the revitalization project was to allow the existing residents to continue to live in their accommodation with improved living conditions. Through lengthy negotiation, eight tenants had agreed to stay and the remaining residential units would be rented to eligible new tenants meeting specific tenant selection criteria.
- (c) Upon completion, VBH would include: (i) House of Stories -- a cultural unit to systematically record, research, develop and

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exhibit stories in creative and diverse formats; (ii) Social Enterprise Unit -- two innovative and affordable restaurants that could define unique characteristics of traditional and healthy cuisine; (iii) Community Oriented Mutual Economy Project Hall -- a community service centre based on a barter system for non-marketable skills and resources; (iv) Existing Resident Housing and Engagement Unit -- a sustainable, innovative and people-oriented rental policy for the residents and other units through participatory planning; and (v) Good Neighbour Scheme for new tenants -- an open and fair process to identify potential new tenants.

39. Mr IP Kwok-him was concerned how the revitalization project could improve the living environment of residents. He also cast doubt on the viability of the project. In particular, he expressed concern about how non-profit making social enterprises could operate heritage revitalized projects in a financially sustainable manner without further funding support from the Government.

40. On the concern about financial viability of heritage revitalization projects, SDEV advised that in selecting revitalization proposals for historic buildings/sites, besides taking into account whether the proposed projects would be able to add "new life" to the concerned buildings/sites, due consideration would be given to whether the proposals were financially sound and sustainable. As a matter of principle, the Administration would not finance projects under the Revitalization Scheme on a long-term basis.

41. As regards the concern about the living conditions of VBH, Mr C M LEE, Lead Consultant, LWK & Partners (HK) Limited said that there were plans to improve the living conditions of BHC. Toilets, bathrooms and fire-prevention and escape facilities would be installed. Citing successful experiences of revitalized tenement houses in Penang and Malacca, he believed that through appropriate renovation works, BHC would become an ideal place for people to live in. As for the rentals for the residential units, Mr Michael LAI, Chief Executive Officer, St James' Settlement explained that while the existing tenants would be charged the same rents, rents for new tenants would be determined at the market rate. A selection committee comprising representatives from local organizations and the Wan Chai District Council would be set up to identify suitable applicants as new tenants for BHC. The tenants would be involved as helpers in various activities organized by BHC. SDEV added that the

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arrangement for existing tenants to pay the existing rents at VBH was the Administration's promise to tenants who had opted to stay.

42. Mr KAM Nai-wai found it encouraging to allow existing tenants to continue to live in the revitalized BHC, and opined that it would be desirable to make the same arrangement for tenants affected by the Urban Renewal Authority ("URA")-initiated projects. Nevertheless, he was concerned that the arrangement might become a burden to the operating organizations and thus would adversely affect the financial viability of the project.

43. SDEV advised that besides rental income from residential tenants, there would be other items generating revenue for the VBH project, such as rentals from restaurants and shop units. She was confident that SJS would be able to operate the project in a sustainable manner without seeking further subsidy from the Government. Given the difference in the nature of historic revitalization projects and that of urban renewal projects, she did not consider it appropriate for the Administration to apply the arrangements for BHC tenants to affected residents in the URA-initiated projects. She advised that URA had already introduced the "flat for flat" arrangement as an alternative to cash compensation for property owners affected by renewal projects.

Revitalization of the Stone Houses in Kowloon City

44. Rev Joanne WONG, Chairman, Wing Kwong So-Care Company Limited ("WKSCCL") briefed members on the revitalization project to transform the Stone Houses in Kowloon City into Stone Houses Family Garden as follows --

- (a) The project aimed at revitalizing the historic buildings of the Stone Houses, preserving the culture and history of Kowloon City, promoting positive attitude towards life and family, and nurturing a strong sense of belonging to the local community.
- (b) Part of the Stone Houses would be converted into a board game cafeteria on a nostalgic theme, and be operated as a social enterprise providing full-time and part-time jobs, training opportunities for youths and the under-privileged. Another part of the Stone Houses would be converted into an interpretation centre and a visitor information centre to display the history of Kowloon City and the Stone Houses. Part of the Stone Houses would be restored to their original conditions and furnished as

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in the early days to form part of the interpretation centre. Free guided tours would be organized.

- (c) Focusing on the theme of "family", WKSCCL also sought to turn the Stone Houses into a youth hub by offering ancillary services such as board games training, Neuro Linguistic Programming courses, learning tours and Other Learning Experiences activities. The landscaped open space would be open to the public and be used occasionally as an open theatre for performance.
- (d) Having served Kowloon City for over 30 years, WKSCCL had accumulated rich experience in youth and counselling services. It had a strong sense of commitment to the local community. In future, WKSCCL aimed to operate the Stone Houses Family Garden on a self-sustainable basis.

45. Mr Tommy CHEUNG enquired about the theme of the cafeteria to be operated at the Stone Houses. Ms MO Pui-ye, General Secretary, WKSCCL advised that the cafeteria would be operated by WKSCCL as a social enterprise to provide full-time and part-time jobs and training opportunities for local youths and under-privileged people. It would be run as a board game cafeteria with local residents in Kowloon City and youths as the target customers, and provide simple and healthy food at mid-range prices.

Projects under Batch I of the Revitalizing Historic Buildings through Partnership Scheme

46. Miss Tanya CHAN appreciated the efforts of the Administration and the Savannah College of Art and Design Hong Kong Campus in revitalizing the Former North Kowloon Magistracy and hoped that the experience gained in the project could serve as useful reference for other revitalization projects in the pipeline. As for Mei Ho House project, she noticed that because of soaring operating costs, some youth hostels run by Youth Hostels Association ("YHA") were unable to operate around the year. She enquired whether the same would happen in the new Mei Ho House Youth Hostel to be operated by YHA when the hostel opened in December 2012. On the three revitalization projects under Batch II of the Revitalization Scheme, Miss CHAN considered them meaningful and worth supporting. In particular, she had high expectation for the OTPPS project. She further

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enquired about the latest position regarding the conservation of Ho Tung Gardens, which was declared a proposed monument in January 2011.

47. On the concern about the future operation of the youth hostel at Mei Ho House, SDEV said that an effective mechanism was in place for the Administration to effectively regulate the operation of revitalization projects in accordance with the terms laid down in the agreements with the non-profit making organizations. She assured members that there should not be unreasonable suspension of service at the hostel. As regards Ho Tung Gardens, SDEV said that the Administration was actively discussing with the owner on the preservation options with the hope of reaching an agreement. Nonetheless, since Ho Tung Gardens occupied a valuable site, the Administration had encountered much difficulty in the negotiation with the owner, and the process was expected to be lengthy.

Public involvement in heritage conservation

48. Ms Starry LEE expressed appreciation towards the Administration's work in heritage conservation in recent years. She urged the Administration to follow a "point-line-plane" approach in pursuing heritage conservation initiatives and revitalization projects so that historic sites/buildings within the same district could be linked up to facilitate visitors and create synergy effect. It was also necessary for the Administration to step up promotion and publicity to enhance public awareness of heritage conservation initiatives and revitalization projects. For instance, the Administration should strengthen promotion of revitalized sites/buildings to schools and organize free open days for sites/buildings for the public. In this regard, she urged the Administration to consider setting up a special fund to finance the running of free guided tours for historic sites/buildings. With a view to promoting the historic sites/buildings to the public and overseas visitors, where appropriate, the Administration should consider collaborating with movie and television companies in the shooting of these sites/buildings in films or programmes. The Chairman shared Ms LEE's views and stressed the need for the Administration to formulate an effective strategy to promote the revitalized historic sites/buildings to the public and interested parties. The revitalized historic sites/buildings should be linked up with tourist destinations in Hong Kong.

49. SDEV thanked members for their views and undertook to consider these in further promoting revitalized historic sites/buildings. She said that the Administration had been following a "point-line-plane" approach in pursuing heritage conservation initiatives. This was evidenced in the

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revitalization projects in Central and Wan Chai. On the other hand, the Administration was aware of the importance of public involvement and participation in heritage conservation. The overwhelming public response for the King Yin Lei open days in April and May 2011 had demonstrated the high public aspiration and passion for heritage conservation. Furthermore, she was pleased to announce that the Administration had recently taken over the management responsibility of the Cattle Depot Art Village in Kowloon City. To promote the site to the public, it would be opened for public visit from 10 am to 10 pm daily. As regards the suggestion of setting up a fund to finance guided tours to historic sites/buildings, SDEV said that the Administration was exploring the feasibility of setting up a heritage trust with reference to overseas experience, such as the National Trust set up in the United Kingdom. The heritage trust would operate independent of the Government, and with active public participation. The trust could finance public involvement activities, such as guided tours to historic sites/buildings.

50. While supporting the Administration's heritage conservation efforts in general, Mr IP Kwok-him cautioned that there were different public views on the subject, and stressed the need for the Administration to handle public concerns in a prudent manner. He considered that heritage conservation should be selective, and selected historic sites/buildings should be "revitalized" rather than just being "conserved" so as to add vitality to the sites/buildings and also ensure their financial sustainability in the long run. The Administration took note of the views.

Projects under the Conserving Central

51. Mr KAM Nai-wai expressed concern about the impacts of heritage conservation projects under the "Conserving Central" initiative on the local environment and traffic conditions. Referring to the revitalization of the Former Police Married Quarters ("PMQ") on Hollywood Road as an example, Mr KAM said that local residents had expressed concern that with the opening of PMQ, a number of restaurants and bars might operate late in the night thereby causing nuisance to the residents. He urged the Administration to address the concern and introduce measures to prevent the area from turning into a "street of bars". In response, SDEV said that the Administration had conducted in-depth studies on the impacts of the projects on the environment of Central, including traffic and pedestrian flows. She believed that the initiatives would not lead to a substantial increase of bars in Central. She further advised that there would be a limited

number of food catering facilities in PMQ. It was not expected that the revitalization project would lead to a large increase of bars in the area.

Preservation of the Hong Kong Sheng Kung Hui Compound in Central

52. Miss Tanya CHAN expressed grave concern about the proposed preservation-cum-development of the Hong Kong Sheng Kung Hui ("HKSKH") Compound in Central. She noted from the LegCo Brief on the subject issued in June 2011 that, at the Executive Council ("ExCo") meeting on 7 June 2011, the Chief Executive had approved the proposed modification of the lease for the HKSKH Compound at 1 Lower Albert Road as well as in-situ land exchange involving HKSKH's another site in Mount Butler. Under the plan, HKSKH would preserve all four historic buildings and construct two new buildings at its Central site. HKSKH would relocate some of the existing uses and additional space requirements originally to be provided by the redevelopment at the Central site to the Mount Butler site. She understood that as the Central site was zoned "Government, Institution or Community" ("GIC") in the relevant Outline Zoning Plans, it was not subject to any planning parameters including building height restrictions. She also noted that the height of one of the two planned buildings had increased from 13 floors in the earlier proposal to 18 floors in the current proposal. Meanwhile, the move of HKSKH's kindergartens and other facilities to the Mount Butler site had aroused considerable concern from residents in Happy Valley worrying that the relocation would generate additional pressure on local traffic. She enquired whether the Administration had conducted any traffic impact assessment before approving HKSKH's proposal. In this connection, Miss Tanya CHAN expressed concern that due to the redevelopment plan, some 540 HKSKH kindergarten students had to be temporarily relocated to the Church of Christ in China Shing Kwong Church at Causeway Bay. The arrangements might create inconvenience and confusion. She enquired whether appropriate measures would be put in place to help affected students and parents. Moreover, Miss Tanya CHAN asked whether the Administration would control the land use in HKSKH's redeveloped site at Central. Noting the likely closure of Hong Kong Central Hospital currently operating at the Central site, she asked whether HKSKH would rent out the accommodation at the redeveloped site at Central as medical centres, and whether the Town Planning Board's permission was required.

53. SDEV took note of Miss Tanya CHAN's concerns. She said that the proposed preservation-cum-development of the HKSKH Compound in Central was the result of years of negotiation between the Administration

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and the organization. At present, there were four historic buildings within the compound i.e. the Bishop House, St. Paul's Church, and the Church Guest House, which were Grade one buildings, and the Old Sheng Kung Hui Kei Yan Primary School (originally the south wing of St. Paul's College and a Grade two building). In the absence of any statutory protection mechanism, it would be up to HKSKH as the owner of these private properties to consider whether the buildings would be preserved. Under the heritage conservation policy endorsed by ExCo and announced by the Chief Executive in his 2007-2008 Policy Address, the Administration recognized the need to provide economic incentives as a means to encourage and facilitate private owners to preserve historic buildings in their ownership. In implementing the policy, the Administration aimed to strike a proper balance between preservation of historic buildings and respect for private property rights. She believed that the charging of nominal premium for the lease modification for the Central site and the in-situ land exchange for the Mount Butler site was necessary and justifiable. Under the proposal, HKSKH would preserve all four historic buildings within its Central site, and construct two new buildings, i.e. the Community Complex and the Lodge Building of 18 and 11 storeys respectively with a total gross floor area ("GFA") of not more than 36 000 m² to accommodate a church with ancillary accommodation, a kindergarten, medical facilities, social welfare facilities and environmental protection facilities. As a result of the reduced development intensity at its Central site, HKSKH proposed to relocate some of the existing uses and additional space requirements to be provided at the Central site (about 11 000 m² of GFA) to the Mount Butler site, which currently housed a kindergarten. She pointed out that while both the Central site and the Mount Butler site were zoned GIC and were not subject to any plot ratio and building height restrictions, the proposed developments at the two sites had to comply with the planning parameters stipulated in the relevant Outline Zoning Plans.

54. On the future operation of medical services in the new building at the Central site, SDEV said the Administration had not yet received details from HKSKH on its plan. She added that while the provision of non-profitable medical services facilities were permissible in a GIC site, HKSKH would have to apply for permission under Section 16 of the Town Planning Ordinance (Cap. 131) for any proposed facilities not specified for a GIC site.

55. Responding to Mr KAM Nai-wai's enquiry on the likely closure of Hong Kong Central Hospital, SDEV explained that HKSKH and Hong Kong Central Hospital were of landlord/tenant relationship. She would

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bring the matter to the Secretary for Food and Health to see if any actions could be taken. As for the four sites earmarked by the Government for private hospital developments, she clarified that should Hong Kong Central Hospital decide to apply, it would not be given priority over other applicants.

56. As regards the arrangements for the three kindergartens involved in HKSKH's preservation-cum-development project, SDEV pointed out that the current kindergarten at the Central site was located at a steep road without appropriate loading/unloading area for the kindergarten children. Improvement in this regard was necessary. Deputy Secretary for Development (Works)1 ("DS/DEV(Works)1") supplemented that HKSKH was operating two kindergartens at its Central site, i.e. St. Paul's Church Kindergarten and Sheng Kung Hui Kindergarten. During the re-construction period of the Central site, St. Paul's Church Kindergarten would be temporarily accommodated in the Church of Christ in China Hong Kong Swatow Christian Church at 20 Shelly Street, Central. Sheng Kung Hui Kindergarten would merge with the kindergarten bearing the same name at Mount Butler site and be temporarily relocated to the Church of Christ in China Shing Kwong Church at 7 Eastern Hospital Road, Causeway Bay, Hong Kong. After completion of HKSKH's preservation-cum-development project, St. Paul's Church Kindergarten and the combined Sheng Kung Hui Kindergartens would move back to the Central site and the Mount Butler site respectively. In future, proper and safe loading and unloading facilities for kindergarten students would be provided at both sites. The Administration noted that HKSKH had maintained close liaison with parents and received their support for the interim and long-term arrangements.

57. Miss Tanya CHAN expressed concern about increased hostel facilities to be provided in the redeveloped sites of HKSKH. She pointed out that at present some of these facilities were rented to outsiders for profit. SDEV took note of Miss CHAN's concern. She remarked that the Administration would not allow the development of apartment kind of accommodation at HKSKH's sites. She understood that the hostels were mainly designed as accommodation for members of the clergy. She found it encouraging that apart from preserving the four historic buildings on site, HKSKH had agreed to open up a semi-covered open plaza of about 900 m² and the Christian art gallery at the redeveloped site at Central for public enjoyment.

Concluding remarks

58. The Chairman thanked the three organizations for briefing members on their respective revitalization projects. At the request of Miss Tanya CHAN, the Chairman invited the three organizations to provide supplementary information on their respective projects, including the design/layout plans of the facilities therein and financial arrangements in running the projects, for reference by Panel members before the Administration submitted the funding proposals to PWSC and FC.

V The work of the Tree Management Office

(LC Paper No. CB(1)2225/10-11(02) -- Administration's paper on progress report on the work of the Tree Management Office

LC Paper No. CB(1)2690/10-11(06) -- Paper on tree management prepared by the Legislative Council Secretariat (Updated background brief))

Manpower support for tree management

59. Mrs Regina IP reiterated her reservation towards the establishment of the Tree Management Office ("TMO"), and expressed concern that notwithstanding commencement of its work in March 2010, trees felling incidents continued to happen. She considered that the Administration should put more resources to strengthen staffing support, training and professional standards of frontline staff instead of increasing the number of directorate grade posts at the upper level. She asked if the Administration had estimated the number of trees grown on Government land, and enquired about the involvement of the Chief Secretary for Administration ("CS") in the Administration's tree management work.

60. Mr Tommy CHEUNG referred to his experience in dealing with tree management in a school, and commented that tree management involved difficult, complicated and costly tasks. He urged the Administration not to under-estimate the potential hazards arising from poor tree management, and noted the difficulty faced by the Administration in recruiting capable and well-trained experts for tree management work. Given the huge number of trees grown on Government land, he expressed concern about whether

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sufficient resources had been put for implementing effective tree management at the frontline level.

61. SDEV advised that currently, there were around 1.5 million trees on Government land, and this figure had not included trees located on unleased/unallocated Government land under the purview of the Lands Department. Following the release of the report of the Task Force on Tree Management in June 2009, the work of the Task Force which was led by CS had come to an end. Pursuant to the recommendations of the Task Force, the Development Bureau had taken up the overall policy responsibility for greening, landscape and tree management. The Administration had set aside considerable resources to implement a series of measures to enhance tree management. She added that since TMO had only been in operation for a year, the community should be allowed more time to observe its work. Experience in New York City and Singapore, which had done a lot in greening and tree management work, showed that even though sophisticated measures were in place, it was still not possible to prevent tree collapse/branch fall incidents completely.

62. Regarding efforts to strengthen frontline staffing support in tree management, DS/DEV(Works)1 clarified that apart from the setting up of TMO in March 2010 under the Greening, Landscape and Tree Management Section ("GLTM Section") of the Works Branch of the Development Bureau to serve as a central authority to coordinate Government's tree management efforts, \$24 million had been earmarked in 2010-2011 for relevant departments for improving manpower support and training, as well as acquisition of equipment in tree management. In future, the Development Bureau would continue to liaise with departments concerned to ascertain whether additional resources were required for further enhancement in tree management work.

Training for tree management staff

63. Mrs Regina IP said that from her meeting with the staff side of the Leisure and Cultural Services Department ("LCSD") in June 2011, she was disappointed to learn that frontline staff had not been provided with adequate training and equipment/devices for carrying out tree risk assessment work. She urged the Administration to make improvement in this respect, and suggested that the Administration should consider creating a specific grade for tree management in the long run.

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64. SDEV assured members that the Administration had attached great importance to the training of frontline staff. As a matter of fact, a major area of work of TMO was to provide "*enhanced training to raise the professional standard of tree management personnel*". The Administration would strive to strengthen training for frontline staff and enrich their experience, as well as enhance their motivation at work.

65. In view of rising demand for experts and trained professionals on tree management, Mr Tommy CHEUNG enquired if local tertiary institutions could increase the provision of education and training courses in this aspect. DS/DEV(Works)1 responded that the Administration was committed to raising the professional standard of tree management personnel both within the Government and in the industry. In collaboration with relevant Government departments, TMO was formulating a training and manpower development plan to ensure adequate supply of professional staff at managerial, supervisory and frontline levels for the competent discharge of a full spectrum of tree management responsibilities. Meanwhile, TMO had continued to organize tree-related training on various aspects, including tree risk management, identification of tree species, common tree problems, pest and disease control, proper tree maintenance, tree protection during construction, etc. The Administration had been maintaining close liaison with local tertiary institutions and training providers in the development of appropriate training courses and programmes on tree management. It was noted that the number of training courses and programmes was on the rise. In order to further enhance the professional standard of tree management staff, the Administration was analyzing the core competence requirements of different levels of tree management personnel, which would form the basis for enriching the contents and raising the quality of existing training programmes. She added that an Expert Panel on Tree Management comprising local and non-local experts had been established in March 2011 to provide advice on both policy and operational aspects. In an endeavour to build up a strong professional knowledge base, TMO would work with local institutions in spearheading research studies on different tree-related topics, including wood strength of common tree species in Hong Kong, common biological tree decaying agents in Hong Kong, choice of planting medium, selection of suitable tree species for greening and the development of tree support designs, etc. It was the Administration's aim to take forward tree management in Hong Kong based on a professional and knowledge-based approach.

Professional qualifications of staff in the Tree Management Office

66. Mrs Regina IP expressed grave concern about the professional competence of the Arborists in TMO. While she noted that Mr Lawrence CHAU, Head of TMO, was holding a PhD degree in Botany. From information available in the Internet, to qualify as Certified Arborist or Certified Municipal Specialist of the International Society of Arboriculture ("ISA"), a person was only required to sit for a 200-question multiple-choice test. Being minimum requirements, these ISA qualifications could hardly match up with the functions and responsibilities to be discharged by TMO. Mrs IP considered that TMO should strive to recruit staff with formal training in Forest Science from universities with specialized training programmes in this area. Miss Tanya CHAN advised that according to her understanding, three years of relevant work experience was required before a person could sit for the ISA tree management qualifications referred by Mrs IP. Mr KAM Nai-wai opined that it was inappropriate for the Panel to argue over the issue of professional qualification of TMO staff. He considered it more important for TMO to demonstrate to the public that its work would contribute to reducing tree-related hazards and preventing tree felling incidents. Sharing the views, Mrs Sophie LEUNG encouraged staff members in TMO to keep up efforts in their work. She opined that it was more important for tree management staff to have the correct mindset so that their hard work could contribute to achieving the objectives of the greening policy.

67. SDEV advised that the GLTM Section, underpinned by TMO and the Green and Landscape Office ("GLO"), was professionally-led. She assured members that the three officers leading the GLTM Section, TMO and GLO respectively were all professional staff with appropriate professional qualifications and relevant work experience and expertise. The Administration attached great importance to these professional posts, and had taken steps to fill two of the three posts through open recruitment. This was in line with the Administration's policy of engaging professional staff to work side by side with general grade staff to achieve optimal results.

68. Given that Landscape Architecture and Arboriculture were two distinct disciplines, Mrs Regina IP expressed grave concern about the current staffing structure for tree management work in the Development Bureau which had placed the Arborists under a Landscape Architect. She cautioned that the arrangement might lead to conflicts between staff of the two disciplines.

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69. SDEV responded that the GLTM Section was headed by a Principal Assistant Secretary at Administrative Officer Staff Grade C ("D2") level and the post was filled through an open recruitment exercise. The heads of TMO and GLO, which underpinned the GLTM Section, were recruited through an open recruitment exercise and by internal deployment respectively. The Head of GLTM post was filled by the best-suited candidate with the necessary experience and qualifications. The Administration had no pre-conceived intention of placing Arborists under Landscape Architects in the above appointment exercises.

70. Mrs Regina IP cast doubt about the appointment of a D2 officer to head the GLTM Section could help overcoming the problem of fragmented approach in tree management work with management responsibilities undertaken by different Government departments. SDEV was confident that with the appointment of a D2 officer to head the GLTM Section, the Section would enhance the policy steer and coordination of departmental efforts in ensuring better integration of greening and tree management and the adoption of a holistic approach in pursuing the greening policy. TMO would endeavour to improve the coordination and working relationship among tree management departments, and facilitate the provision of education and training courses for frontline staff.

The Administration's approach in tree management and the work of the Tree Management Office

71. Miss Tanya CHAN expressed concern about the fragmented approach adopted by the Administration in tree management. She pointed out that while the GLTM Section was established under the Development Bureau and served as the central authority to give policy steer at the upstream, tree maintenance work in the downstream was carried out by the relevant departments, such as LCSD. As such, it would be difficult for TMO to effectively steer and regulate the work of the tree management staff of departments in accordance with prescribed guidelines and procedures to ensure compliance. In particular, LCSD, being a core tree management department, was facing increasing pressure in recent years arising from the surge in the number of trees under its responsibility.

72. SDEV said that she was aware of the pressure faced by LCSD in protecting public safety in the management of trees given the large number of trees under its management in locations with high pedestrian and vehicular flow. She explained that due to the large number of trees in the territory, it was unrealistic for a single policy bureau or department to take

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charge of all tree management responsibilities. Therefore, the Administration had adopted an "integrated approach" for tree management on Government land. Under this approach, the department responsible for the maintenance of an area or a facility was also responsible for the maintenance of trees located there. TMO acted as the central authority to give policy steer, a focal point of coordination of departmental efforts and a provider of arboricultural expertise and related training for other departments and their staff. TMO also coordinated central procurement of tree management equipment and the development of a common tree management information system for use by departments concerned. To ensure compliance by the departments on the promulgated guidelines and procedures for tree management, TMO would conduct internal audit, including desk-top checking of the tree inspection forms completed by departments and tree inspection on site on a random sampling basis.

73. Pointing out that TMO had been established for one year, Mr KAM Nai-wai considered it timely for the Administration to conduct a review on the existing regulatory system as well as a critical review on the effectiveness of the tree risk management arrangements.

74. DS/DEV(Works)1 advised that TMO had conducted two tree risk management exercises, one in 2010 and the other in 2011. With persistent efforts from TMO and other relevant departments, the quality of tree management work had improved substantially. Moreover, as a result of the enhanced tree risk assessment, the number of trees requiring removal after the rainy/typhoon seasons due to health or structural problems had reduced significantly.

75. In response to Miss Tanya CHAN's enquiry about TMO's follow-up actions for the tree collapse incident in Yuen Chau Kok, Shatin, which occurred in June 2010 ("the Yuen Chau Kok Incident"), DS/DEV(Works)1 advised that TMO had collaborated with tree management departments in following up the recommendations made by the Coroner's Court in the death inquest of the victim in the incident. To enhance tree risk management, responsible departments were required to carry out detailed inspection on trees that might require particular care as well as those with health and structural problems in areas with high pedestrian or vehicular flow, and to take appropriate mitigation measures where necessary. The Administration aimed to improve the standard of frontline staff in conducting tree risk assessment. Departments were requested to strengthen supervision of frontline staff and step up internal audit on tree risk assessment. Moreover, TMO had been implementing measures, including the conduct of desktop

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checking of the tree inspection forms completed by departments and on-site tree inspections on a random sampling basis. On staff training, TMO had organized a series of tailor-made training courses which catered for the needs of frontline staff of departments and contractors engaged by Government departments. Over 8 000 staff members attended various tree management courses in 2010. In addition, TMO had plans to provide advanced training for frontline tree management staff in order to improve their standard and to cater for their operational needs. Frontline staff were also encouraged to seek professional qualifications in Arboriculture with a view to raising the general professional standard of departments in tree management.

76. Mrs Regina IP referred to the testimony given by a witness in the death inquest of the Yuen Chau Kok Incident that a frontline staff of LCSD was required to inspect 1 000 trees in four hours. She considered the inspection work schedule unacceptable and had indicated inadequate resources for frontline staff. She urged the Administration to make improvement in this regard.

77. Dr Pan Pey-chyou enquired whether frontline staff continued to carry out inspection on trees on bicycle after public criticism over the effectiveness of the method in identifying problematic trees. He also opined that the inspection method would pose risk on the personal safety of the concerned staff. Miss Tanya CHAN expressed similar concern, and said that visual inspection on trees should be conducted in a serious and detailed manner and an effective tree risk assessment could not be done by staff riding on bicycle.

78. In response, DS/DEV(Works)1 advised that there were detailed guidelines and prescribed procedures for frontline staff to follow in carrying out risk assessment on trees. Frontline staff were required to comply with those guidelines and procedures in the inspection process and use appropriate methods and equipment/tools to check whether there were any problems with the trees.

Introduction of a tree management ordinance

79. Mr KAM Nai-wai, Miss Tanya CHAN and Mrs Regina IP considered it high-time for the Administration to introduce a piece of legislation on tree management for effective regulation of felling of trees, preservation of valuable trees, and proper management and maintenance of trees. Mr KAM urged the Administration to undertake early preparatory

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work for introducing a tree management ordinance in the remaining tenure of the current Government, including working out a general framework and obtaining the community consensus on the policy direction, in order to lay down the foundation for follow up by the next Government and the Fifth LegCo. On the scope of the tree ordinance, Miss Tanya CHAN and Mrs Regina IP opined that it should cover management and maintenance of trees on private land.

80. Mrs Sophie LEUNG opined that as the responsibilities for tree management straddled over a number of policy bureaux and departments, it would take time for the Administration to study issues relating to the legislative approach. She urged the Administration to examine the issues in a prudent manner. If a legislative approach was adopted for the management of trees, Mrs LEUNG considered that the Administration should take into account the unique conditions of Hong Kong instead of following overseas experience blindly. Dr Pan Pey-chyou considered it necessary for the Administration to identify and resolve problems in existing ordinances relevant to the management of trees before considering the introduction of a new tree ordinance.

81. SDEV remarked that the present framework on tree management which involved a number of ordinances implemented by different departments or agencies did not contribute to effective regulation and management of trees on private land. The Administration would explore the proposal of introducing a tree ordinance in the long run. Given the complexity of the issues involved, it would take time for the Administration to consider the matter. She assured members that the Administration would carefully study the relevant researches and views of scholars and professionals in the field, and strive to take the matter forward in the remaining tenure of the current term of Government. She thanked members for their views on the matter and said that the Administration would take the views into consideration in mapping out the way forward.

Greening work in Hong Kong

82. Ms Starry LEE said that she had high expectation on the work of TMO. She considered that TMO and the Expert Panel on Tree Management should step up efforts in promoting greening in suitable areas. Quoting the planting of large trees along Hai Phong Road in Tsim Sha Tsui as a successful example creating a "green boulevard" for the city environment, she urged the Administration to identify suitable locations for planting of large trees in the early stage of planning for new development areas in the

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New Territories and harbourfront promenades. The Chairman urged the Administration to make reference to the successful experience of Mainland cities in implementing greening measures including planting of trees, selection of planting species and maintenance of vegetation.

83. DS/DEV(Works)1 took note of members' views and said that tree planting on roadside was often constrained by limited space, and hence it was more difficult to implement large-scale greening projects involving the planting of large trees in built-up areas. Nevertheless, GLO would endeavour to promote greening in the urban areas and the New Territories wherever possible in order to improve the cityscape. GLO had been maintaining close liaison with relevant policy bureaux and departments in the early stage of land development and town planning to identify suitable sites and roadside locations for the tree planting. SDEV supplemented that the Administration would encourage Government departments and public bodies such as the West Kowloon Cultural District Authority to make use of vacant sites for nourishing young trees for use in large-scale tree planting projects in future. The Administration would also continue its contact with Mainland cities to learn from their successful experience in greening and tree management work.

VI Repair and replacement of aged water mains and temporary water supply

(LC Paper No. CB(1)2225/10-11(01) -- Administration's paper on repair and replacement of aged water mains and temporary water supply

LC Paper No. IN17/10-11 -- Paper on recent water mains burst incidents prepared by the Research Division of the Legislative Council Secretariat (Information note))

84. Members noted that the paper provided by the Administration was to update the Panel on the progress of the repair and replacement of aged water mains, the current arrangements for handling water main burst incidents and provision of temporary water supply by the Water Supplies Department ("WSD"). The paper also set out the observations and recommendations for improvement in relation to recent water main burst incidents at Tsing Yi and Wong Nai Chung Road.

Handling of water main burst incidents

85. Mr KAM Nai-wai expressed concern on WSD's handling of the water main burst incident at Wong Nai Chung Road ("the Wong Nai Chung Road incident") in March 2011, and sought explanation on the long time taken to isolate the burst main and the insufficient number of water wagons/tanks deployed for providing temporary water supply to the affected areas. He also asked whether WSD had plans to improve its performance pledges for isolation of the burst main.

86. The Director of Water Supplies ("DWS") explained that in the Wong Nai Chung Road incident, the large number of mains within the affected areas and the extensive connections between the mains therein had presented challenges in isolation of the burst main. WSD needed to close a total of 22 valves for complete isolation of the burst main. It also took more time and manpower to shut off the valves of a pipe with a larger diameter than one with a smaller diameter. The existing performance pledges for isolation of burst mains of different diameters, i.e. within one and a half hours for 94% of cases involving pipe diameters up to 300 mm, and within two and a half hours for 94% of cases involving pipe diameters from above 300 mm to 600 mm, were practical targets. WSD had made good achievements in meeting the concerned pledges in 2010-2011. Having conducted a review of the Wong Nai Chung Road incident, WSD had decided that in future, provision of temporary water supply should be initialized at the target time for isolation of burst main or complete isolation, whichever was the earlier, so as to expedite the provision of temporary water supply for the affected areas.

87. Dr PAN Pey-chyou suggested that WSD should learn from the Wong Nai Chung Road incident to identify and record systematically the positions of the valves of major water supply networks so to shorten the time taken for isolation of burst mains in future.

88. DWS advised that WSD maintain a system containing information and layout plans of positions of all water mains and valves in respect of each geographical regions in Hong Kong. For the Wong Nai Chung Road incident, the isolation of the burst main was delayed by the large amount of muddy water covering the roads and the extensive connections between the mains. Having reviewed the incident, WSD would, as explained earlier, initialize temporary water supply at the target time for isolation of burst main before completion of the isolation work. Moreover, more resources

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would be deployed to the water main burst site when it was envisaged that the target time for isolation of burst main would not be met. The information systems installed in vehicles deployed to tackle main burst incidents would be constantly updated to enhance efficiency in handling such incidents.

89. Dr PAN Pey-chyou pointed out that for repeated main burst at the same area, the problems might not lie in the pipes but external disturbances, such as the movements of heavy vehicles on the ground. He stressed the need for WSD to identify the source of the problems in such areas.

90. DWS said that for areas with repeated main burst, WSD would conduct regular condition assessment of the water mains in the areas using devices such as noise loggers, in addition to monitoring external factors which might have an impact on the conditions of the mains, in order to prevent subsequent burst. He stressed that for each burst incident, the priorities were to stop the burst and resume normal supply of water to the affected area as soon as possible. WSD would then investigate into the burst.

91. On the Wong Nai Chung Road incident, Miss Tanya CHAN said she had been briefed by WSD earlier on the details, including the distribution of water mains in the area and WSD's follow-up actions. She understood that WSD had studied the incident and prepared a report. She suggested the report be uploaded to the website of WSD for public information. In the isolation of the burst water mains, Miss CHAN opined that deployment of sufficient manpower was key to a prompt completion of the task. With the implementation of WSD's new measure appointing a designated officer at the region of a burst incident to act as the coordinator to make central commands and deploy cross-regional supports, she hoped that burst incidents would be better handled in future.

92. Drawing reference to her experience of working with senior staff of the Customer Service Branch of WSD in an incident involving temporary suspension of water supply to a hospital at the Peak, Miss Tanya CHAN expressed appreciation to the assistance of the Customer Service Branch of WSD over the incident. She hoped that quality customer service from WSD would continue, especially for suspension of water supply in institutions serving a large number of people during critical moments. Dr PAN Pey-chyou added that according to the 2011 World Competitiveness Rankings of the Lausanne-based Institute for Management Development, Hong Kong was not only ranked first in competitiveness but

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also in government efficiency. He urged that all Government departments should continue to uphold customer service to keep the good performance.

93. SDEV thanked members for understanding the efforts made by Government departments in serving the community. She emphasized that WSD, being the largest public utility service provider in Hong Kong to which everyone was its client, would continue to provide quality customer service.

Measures for improving the provision of temporary water supply

94. On the provision of temporary water supply, Dr PAN Pey-chyou noted that at times the water tanks provided by WSD were placed at inconvenient positions, such as far away from residential units located at the upper levels of a slope. He urged WSD to seek DC Members' assistance in identifying the locations for placing water wagons and water tanks and allow flexibility for frontline staff in deciding the exact locations having regard to the actual circumstances of the area.

95. DWS said that frontline staff was given flexibility in placing water wagons and water tanks in the provision of temporary water supply. WSD was thankful to DC Members, who had been offering advice and assistance during past burst incidents in catering the special needs of customers in specific areas. The public were welcomed to call WSD's hotline 2824 5000 to give views on improvement in the provision of temporary water supply. Basically, it was planned to place water tanks at about 300-metre intervals in an affected water supply area. For special areas, such as those with residential buildings located on platforms at different levels, WSD would make appropriate arrangements to ensure adequate provision of temporary water supply to affected consumers.

96. In response to Mr KAM Nai-wai's enquiry on the Administration's recommendation to acquire more water wagons for improving the provision of temporary water supply, DWS advised that at present there were five water wagons stationed at four WSD operational regions. It was proposed that the number of water wagons be increased from five to ten. He said that while WSD had an adequate stock of water tanks, more water wagons were required to meet emergency situations for providing the initial round of supply and refilling of depleted water tanks, and to strengthen cross-regional deployment. Water tanks were conveyed to the locations by cranes. WSD's term contractors would arrange cranes for transportation of water tanks during emergencies. To provide temporary water supply in

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short notice, WSD needed to have sufficient water wagons of its own at each operational region for immediate deployment. He added that the additional water wagons would be available in about eight months upon placement of orders and WSD was in discussion with the supplier for early delivery. In the meantime, water wagons were dispatched in pair, one after the other, to ensure uninterrupted supply of water for emergency use.

VII Any other business

97. There being no other business, the meeting ended at 12:48 pm.

Council Business Division 1
Legislative Council Secretariat
22 December 2011