

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1789/08-09  
(These minutes have been seen  
by the Administration)

Ref : CB2/PL/HA

**Panel on Home Affairs**

**Minutes of meeting**  
**held on Friday, 17 April 2009, at 8:30 am**  
**in the Conference Room A of the Legislative Council Building**

**Members present** : Hon IP Kwok-him, GBS, JP (Chairman)  
Hon Tanya CHAN (Deputy Chairman)  
Hon James TO Kun-sun  
Hon CHEUNG Man-kwong  
Dr Hon Philip WONG Yu-hong, GBS  
Hon Emily LAU Wai-hing, JP  
Hon CHEUNG Hok-ming, SBS, JP  
Prof Hon Patrick LAU Sau-shing, SBS, JP  
Hon KAM Nai-wai, MH  
Dr Hon LAM Tai-fai, BBS, JP  
Hon CHAN Hak-kan  
Hon CHEUNG Kwok-che  
Hon WONG Sing-chi  
Hon Paul TSE Wai-chun

**Members absent** : Hon WONG Yung-kan, SBS, JP  
Hon Timothy FOK Tsun-ting, GBS, JP  
Hon Cyd HO Sau-lan  
Hon WONG Yuk-man

**Public Officers attending** : Item IV

Home Affairs Bureau

Mr Jonathan McKinley  
Deputy Secretary for Home Affairs (2)

Leisure and Cultural Services Department

Mr Vincent LIU  
Deputy Director of Leisure & Cultural Services (Leisure Services)

Miss Olivia CHAN  
Assistant Director (Leisure Services) 2

2009 East Asian Games (Hong Kong) Limited

Mr Johnny WOO  
Chief Executive Officer

Item V

Home Affairs Bureau

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

Mr SO Kam-shing, JP  
Deputy Secretary for Home Affairs (3)

Miss KWOK Wai-ling, Polly  
Principal Assistant Secretary for Home Affairs  
(Culture)2

Leisure and Cultural Services Department

Mr CHUNG Ling-hoi, JP  
Deputy Director of Leisure & Cultural Services (Culture)

Mr LEE Yuk-man  
Assistant Director (Libraries and Development)

Item VI

Development Bureau

Miss Janet WONG, JP  
Deputy Secretary for Development (Works)1

Mr Alan AU  
Principal Assistant Secretary for Development (Works)1 (Atg)

Agriculture, Fisheries and Conservation Department

Mr LAY Chik-chuen  
Assistant Director of Agriculture, Fisheries and  
Conservation (Conservation)

Leisure and Cultural Services Department

Mr Eddy YAU, JP  
Assistant Director of Leisure and Cultural Services  
(Leisure Services)<sup>3</sup>

**Clerk in attendance** : Ms Betty FONG  
Chief Council Secretary (2)<sup>2</sup>

**Staff in attendance** : Ms Janet SHUM  
Senior Council Secretary (2)<sup>2</sup>

Ms Anna CHEUNG  
Legislative Assistant (2)<sup>2</sup>

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Action

**I. Confirmation of minutes**  
[LC Paper No. CB(2)1280/08-09]

The minutes of the meeting held on 13 February 2009 were confirmed.

**II. Information paper(s) issued since the last meeting**

2. Members noted that the following papers from the Administration had been issued since the last meeting -

LC Paper No. CB(2)1159/08-09(01) -- Layout plans of the Hong Kong Centre for Youth Development provided by the Administration

LC Paper No. CB(2)1160/08-09(01) -- E-mail from a member of the public expressing views on the commencement date of the procurement of third party risks insurance by owners' corporations

Action

- LC Paper No. CB(2)1167/08-09(01) -- E-mail from a member of the public expressing views on the eligibility of indigenous villagers to build small houses
- LC Paper No. CB(2)1178/08-09(01) -- Summary of discussion at the meeting between Legislative Council Members and members of Sham Shui Po District Council on 5 February 2009 on the provision of a town hall in Sham Shui Po and the operation of the Jockey Club Creative Arts Centre
- LC Paper No. CB(2)1206/08-09(01) -- Supplementary information provided by the Administration on the monitoring mechanism for Government subvention to National Sports Associations
- LC Paper No. CB(2)1262/08-09 -- Referral from the Complaints Division of the Legislative Council Secretariat on issues relating to the amendment of the Bedspace Apartments Ordinance
- LC Paper No. CB(2)1304/08-09(01) -- Administration's paper on the proposed project to convert the Secondary Pool of Lai Chi Kok Park Swimming Pool into an indoor heated pool in Sham Shui Po District
- LC Paper No. CB(2)1304/08-09(02) -- Administration's paper on "Local Open Space Development at Chung Yee Street, Kowloon City District"
- LC Paper No. CB(2)1304/08-09(03) -- Administration's paper on "Local Open Space in Area 25, Fanling/Sheung Shui"

Action

LC Paper No. CB(2)1341/08-09(01) -- Administration's paper on the proposed redevelopment of the Victoria Park Swimming Pool Complex

LC Paper No. CB(2)1342/08-09(01) -- Letter dated 14 April 2009 on the Building Management (Amendment) Bill provided by the Administration

**III. Items for discussion at the next meeting**

[Appendices I and II to LC Paper No. CB(2) 1301/08-09]

Next regular meeting on 8 May 2009

3. The Chairman told the meeting that the Administration had agreed to advance the discussion on the governance of the major performing arts groups to the next regular meeting in May 2009. The Deputy Chairman said that the recent termination of contract of a principal dancer of the Hong Kong Ballet had aroused public concern about various management issues of major performing arts groups. She considered that the Panel should invite the nine major performing arts companies to express their views on various governance-related issues, in particular the respective roles of the Administration, Board members and Artistic Directors in their operation. Mr CHEUNG Man-kwong suggested that the discussion should also include the use of subvention by the respective arts groups and their administration structure, and the Administration should be requested to provide the Panel with the relevant information. In response to Ms Emily LAU's suggestion for inviting other performing arts groups to the meeting to give their views relating to the funding for the arts sector, the Chairman suggested and members agreed that issues relating to the funding mechanism for arts groups should be discussed under the item "Strengthening the software and humanware for culture and the arts" scheduled for June 2009.

Admin

4. Mr KAM Nai-wai suggested that in the light of the recent allegation about match-fixing within the local football sector and the strong public concern about the professionalism of local football, the Panel should meet with the Administration and the Hong Kong Football Association (HKFA) to discuss issues relating to the promotion and development of local football, in particular HKFA's role in enhancing the standard of local football and its use of Government subvention. Mr CHEUNG Man-kwong supported Mr KAM's proposal and added that the Administration and HKFA should explain to the Panel on measures to revive local football and monitor the standard of football matches so as to meet the high expectation of the public on the sport. The Chairman noted that the Administration would soon commission a consultancy study on the development of local football and revert to the Panel upon the

Action

completion of the study in early 2010. After deliberation, members agreed that the issue should be discussed at the next meeting.

Admin

5. Referring to item (2) of the list of follow up action, Mr CHEUNG Hok-ming said that the Administration should be reminded to expedite its response to the Panel in relation to the proposed listing of Yuen Long Kau Hui in the relevant Schedules of the Village Representative Election Ordinance (Cap. 576) which was discussed at the meeting in January 2009.

**IV. 2009 East Asian Games**

[LC Paper Nos. CB(2) 1301/08-09(01) and (02)]

6. The Chairman reported that a site visit to venues of the 2009 East Asian Games (EAG), including the Hong Kong Coliseum and the Tseung Kwan O Sports Ground (TWOSG), had been conducted on 15 April 2009.

7. Assistant Director (Leisure Services)<sup>2</sup> conducted a Powerpoint presentation on the organisation of the 2009 East Asian Games (EAG) including sports events, venue preparation, publicity and promotion activities, ticketing, accommodation and the relevant logistical arrangements.

Ticketing arrangements

8. Mr CHEUNG Man-kwong enquired about measures to be taken by the Administration to boost the audience turnout for the EAG events, which would mostly be held on working days or school days during the period from 5 to 13 December 2009. He further asked whether complimentary tickets would be distributed to students to enhance the attendance for the Games.

9. Chief Executive Officer of the 2009 East Asian Games (Hong Kong) Limited (CEO of the EAG Company) said that of the \$40 million recently donated by the Hong Kong Jockey Club (HKJC), about \$10 million would be used for subsidizing students' participation in EAG through the offering of concessionary or complimentary tickets. This should boost the attendance of the Games and promote sports culture among students. To enable students to attend the Games, the Company would also seek the cooperation of schools to make necessary adjustments to the 2009-2010 school calendar.

10. In response to Dr LAM Tai-fai's enquiry about the reason for the discrepancy between the estimated number of spectators (i.e. at 200 000) and the total number of tickets for the Games (i.e. at 437 000), CEO of the EAG Company clarified that the number of tickets was calculated based on the total seating capacity of the competition complexes/venues for the EAG events while the number of spectators was based on the estimated ticket sales.

Action

11. Mr CHEUNG Kwok-che and Mr Paul TSE asked about the proportion of tickets to be consigned to airlines and travel agencies for the promotion of EAG. CEO of the EAG Company said that around 80 % of the 437 000 EAG tickets would be allocated for students and open sale, among which 5% would be consigned to travel agencies and airlines. 20% of the tickets would be reserved for athletes, team officials, guests, sponsors and special groups. Depending on the progress of the ticket sale, the distribution of tickets could be further adjusted to provide more opportunities for organised groups to watch the competitions of EAG.

12. Mr KAM Nai-wai said that the Administration should administer the ticket sale in an open, fair and orderly manner and implement measures to avoid network congestion in on-line booking. Pointing out that many spectators might not be able to secure tickets for highly popular events due to the limited seating capacity of the competition venues, he urged the Administration to put in place arrangements to enable the public to watch the Games.

13. Deputy Secretary for Home Affairs (2) (DSHA2) acknowledged the need to address the overwhelming demand for tickets for the opening and closing ceremonies and highly popular events, which was a common problem encountered by host cities of major games. In this regard, Deputy Director of Leisure & Cultural Services (Leisure Services) (DD(LS)) advised that tickets for the EAG events would be sold in August 2009 through different channels including on-line booking, telephone booking, postal and fax booking. To facilitate public viewing of the events, the Administration would arrange live broadcast of 10 most popular sports events and recording of highlights of the other 13 sports events for showing on TVs.

Tourism

14. Mr Paul TSE enquired about the plan to promote EAG to spectators in other cities, particularly those in nearby Mainland cities. He suggested that the EAG organiser should capitalize on the established network of travel agencies in promoting the Games and inbound tourism. The Deputy Chairman enquired about the arrangements for package tour for attending the Games. Mr CHEUNG Kwok-che considered that measures should be devised to encourage visitors to prolong their stay in Hong Kong after the closing of the Games.

15. CEO of EAG Company advised members of various measures taken by the Company to promote the Games and inbound tourism, which included (a) collaboration with the Economic and Trade Offices to promote EAG to Mainland and overseas cities; (b) liaising with airlines and travel agencies to arrange hotel cum air ticket package tour for visitors to attend the Game, targeting particularly on those from Mainland cities around the Pearl River Delta; and (c) soliciting the support of the Hong Kong Tourism Board and the

Action

Travel Industry Council of Hong Kong in the promotion of EAG tour package through the established network of travel agencies. In response to Mr TSE's enquiry about the security measures for the Game, CEO of EAG Company replied that reference would be made to the arrangements made for the 2008 Olympic Equestrian Events and Police's assessment of the risk level of the EAG.

Accommodation, traffic and logistical arrangements

16. In response to Mr CHEUNG Kwok-che's enquiry, CEO of the EAG Company said that the transportation system in the territory should be able to cope with the anticipated increase in traffic flow during the Games period. He further assured members that the Company would collaborate with the Transport Department to work out a traffic management plan to mitigate any possible adverse impact on local traffic brought about by the Games.

17. Prof Patrick LAU considered that the arrangement to accommodate EAG athletes in 12 hotels throughout the territory was not conducive to the communication and cultural exchange among these athletes. He also expressed concern about the complicated logistical arrangements for athletes to travel from their hotels to the competition venues and asked whether consideration had been given to house all athletes in an athletes' village.

18. CEO of the EAG Company said that it was a normal practice for the host city to accommodate EAG athletes in hotels close to the competition venues. He added that the arrangement to accommodate athletes participating in the same event in the same hotel and the organisation of cultural nights and related programmes during the Games period should facilitate communication and provide ample opportunities for cultural exchange among EAG athletes.

19. The Deputy Chairman was concerned that the proximity to Tseung Kwan O Landfill site and the emission from the garbage collection trucks en-route to the site might have a negative impact on the air quality of the EAG venue at the Tseung Kwan O Sports Ground (TKOSG). DD(LS) said that TKOSG was constructed in consultation with the Hong Kong Amateur Athletic Association, which recommended that the venue was suitable for hosting track and field events. He added that the Second Hong Kong Games to be held at TKOSG in May 2009 would serve to test out the new sports ground and any defects identified could be rectified accordingly.

Publicity and promotion activities

20. Dr LAM Tai-fai considered that all schools should be encouraged to participate in the publicity events such as the school torch relay and the opening ceremony as far as possible. Referring to the key milestone publicity events set out in paragraph 8 of the Administration's paper, he enquired about details of the publicity events planned for the second half of 2009. The Deputy

Action

Chairman opined that the Administration should take the opportunity to promote sports education and introduce students to the rules of the various sports games. She further suggested that subsidy for students to participate in the Games should include those of ethnic minority or grassroot background.

21. CEO of EAG Company responded that a series of publicity activities would be organised in the community. Starting from June 2009, community activities and greening projects for EAG would commence in the 18 District Councils (DCs) and promotional footage focusing on athletes of the 23 EAG sports preparing for the Games would be broadcast on TV and other media channels. Several hundred schools across the territory would take part in the school torch relay activity from September to November 2009, and the city dress-up programme, such as display of giant wall banners, roadside billboards, lamppost buntings, etc. would be launched around June/July 2009.

Admin

22. In response to the Deputy Chairman's enquiry about the provision of media facilities for media coverage of EAG, CEO of EAG Company said that apart from the Media Centre to be set up in the Hong Kong Central Library, each competition venue would have its own media/press centre. Information on the distribution of these centres would be provided to members.

23. Mr KAM Nai-wai enquired about measures to facilitate public viewing of the boat parade and fireworks display at the Victoria Harbour during the Opening Ceremony. Mr CHEUNG Hok-ming asked about detailed arrangement of the 100-Day Countdown and Torch Relay and measures to facilitate the participation of the community in this key publicity event.

Admin

24. DD(LS) said that arrangements would be made for live broadcast of the Opening Ceremony on TVs and giant telescreens in various locations to enable the public to enjoy the event. To facilitate public participation in the 100-Day Countdown, this focal event would be held in the Saturday afternoon on 29 August 2009, starting with a torch relay at the city area to be participated by athletes of the 23 EAG sports and other athletes from the 18 districts. The event would be rounded up by an evening television show. Upon the request of the Chairman, DD(LS) agreed to provide details of the routing and torch bearers when such information was available.

25. Mr CHEUNG Man-Kwong enquired about the participation of top-tier athletes from other places and efforts made by the Company to solicit the participation of these athletes. DSHA2 envisaged that some top-tier athletes from the Mainland would participate in the Games but the details would not be available after September 2009. CEO of the EAG Company further advised that the host city generally had no role to play in the nomination of EAG athlete representatives, which was under the ambit of the Olympic Committee of the respective participating places.

Action

26. In response to Mr CHEUNG Kwok-che's enquiry about measures to deal with counterfeit EAG merchandises, CEO of EAG Company said that the Company had developed EAG merchandises for sale in eight souvenir shops in the territory and would enlist the assistance of the Customs and Excise Department in tackling such problem.

Project estimate and financial control

27. Mr Paul TSE asked whether the economic downturn had any adverse impact on the financial position of EAG. In response, CEO of EAG Company said that the Company had been prudent in managing the expenditure for EAG. For instance, an open tendering approach had been adopted in the procurement of various services for the Games to ensure the most competitive price for the services. The arrangement for athletes to stay in hotels close to the competition venues was one of the cost-saving measures to minimise logistical expenses. He further advised that EAG had already received sufficient funding and sponsorship to cover the estimated expenditure and assured members that the Company would continue to monitor the expenditure vigilantly to ensure that it was within budget.

28. Noting that \$10 million out of the \$40 million donation by HKJC would be used for the student subsidy scheme, the Deputy Chairman enquired about the use of the remaining \$30 million which in her view, should be more than adequate to cover the \$10 million shortfall in the estimated operating budget of EAG. In response, CEO of EAG Company explained the allocation of the \$40 million donation from HKJC and its impact on the operating budget. He said that the \$22 million to be used for the construction of the BMX Park in Kwai Tsing was not related to the operating budget of EAG, the \$10 million subsidy for students' participation in the Games had already been counted as income in the operating budget, and only the \$7.6 million to be used for supporting volunteer programmes for the Games would have a direct impact on the operating shortfall for EAG.

**V. Development of public library services**

[LC Paper Nos. CB(2) 1301/08-09(03), (04), CB(2)1179/08-09(01), CB(2)1328/08-09(01) and CB(2)1329/08-09(01)&(02)]

29. Under Secretary for Home Affairs (USHA) briefed members on the development plans of public library services in Hong Kong as detailed in the Administration's paper.

Expansion of service scope

30. Mr CHEUNG Man-kwong suggested that the Administration should take advantage of the heavy pedestrian flow at major mass transit railway stations to explore the feasibility of setting up library outlets at these stations to

Action

provide the public, particularly the working population, with convenient access to library services, such as advance booking, borrowing and returning of selected library books of high popularity.

31. Mr James TO echoed Mr CHEUNG's view and added that the Administration should leverage on the use of information technology and take into account the distance and travelling time for access to individual libraries in the planning for library services. He considered that the use of e-books, which was a more cost-effective and convenient option in the delivery of library services, should be further explored.

32. USHA advised that under a community partnership scheme launched by LCSO in 2005, the Administration had worked in collaboration with non-profit-making local community organisations including offices of DC members to bring library services closer to the community. As at March 2009, 100 community libraries had been set up in various districts through which over two million items of library materials had been borrowed. Regarding the promotion of e-books, USHA said that the Hong Kong Public Libraries (HKPL) was committed to enhancing the community's reading culture through the development of electronic services and a "Library without Walls".

33. Assistant Director (Libraries and Development) said that the suggestion for the provision of convenient library outlets could be further explored, particularly in the light of the development of the radio-frequency identification (RFID) technology, which should make the borrowing and returning of books through self-service vending machines possible. He further advised that a pilot scheme on the use of the RFID technology would be carried out in six libraries when implementing the project for the replacement of the Library Automation System. Depending on the result of the scheme, consideration could be given to applying the technology to the new mode of library service as suggested by members. Deputy Director of Leisure & Cultural Services (Culture) (DD(C)) added that the Administration would give serious thought to the feasibility of the proposal, taking into consideration relevant issues such as the application of information technology, types of library books to be selected for the special service, and availability of space at major railway stations and related costs.

34. Mr Paul TSE enquired about measures to assist visually impaired persons in the use of library facilities. USHA said that HKPL had provided Braille books to the resource centre of the Hong Kong Society for the Blind and made available large-sized library books for the use of visually impaired readers.

Provision of public libraries service

35. Mr KAM Nai-wai asked what measures would be taken by the Administration to meet the community's demand for enhanced provision of public libraries such as the persistent call for an additional library in Sheung Wan by the Central and Western District Council.

Action

Admin

36. USHA responded that in the planning of library facilities, the Administration had to strike a balance between the need of the local community and territory-wide provision and distribution of such facilities. Five new library projects were currently under planning for completion between late 2009 and 2014 while seven libraries of various scales would be relocated to larger premises or expanded between 2009 and 2016. As for the Central and Western District which had a population of some 200 000, the present provision of three libraries (one each of major library, district library and small library) was in line with the current policy. As requested by Mr KAM, DD(C) agreed to provide information on the additional public libraries requested by the 18 districts and the provision of libraries under planning by the Administration.

37. Mr KAM Nai-wai criticized the Administration for failing to appoint DC members to sit on the Public Libraries Advisory Committee. Referring to a letter to the Panel by a member of the public complaining about the late opening of the Shek Tong Tsui Public Library (STTPL) at 12:00 pm on Monday mornings since the extension of the library service hours in April 2009, he asked the feasibility for the Administration to advance the opening of STTPL to 10:00 am on Monday mornings.

38. USHA said that to cater for the needs of the local community, DC members had been engaged in the management of library services at district level since January 2008. Regarding the opening hours of STTPL, DD(C) said that under the new arrangement to extend the library opening hours, libraries were now open seven days a week and until 8:00 p.m. in the weekdays and on Saturdays. To enable the cleaning and regular maintenance work for STTPL, the library had to be closed for two hours on Monday mornings when public patronage was less heavy. DD(C) added that the arrangement was in general practicable and cost-effective, and if STTPL were to stay open on Monday mornings, additional resources would be required.

**VI. Greening and tree preservation**

[LC Paper No. CB(2)1301/08-09(05) and (06)]

39. Deputy Secretary for Development (Works)1 (DS(W)1) briefed members on the current policy of tree preservation and maintenance and the latest decision of the Administration to set up a taskforce under the Chief Secretary for Administration to conduct a review on tree management as detailed in the Administration's paper.

Enhancing tree management and policy review

40. Mr CHEUNG Man-kwong urged the Administration to enhance the professionalism of the tree maintenance teams in the respective tree

Action

maintenance departments, ensure proper record-keeping in tree inspection, and accord priority inspection and preservation to trees located at busy spots to ensure public safety. DS(W)1 said that as recommended by the Jury of the Coroner's Court in the investigation into the fatal tree collapse accident in Stanley, the taskforce set up to review tree management would study the adequacy of staff training and present guidelines for tree preservation. It would also take forward the Jury's suggestion to devise a risk assessment mechanism, which comprised among other things a proper inspection and record-keeping system and objective criteria for tree management.

41. The Deputy Chairman asked whether a mechanism would be put in place to ensure that individual guidelines formulated by the respective tree maintenance departments would be subject to the scrutiny of experts in the field to ensure their consistency and compliance with professional standard. DS(W)1 responded that the taskforce would look into the guidelines with a view to identifying the best practice and minimising inconsistency, having regard to the operational needs of different departments.

42. The Deputy Chairman opined that a dedicated authority should be set up to co-ordinate all tree-related issues and an encompassing legislation should be enacted for tree protection. Mr CHAN Hak-kan asked about the feasibility to dedicate such task to a single department.

43. DS(W)1 responded that the dedication of a single department to take charge of all tree-related matters was a complicated issue. She explained that under the present integrated approach, the department responsible for the management and maintenance of a facility was also responsible for nurturing and protecting all the plants (including trees) within the facility. If the work were to be dedicated to a single department, issues including interface problems, work coordination and fragmentation of responsibilities, etc. might arise. She added that while the current approach had in general proven to be efficient and cost effective, the Administration would adopt an open attitude to suggestions to improve the system. On the suggestion to strengthen the legislative framework, she said that it would be reviewed by the taskforce, taking into account the adequacy and effectiveness of the existing legislation and administrative framework.

Complaint mechanism

44. Mr CHEUNG Man-kwong suggested that the Administration should solicit the support of DC members in referring tree maintenance cases reported by the local community. DS(W)1 said that the Administration would monitor tree condition through various means including enlisting the cooperation of DC members while giving due importance to professionalism in assessing the health conditions of trees.

Action

45. Mr CHEUNG Hok-ming said that under the integrated approach, there had been undue delay in the maintenance of those trees which did not fall within the facility boundary of any department due to the lengthy co-ordination process among different government departments in designating the appropriate responsible authority/department. A case in point was the Wishing Tree in Tai Po. To address the inadequacy in the present system, Mr CHEUNG suggested that a mechanism should be established to coordinate all tree-related complaints for the handling of the relevant departments.

46. DS(W)1 responded that grey areas in tree management, such as the delineation of maintenance responsibilities of trees located on unallocated and unleased government land and those with roots extending over both private and government land would be studied by the taskforce with a view to devising a mechanism to improve the handling of these cases.

47. Mr CHEUNG Kwok-che shared the view that the Administration should provide a one-stop hotline service in the handling of tree-related complaints. He considered that operational problems, such as coordination among different departments, were key issues to be addressed in enhancing the management of trees, and enquired how the task force would resolve these issues.

48. DS(W)1 said that a review would be conducted by the taskforce with a view to devising clear guidelines in the referral of cases to designated departments and enhancing the operational efficiency of the current system. She added that pending the outcome of the review, the Administration had recommended measures to improve the hotline service provided by the 1823 Integrated Call Centre, including strengthening of staff's knowledge on the ambit of different tree management departments, and requirement for a department to confirm officially that the case would not fall under its jurisdiction before asking 1823 to pass it to another department.

Old and Valuable Trees

49. The Deputy Chairman enquired about the progress in updating the relevant details on the plantation, inspection, maintenance and removal of trees listed in the Register of Old and Valuable Trees (the Register) which in her view, would enhance the transparency of the Register and enhance public participation in the monitoring of conserved trees. Pointing out that Old and Valuable Trees (OVTs) were part of the society's heritage, she urged the Administration to ensure that these trees would not be removed unless absolutely necessary.

50. DS(W)1 said the tree collapse accident in Stanley had drawn the community's attention to the need to strike a balance between public safety and tree preservation. A review of the current policy was needed as in recent years, we seemed to have slanted towards tree conservation more. The Stanley incident however necessitated us to soul search on this. Assistant Director of

Action

Leisure and Cultural Services (Leisure Services)3 (AD(LS)3) advised that currently there were 511 OVTs listed in the Register, the information of which had been uploaded onto the LCSD website. Information such as the inspection dates and mitigating measures required for these OVTs were being uploaded progressively and would be completed by end-May 2009. LCSD would also include the reasons for removal of each OVT when updating the Register.

51. Mr Paul TSE considered that apart from the need to ensure public safety, due consideration should also be given to the historical value of trees in tree preservation work. He queried the reason for not including the Wishing Tree in Tai Po onto the Register, as it had been around for considerable time and had become an attraction for both tourists and the public.

52. AD(LS)3 responded that for trees to be listed in the Register, they should be large sized trees aged over 100 years or have a diameter at breast height of or over 1000 mm or be over 25 meter in height or crown spread. This apart, trees of precious/rare species and of preservative/historical value such as the 32 stonewall trees had also been included in the Register. For the protection of trees on the Register, no work was allowed within the area under the tree canopy which is beyond two metres from the base of the tree. Referring to the Wishing Tree in Tai Po, AD(LS)3 pointed out that the tree was already the third wishing tree planted in the same location. Despite its historical background, enlisting the tree in the OVT Register was not considered as it had already been badly damaged. Moreover, it did not meet the other criteria for being listed in the Register.

53. In response to Mr TSE, Principal Assistant Secretary for Development (Works)1 (PAS(W)1) said that information on trees of precious species and cultural/historical significance was available in the LCSD website, and the Administration would follow up with the Tourism Commission to promote ecotourism with emphasis on such trees as appropriate.

54. Mr CHAN Hak-kan suggested that the Administration should collaborate with green groups to enhance public education and community participation in greening and tree conservation. DS(W)1 responded that a dedicated committee had been set up under the Home Affairs Department to promote and co-ordinate community greening efforts in support of SCG.

Tree felling and transplanting

55. Mr CHAN Hak-kan's asked whether the Administration would consider enhancing the penalty to deter tree felling by developers or the relevant contractors on private land, and enquired about the monitoring of tree transplanting work in these development projects.

Action

56. DS(W)1 said that tree preservation on private land involved complicated issues, such as the protection of private properties and the terms of the relevant land lease, and the Government could only act within the relevant legal framework in the protection of tree in private land. PAS(W)1 added that the Government had included tree preservation clauses in land leased since 1970's to control tree felling in private projects. As for land leased before the 1970's, the Lands Department would incorporate tree preservation clauses as far as possible when modification of the relevant land leases were applied as a result of re-development. If trees protected by the lease conditions were felled or interfered in contravention of these conditions, Lands Department might request the owner to carry out compensatory planting and take lease enforcement actions in accordance with the terms of the lease.

57. Referring to a technical circular issued by the Works Branch in 2006 which promulgated the procedures for transplanting of trees affected by Government works projects, the Chairman said that in view of the significantly higher cost for transplanting as compared to re-planting, there was a need to take into account the cost effectiveness of such option in the preservation of a tree. DS(W)1 agreed that transplanting might not be feasible or cost effective in some cases as the uprooting and extensive pruning required in the process would be expensive and cause tremendous damage to the trees concerned causing low survival rate. She said that the need to strike a balance between tree protection and preservation on one hand and issues such as public safety and cost effectiveness on the other would be a subject of concern of the taskforce.

**VII. Any other business**

58. There being no other business, the meeting ended at 10:42 am.

Council Business Division 2  
Legislative Council Secretariat  
10 June 2009