

**立法會**  
***Legislative Council***

LC Paper No. CB(1)1127/20-21

(These minutes have been  
seen by the Administration)

Ref : CB1/PL/DEV

**Panel on Development**

**Minutes of meeting  
held on Tuesday, 23 March 2021, at 2:30 pm  
in Conference Room 1 of the Legislative Council Complex**

**Members present** : Ir Dr Hon LO Wai-kwok, SBS, MH, JP (Chairman)  
Hon LAU Kwok-fan, MH (Deputy Chairman)  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Starry LEE Wai-king, SBS, JP  
Hon CHAN Hak-kan, BBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon Frankie YICK Chi-ming, SBS, JP  
Hon MA Fung-kwok, GBS, JP  
Hon CHAN Han-pan, BBS, JP  
Hon LEUNG Che-cheung, SBS, MH, JP  
Hon Alice MAK Mei-kuen, BBS, JP  
Hon Martin LIAO Cheung-kong, GBS, JP  
Dr Hon Junius HO Kwan-yiu, JP  
Hon Holden CHOW Ho-ding  
Hon Wilson OR Chong-shing, MH  
Hon CHEUNG Kwok-kwan, JP  
Hon Kenneth LAU Ip-keung, BBS, MH, JP  
Dr Hon CHENG Chung-tai  
Hon Vincent CHENG Wing-shun, MH, JP  
Hon Tony TSE Wai-chuen, BBS, JP

**Member attending** : Hon KWOK Wai-keung, JP

**Public officers attending** : **Agenda item IV**

Mr Johnny CHAN Chi-ho  
Principal Assistant Secretary (Works)2  
Development Bureau

Ms Shirley LEUNG Cheuk-lam  
Assistant Secretary (Works Policies 2)1  
Development Bureau

Mr Ricky WONG Chi-pan, JP  
Deputy Head of Civil Engineering Office (Port & Land)  
Civil Engineering and Development Department

Mr Francis LEE Man-chow  
Project Team Leader/Pier Improvement  
Civil Engineering and Development Department

Mr Patrick NG Hon-lai  
Principal Transport Officer/New Territories 1  
Transport Department

**Agenda item V**

Mr KING Kwok-cheung  
Deputy Head of Energizing Kowloon East Office  
Development Bureau

Mr Michael LEUNG Chung-lap, JP  
Project Manager (E)  
Civil Engineering and Development Department

Mr Albert CHAN Wing-yin  
Chief Engineer/E3  
Civil Engineering and Development Department

**Agenda item VI**

Mr Michael WONG Wai-lun, JP  
Secretary for Development

Ms Jenny CHOI Mui-fun  
Deputy Secretary for Development (Planning &  
Lands)<sup>2</sup>

Ms Jasmine CHOI Suet-yung  
Principal Assistant Secretary for Development  
(Planning & Lands)<sup>3</sup>

Mr YU Tak-cheung, JP  
Director of Buildings

Mrs HUI Ming-fong  
Assistant Director/Existing Buildings 1  
Buildings Department

**Attendance by  
Invitation : Agenda item VI**

Mr Daniel HO Chi-wai  
Director, Building Rehabilitation  
Urban Renewal Authority

**Clerk in attendance :** Ms Connie HO  
Chief Council Secretary (1)<sup>2</sup>

**Staff in attendance :** Mr Raymond CHOW  
Senior Council Secretary (1)<sup>10</sup>

Mr Keith WONG  
Senior Council Secretary (1)<sup>2</sup>

Ms Christina SHIU  
Legislative Assistant (1)<sup>2</sup>

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**I Confirmation of minutes**

(LC Paper No. CB(1)667/20-21 — Minutes of meeting on 26 January 2021)

The minutes of the meeting by videoconferencing on 26 January 2021 were confirmed.

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

2. Members noted that no information paper had been issued since the last meeting on 23 February 2021.

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

(LC Paper No. CB(1)666/20-21(01) — List of outstanding items for discussion

LC Paper No. CB(1)666/20-21(02) — List of follow-up actions)

3. Members agreed that the next regular meeting would be scheduled for Tuesday, 27 April 2021, from 2:30 pm to 5:00 pm to discuss the following items proposed by the Administration:

- (a) New Territories North Development;
- (b) PWP Item No. 347WF — Reprovisioning of Harcourt Road Fresh Water Pumping Station; and
- (c) Progress report on heritage conservation initiatives.

*(Post-meeting note: Members were informed vide LC Paper No. CB(1)743/20-21 issued on 1 April 2021 that, on the instruction of the Chairman, the next regular meeting on 27 April 2021 would be held from 4:30 pm to 6:30 pm instead of from 2:30 pm to 5:00 pm as originally agreed at the meeting on 23 March 2021. Members were subsequently informed vide LC Paper No. CB(1)806/20-21 issued on 21 April 2021 that the meeting would be further rescheduled to Monday, 10 May 2021 from 2:30 pm to 4:30 pm.)*

4. Mrs Regina IP referred to a proposal made by a local group suggesting that old buildings and sites relevant to the British military should be preserved, and expressed concern about the differential treatments of various historical and heritage sites and buildings by the Government. In light of Mrs IP's request, the Chairman advised that

the Administration should brief the Panel on the principles of heritage conservation, as well as the considerations in determining the extent of conservation of historical and heritage sites and buildings under the agenda item "Progress report on heritage conservation initiatives" at the next regular meeting.

#### Visit to Tung Chung East Reclamation Site

5. The Chairman informed members that at the invitation of the Civil Engineering and Development Department, the Panel would conduct a visit to Tung Chung East Reclamation Site on Thursday, 1 April 2021 from 9:00 am to 11:45 am to learn about the progress of the reclamation works. Non-Panel Members had also been invited to join the visit. Participating Members would be informed of the detailed arrangement of the visit in due course.

*(Post-meeting note: Participating Members were informed vide LC Paper No. CB(1)731/20-21 issued on 29 March 2021 of the detailed arrangement of the visit. Led by the Chairman, three Panel members and one non-Panel Member participated in the visit on 1 April 2021.)*

#### **IV PWP Item No. 58TF — Improvement works at Kau Sai Village Pier and PWP Item No. 59TF — Improvement works at Lai Chi Chong Pier**

(LC Paper No. CB(1)666/20-21(03) — Administration's paper on PWP Item No. 58TF — Improvement works at Kau Sai Village Pier and PWP Item No. 59TF — Improvement works at Lai Chi Chong Pier

LC Paper No. CB(1)666/20-21(04) — Paper on the Pier Improvement Programme prepared by the Legislative Council Secretariat (Background brief))

6. At the invitation of the Chairman, Principal Assistant Secretary (Works)2, Development Bureau ("PAS(W)2/DEVB") briefed members on the funding proposals for upgrading the improvement works at Kau Sai Village Pier (PWP Item No. 58TF) and Lai Chi Chong Pier (PWP Item No. 59TF) to Category A at an estimated cost of \$77.8 million

and \$108.8 million in money-of-the-day ("MOD") prices respectively. Subject to the funding approval by the Finance Committee, the proposed works would commence in the fourth quarter of 2021 for completion in 2024.

7. The Chairman reminded members that in accordance with Rule 83A of the Rules of Procedure of the Legislative Council ("LegCo"), they should disclose the nature of any direct or indirect pecuniary interests relating to the subjects under discussion at the meeting before they spoke on the subjects.

#### Implementation of the Pier Improvement Programme

8. Pointing out that local residents were keen to participate in local green tours amid the pandemic, the Deputy Chairman, Mr Martin LIAO, Mr Kenneth LAU and Mr Holden CHOW supported the proposed pier improvement works which could enhance the accessibility of the natural and heritage scenic attractions at Kau Sai Chau and Lai Chi Chong. To help further promote the development of green tourism, the Deputy Chairman and Mr LIAO urged the Administration to expedite the implementation of the improvement works at other public piers under the first phase of the Pier Improvement Programme ("PIP"). They also enquired about the implementation time frame of the relevant projects.

9. PAS(W)2/DEVB responded that a total of 10 public piers were included in the first phase of PIP, of which three had proceeded to the implementation stage, including the Kau Sai Village Pier ("KSVP") and the Lai Chi Chong Pier ("LCCP") under discussion, and the reconstruction of the Pak Kok Pier on Lamma Island which had commenced in April 2020. The Administration planned to implement the improvement works of the remaining seven public piers under the first phase of PIP within the next two years. In view that the implementation of PIP was supported and welcomed by the public, the Administration had advanced to kick off the second phase of PIP to enhance another 13 public piers, and the associated engineering feasibility studies would commence progressively from mid-2021.

#### Kaito ferry service at the Lai Chi Chong Pier

10. Mr Holden CHOW noted that currently there was scheduled kaito ferry service between LCCP and Wong Shek Pier ("WSP") providing two return trips on weekdays and three return trips on weekends and holidays. As it was envisaged that more local tourists would patronize the Geotour Route of Hong Kong UNESCO Global Geopark

("the Geopark") upon completion of the improvement works of LCCP, Mr CHOW enquired whether the frequency of the said kaito ferry service could be enhanced to cater to the increase in service demand.

11. Principal Transport Officer/New Territories 1, Transport Department responded that according to the result of a kaito ferry service survey conducted in 2020, the frequency of the kaito service between Ma Liu Shui Ferry Pier and WSP via LCCP was able to meet passenger demand. Should there be any increase in the number of passengers upon the completion of the improvement works at LCCP, the Transport Department ("TD") would discuss with the concerned kaito ferry operator the arrangement for enhancing the frequency of kaito ferry service. Other operators could also apply to TD for the provision of relevant kaito ferry service.

12. Noting that the kaito ferry service to LCCP was not frequent at present and there would not be substantial change in the size of the pier upon its reconstruction, Mr LEUNG Che-cheung considered that the number of tourists to be served by LCCP might not be as large as that estimated by the Administration. In this connection, Mr LEUNG questioned the cost-effectiveness of the proposed improvement works at LCCP, and requested the Administration to elaborate on the tangible benefits that would be brought about by the project.

13. PAS(W)2/DEVB said that LCCP was built in 1962. Owing to its ageing structures, LCCP was currently strengthened by later added steel frames under the soffit of the slabs, and required enhanced inspection and maintenance to cope with the ageing problem. The proposed improvement works at LCCP would not only improve the structural condition effectively, but would also provide new ancillary facilities, such as barrier-free access and floating platform, for the improved pier. The proposed floating platform that would rise or lower with different tidal levels could enable small vessels to berth steadily, thereby providing a safer boarding and alighting environment for elderly passengers.

#### Provision of ancillary facilities

14. Noting that the proposed improvement works included the installation of solar panels at the two piers, Mr Martin LIAO enquired about the installation cost of the solar panels and the amount of electricity to be generated by the panels, and whether the electricity so generated could meet the demand of the respective piers in their daily operation.

15. Deputy Head of Civil Engineering Office (Port & Land), Civil Engineering and Development Department ("DH(P&L)/CEDD") responded that each pier would be installed with 18 solar panels which would generate in total 10 kilowatt-hours of electricity per day in sunny weather. As the daily electricity consumption of each pier was estimated to be around eight kilowatt-hours, the solar panel system would be able to generate sufficient amount of electricity to meet the operation needs of the piers. As regards the installation cost, DH(P&L)/CEDD said that apart from the solar panels, supplementary devices such as pillar boxes, batteries and inverters would also be installed at each pier. Taking into account the installation cost of these supplementary devices, the average installation cost of a solar panel was about \$60,000.

16. Mr LEUNG Che-cheung commented that the installation cost of solar panels was at the high end. In this connection, he enquired whether the excess electricity generated by the solar panels could be stored for future use, or sold to electricity companies under the "Feed-in Tariff" scheme.

17. DH(P&L)/CEDD said that the excess electricity generated could be stored for future use on cloudy days, and currently there was no plan of exporting the surplus electricity to electricity companies. As it was envisaged that solar panel systems would become more popular in the future, the cost of solar panels was expected to decrease in the long run.

18. The Chairman and Mr Kenneth LAU supported the proposed improvement works at KSVP and LCCP which could help address the safety issues arising from the ageing problems of the two piers. To provide a more comfortable environment for pier users, the Chairman suggested that the roof covers of the two piers be further extended to the catwalks leading to the piers. Mr LAU requested the Administration to consider providing bicycle parking spaces and lockers at the two piers as bicycle was the major means of transport of villagers residing at Outlying Islands.

19. PAS(W)2/DEVB and DH(P&L)/CEDD said that the Administration had consulted local villagers and green groups regarding the design of the two piers. Villagers residing close to KSVP were concerned that a large roof cover might block the sea view of their residences. As regards LCCP, given that the pier was located adjacent to the Geopark, the green groups being consulted had suggested adopting a design with a small roof cover to minimize its visual impact on the surrounding environment. Having considered the views received, it was decided that the size of the roof covers to be built at KSVP and LCCP would be around



180 square metres and 140 square metres respectively, which should suffice for providing a comfortable waiting environment for up to 300 ferry passengers at each pier. PAS(W)2/DEVB supplemented that bicycle parking spaces and lockers would not be provided at the two piers pursuant to the outcome of consultation with the villagers concerned. That said, the Administration noted members' views and would consider providing the said facilities under other pier improvement projects where necessary and appropriate.

20. In anticipation that the number of tourists visiting the scenic spots and natural heritage at Kau Sai Village and Lai Chi Chong would increase upon the completion of the proposed projects, Ms Alice MAK and Mr Frankie YICK advised that the Administration should provide public toilets at the two piers as complementary facilities. In the event that the construction of permanent toilets was not feasible due to technical or environmental constraints, the provision of mobile toilets should be considered as an alternative.

21. PAS(W)2/DEVB responded that there was a public toilet located 70 metres ("m") away from the KSVP at present. As for LCCP, given that there were no water mains and sewerage connection to the pier at present and also the pier was located very near the Country Park and Site of Special Scientific Interest, the Administration found it technically and environmentally infeasible to construct new water mains and sewerage system in the surrounding area for the provision of public toilets at the pier. He would refer members' suggestion on the provision of public toilets at LCCP or its nearby area to the relevant government departments, including the Agriculture, Fisheries and Conservation Department which was responsible for the management of the Sai Kung West Country Park, for holistic consideration.

### Construction and design

22. Noting that the construction cost of the improvement works at LCCP was \$108.8 million, which was \$31 million more than that of KSVP, the Deputy Chairman enquired about the reason for such a significant difference in the construction cost of the two projects.

23. PAS(W)2/DEVB and DH(P&L)/CEDD responded that LCCP would be longer and wider than KSVP. Therefore, more piles would be required to support the structure of LCCP (35 piles) as compared to that of KSVP (26 piles). Moreover, a floating platform instead of access ramp would be provided at LCCP, thus incurring higher construction cost.

24. Mr Frankie YICK commended that the provision of a floating platform in the design of LCCP could facilitate berthing of vessels and enhance safety of passengers, and enquired whether other PIP items would adopt the same design. He also asked whether mooring bollards would be installed at LCCP.

25. PAS(W)2/DEVB said that the provision of floating platform was a new initiative introduced under PIP, and would be less suitable for location with relatively rough sea condition. Subject to appropriateness of geographic location and views of the local communities, the Administration would consider providing floating platform in future pier improvement projects. DH(P&L)/CEDD added that mooring bollards were standard facilities at public piers and would be provided at LCCP.

26. Mr Martin LIAO noted that during the construction stage of the improvement works at KSVP and LCCP, the Administration would provide temporary piers at Kau Sai Village and Lai Chi Chong to maintain the kaito ferry service and for the use of other vessels. In this connection, Mr LIAO enquired about the design of the temporary piers and whether such temporary piers could cope with the ferry service demand.

27. DH(P&L)/CEDD responded that the Administration would build floating pontoons at the coastal areas near KSVP and LCCP respectively to serve as temporary piers during the construction stage of the proposed projects, and the dimension of a typical floating pontoon was around 20 m by 8 m. He supplemented that a temporary floating pontoon was being used at Pak Kok Pier on Lamma Island as the improvement works of the pier was currently underway, and it proved that the temporary floating pontoon could cope with the berthing need of the vessels.

#### Concluding remarks

28. The Chairman concluded that members in general supported the Administration to submit the funding proposals as detailed in the paper to the Public Works Subcommittee ("PWSC") for its consideration.

#### **V PWP Item No. 702CL — Kai Tak development — Infrastructure works for developments at the former runway and south apron — Landscaped elevated walkway to the new acute hospital**

(LC Paper No. CB(1)666/20-21(05) — Administration's paper on PWP Item No. 702CL — Kai Tak development — Infrastructure works for

developments at the former runway and south apron — Landscaped elevated walkway to the new acute hospital)

29. At the invitation of the Chairman, Deputy Head of Energizing Kowloon East Office, Development Bureau ("DH(EKEO)/DEVB") briefed members on the funding proposal for upgrading part of PWP Item No. 702CL to Category A, at an estimated cost of \$168.7 million in MOD prices, for the construction of a landscaped elevated walkway ("the proposed walkway") connecting to the new acute hospital ("NAH") being developed at the Kai Tak Development Area. With the aid of a powerpoint presentation, Chief Engineer/E3, Civil Engineering and Development Department then briefed members on the details of the proposed construction works.

*(Post-meeting note: A soft copy of the powerpoint presentation materials was circulated to members vide LC Paper No. CB(1)721/20-21(01) by email on 23 March 2021.)*

30. The Chairman reminded members that in accordance with Rule 83A of the Rules of Procedure of LegCo, they should disclose the nature of any direct or indirect pecuniary interests relating to the subjects under discussion at the meeting before they spoke on the subjects.

#### Design of the proposed landscaped elevated walkway

31. The Deputy Chairman expressed support for the funding proposal. Given that Kwun Tong Bypass Slip Road ("the Slip Road") over which the proposed walkway would span across was about 12 m in width, the Deputy Chairman queried about the need of constructing a walkway deck of almost 20 m, and whether the Administration would consider reducing the length of the walkway deck to lower its construction cost.

32. DH(EKEO)/DEVB and Project Manager (E), Civil Engineering and Development Department ("PM(E)/CEDD") replied that in view of the rather high traffic speed of the Slip Road, the Administration considered it dangerous for road users if at-grade crossing facilities were provided there. In light of the operational need of NAH, an elevated walkway across the Slip Road with two lifts was proposed to be constructed to facilitate persons in need (e.g. the elderly, wheelchair users, pregnant women and users with prams) to access NAH. As regards the length of the proposed

walkway, PM(E)/CEDD explained that in order to provide sufficient headroom space for the installation of the two lifts at the proposed walkway being constrained by Kwun Tong Bypass and its Slip Road, the walkway deck had to be further extended to the amenity area.

33. Mr LEUNG Che-cheung was concerned about the long waiting time that might be required for users to take the lifts provided at the proposed walkway given their limited carrying capacity. In this connection, Mr LEUNG enquired whether the pedestrian flow of the proposed walkway would be sufficient to justify the provision of an escalator; if so, the feasibility of constructing an escalator to replace one of the lifts at the proposed walkway and the cost difference between the two options. The Chairman said that unlike the proposed walkway which would be equipped with lifts only, a number of proposals of pedestrian connectivity facilities recently submitted to LegCo for scrutiny were equipped with both lifts and escalators.

34. DH(EKEO)/DEVB and PM(E)/CEDD advised that given the high construction cost, escalators would only be provided if the pedestrian flow of the relevant walkways had reached 3 000 persons per hour whereas that of the proposed walkway would be about 400 persons per hour. The provision of two lifts would be necessary to ensure the continued provision of lift service for those in need (e.g. persons in wheelchairs and with prams who were unable to use escalators) when one of the lifts was under repair. As such, it would be infeasible to replace a lift at the proposed walkway with an escalator. PM(E)/CEDD further explained that even upon the accommodation of a wheelchair, the capacity of one lift would be sufficient to cope with the pedestrian flow of the proposed walkway.

35. Mr Tony TSE said that he had long called for the provision of green features at footbridges. Noting that green features would be provided along the both sides of the proposed walkway, Mr TSE enquired about the Administration's considerations, such as the cost and ease of repair and maintenance, in deciding whether to provide green features in footbridge projects; and whether green features had become a standard provision in the relevant projects. Referring to the nuisance caused to users by emission of dust from soil surface of green features at footbridges that were more exposed to the wind (e.g. the footbridge connecting to the Hong Kong West Kowloon Station of the High Speed Rail), Mr TSE urged the Administration to improve the design of green features to make them more user-friendly. The Chairman also opined that in footbridge projects where green features would be provided, the Administration should give thoughts to the design of the green features, including the species of the plants to be grown and the irrigation methods to be adopted.

36. DH(EKEO)/DEVB and PM(E)/CEDD responded that green features would be provided at newly developed footbridges as far as possible. In considering whether green feature should be provided in footbridge projects, the Administration would take into account its implications on the maintenance work and construction cost of the relevant projects. As for the proposed walkway, a glazed canopy would be constructed to enhance penetration of natural light and therefore no green feature would be provided at its rooftop. Instead, planters of about three hundred-millimetre wide would be provided along the walkway. The Administration undertook to consider members' suggestions in the detailed design of the proposed walkway.

#### Tendering arrangement and implementation schedule

37. The Deputy Chairman expressed concern about the high construction cost of the proposed project. He questioned that the parallel tendering arrangement might affect the return tender prices as tenderers would set the bidding prices close to the project cost estimated by the Administration, which was disclosed to the tenderers before tender submission. In this connection, he requested the Administration to provide information on the comparison of the pre-tender cost estimates of public works projects made by the Administration and the price of the winning bids under the parallel tendering arrangement over the past three years.

38. PM(E)/CEDD said that in view of the relatively small scale of the proposed project, the Administration envisaged that keen participation of small- to medium-sized contractors in the tendering exercise would help deliver the project at a favourable price through competitive biddings. Besides, award of a contract to a tenderer would be based on the aggregate scores on both financial (i.e. tender price) and technical aspects (e.g. past performance of contractors) of the bids. The Administration undertook to provide the information requested by the Deputy Chairman after the meeting.

*(Post-meeting note: The Administration's supplementary information was circulated to members vide LC Paper No. CB(1)797/20-21(01) on 15 April 2021.)*

39. Mrs Regina IP enquired whether the implementation schedule of the proposed walkway would dovetail with that of NAH. DH(EKEO)/DEVB replied that the Administration planned to seek funding approval from the Finance Committee this year for completion of the proposed walkway

in around three and a half years in tandem with the construction programme of NAH, such that the implementation schedule of these two projects could dovetail with each other's.

#### Accessibility of the new acute hospital

40. Citing the dissatisfaction of some local residents on the inconvenience of accessing the Gleneagles Hong Kong Hospital in the Southern District, Mrs Regina IP enquired about the accessibility of NAH from neighbouring districts and how members of the public, in particular the elderly and persons with limited mobility, could access NAH by walking or public transport.

41. DH(EKEO)/DEVB and PM(E)/CEDD explained that pursuant to the development of the Kowloon Bay Action Area ("KBAA"), a pedestrian network comprising an elevated walkway at Sheung Yee Road to connect KBAA and another proposed elevated walkway at Siu Yip Street would be constructed. Members of the public in the Kowloon Bay hinterland could access NAH, the Hong Kong Children's Hospital and the Kowloon Bay waterfront area by walking via the elevated walkway at Sheung Yee Road and that across the Slip Road under the proposed project upon their completion. NAH was also accessible by various means of public transport including bus, taxi and green minibus ("GMB"). For instance, two GMB routes had an en-route stop at Cheung Yip Street, and three bus routes and two GMB routes had an en-route stop at Shing Cheong Road.

#### Submission of the funding proposal to the Public Works Subcommittee

42. The Chairman concluded that members in general supported the Administration to submit the funding proposal to PWSC for its consideration.

### **VI Building Drainage System Repair Subsidy Scheme**

(LC Paper No. CB(1)666/20-21(06) — Administration's paper on Building Drainage System Repair Subsidy Scheme)

43. At the invitation of the Chairman, Secretary for Development ("SDEV") gave an introduction on the Administration's proposal to launch the Building Drainage System Repair Subsidy Scheme ("DRS") with a non-recurrent commitment of \$1 billion earmarked in the 2021-2022 Budget to subsidize owners of old and dilapidated domestic (viz. residential or composite) buildings in repairing and/or upgrading the drains of their

buildings. With the aid of a powerpoint presentation, Deputy Secretary for Development (Planning & Lands)<sup>2</sup> then briefed members on details of the proposed DRS.

*(Post-meeting note: A soft copy of the powerpoint presentation materials was circulated to members vide LC Paper No. CB(1)721/20-21(02) by email on 23 March 2021.)*

#### Features of the proposed Scheme

44. Mr Vincent CHENG said that he was a non-executive director of the Board of the Urban Renewal Authority ("URA"). Expressing support for the launch of the proposed DRS, Mr CHENG was keen to ensure that the proposed DRS could help address the problem of misconnections of building drains which had aroused wide public concerns amid the Coronavirus Disease—2019 ("COVID-19") pandemic. In this connection, Mr CHENG called on the Administration to expedite the implementation of the Scheme as far as possible. Given that a majority of misconnections of building drains were related to the unauthorized connections of branch pipes in subdivided units ("SDUs"), Mr CHENG enquired about the scope of drainage rectification works to be covered under the proposed DRS as he was concerned that SDU owners could evade the responsibility of rectifying the misconnected branch pipes of their units if the rectification works to be carried out under DRS would also cover defective branch pipes serving individual SDUs.

45. The Deputy Chairman welcomed the launch of the proposed DRS. Expressing concern that DRS might encourage misconnections of drainage pipes, the Deputy Chairman enquired how the Administration would handle cases involving unauthorized connections of branch pipes serving individual units or located within SDUs. He urged the Administration to combat the problem at its source by strengthening enforcement actions against misconnections of drainage pipes by SDU owners (e.g. issuing statutory orders to and instigating prosecutions against the non-compliant building owners). Dr CHENG Chung-tai expressed a similar view.

46. Mr KWOK Wai-keung welcomed the launch of the proposed DRS. He pointed out that many defective drains were located within individual premises or at the connection points between branch pipes and common drains of old buildings. He suggested that the inspections to be conducted under DRS be extended to cover the drainage pipes within individual premises to help elderly owners of old buildings to identify the issue of drainage system in their flats.

47. SDEV replied that it was the responsibility of building owners, rather than SDU occupants, to maintain the drains of their buildings. The Buildings Department ("BD") would issue statutory orders requiring building owners to carry out drainage repair and/or rectification works as needed. Moreover, BD launched a territory-wide scheme to inspect the external drainage systems of buildings ("DIS") in June 2020 to proactively inspect the drains at the external walls of some 20 000 private residential or composite buildings exceeding three storeys. Under the proposed DRS, apart from accepting applications from eligible buildings with owners who were willing and able to organize the drainage investigation, repair and/or upgrading works ("drainage works") themselves (i.e. Category 1 buildings), BD would, on a risk basis, select buildings which had outstanding statutory orders for the common drains but the owners concerned had difficulties in coordinating the drainage works by themselves (i.e. Category 2 buildings) (e.g. "three-nil buildings"). BD would exercise its statutory power to carry out the requisite drainage works of Category 2 buildings for compliance of outstanding statutory drainage-related orders in default of the owners concerned.

48. SDEV further advised that DRS would subsidize 80% of the costs required for the drainage works, whereas the remaining 20% of the costs had to be borne by the building owners. In principle, the proposed DRS would not cover inspection of and works for drains serving individual units and located within individual premises. To minimize inconvenience caused to the building owners (e.g. obviating the need of a separate scaffolding), DRS would cover rectification works for both common drains of a building and branch pipes serving individual units that were not located within individual premises on condition that these branch pipes were located in proximity with the common drains where works were warranted. The Administration considered that the moral risks involved in conducting rectification works for branch pipes serving individual units would be limited given that the relevant building owners had to bear 20% of the cost under DRS. Special cases would be dealt with by BD on a case-by-case basis subject to the actual circumstances. For cases involving serious misconnections of drains, BD would issue statutory orders to the building owners concerned requiring them to make rectifications.

49. On Mr Vincent CHENG's enquiry about which party (i.e. BD or URA) would be responsible for inspecting the completed drainage works under the proposed DRS, SDEV and Director, Building Rehabilitation, URA ("D/BR/URA") responded that drainage works in Category 1 buildings would be undertaken by registered general building contractors or registered minor works contractors. Under the Minor Works Control



System, the registered contractors concerned had to submit a Certificate of Completion of Works ("the Certificate") to BD after completion of the drainage works. URA, the Government's partner in administering DRS, would reimburse the costs of the related works to the owners' corporations ("OCs") concerned upon production of the Certificate by the registered contractors. As for Category 2 buildings, BD would be responsible for the inspection of the drainage works carried out in those buildings.

50. Mr Tony TSE said that he was a non-executive director of the URA Board. Expressing support for the launch of the proposed DRS, Mr TSE considered that the reimbursement arrangement of the cost of works for Category 1 buildings might go against the original intention of DRS of encouraging building owners to repair and/or upgrade their drains as they had to make payment in advance. In this connection, Mr TSE requested the Administration to strive to complete the entire reimbursement process within two weeks.

51. D/BR/URA advised that the arrangement of reimbursing the cost of drainage works upon production of the Certificates by the registered contractors would obviate the need for building owners to undergo the cumbersome application procedures and better safeguard public funds. Moreover, given that the scale of the works under DRS was much smaller than that under Operation Building Bright 2.0 ("OBB 2.0"), the relevant drainage works should be completed within a short period of time and the amount of money required to be paid upfront by the building owners concerned would be limited. That said, URA would accord special consideration to cases where the building owners had difficulty in making payments for the works.

52. D/BR/URA further advised that similar to the arrangement under other URA-administered building rehabilitation schemes, reimbursement under DRS would be made within 30 days upon receipt of all required documents. While the said reimbursement timeframe was generally acceptable by building owners according to past experience, URA would strive to expedite the reimbursement process as far as possible.

53. In response to Mr Tony TSE's enquiry on whether the cost of works would be reimbursed to OCs or contractors for Category 1 buildings, D/BR/URA advised that as OCs would sign the works contract with contractors after collecting the requested funds from building owners, the related cost would be reimbursed to OCs.

54. Mr Tony TSE further enquired whether BD, in default of the owners of Category 2 buildings (particularly those of "three-nil buildings"), would

carry out the requisite works under the Mandatory Building Inspection Scheme ("MBIS") and DRS simultaneously. SDEV replied that for both Category 1 and Category 2 buildings, URA and BD would manage to dovetail the requisite works under MBIS funded by OBB 2.0 and DRS as far as possible.

55. Mr Holden CHOW welcomed the launch of the proposed DRS. He suggested that the Panel be briefed regularly on the progress of the drainage works carried out in Category 1 and Category 2 buildings. SDEV noted Mr CHOW's suggestion and assured members that the Administration would report to the Panel as appropriate.

#### Number of buildings to be benefited

56. Mr LEUNG Che-cheung enquired whether the estimated number of buildings to be benefited from the proposed DRS (i.e. 3 000 buildings) was based on the DIS results. Noting that there were some 530 Category 2 buildings as of end January 2021, Mr Holden CHOW enquired about the number of Category 1 buildings to be benefited from DRS.

57. SDEV responded that subject to passage of the Appropriation Bill 2021, DRS would be launched in May 2021. It was estimated that the \$1 billion fund earmarked for DRS would benefit owners of over 3 000 buildings assuming Category 1 and Category 2 buildings each accounting for about half of these buildings. BD believed that it would be able to select sufficient number of Category 2 buildings on a risk basis to carry out the drainage works.

#### Implementation approach

58. Mr Wilson OR welcomed the proposed DRS. While appreciating the adoption of the risk-based and proactive intervention approaches by the Administration in the implementation of DRS, Mr OR suggested that the Administration should provide specific guidelines for reference of the government departments concerned and URA to ensure that DRS would be properly executed in accordance with the said approaches. Pointing out that the coordination among government departments and the partner organizations concerned (e.g. URA or the Hong Kong Housing Society) in the implementation of various building rehabilitation schemes in the past was not satisfactory, Mr OR urged the Administration to learn from relevant experience and strengthen the coordination role of BD in DRS with a view to enhancing the cooperation among the government departments concerned and URA and achieving a more effective implementation of DRS.

59. SDEV replied that URA was the partner of the Government in the administration of various building rehabilitation schemes, and the said arrangement had enabled building owners to better coordinate the works under the relevant schemes (e.g. OBB 2.0 and DRS). In respect of the collaboration between BD and URA on the implementation of DRS, URA would only reimburse the cost of drainage works after the contractors concerned had completed the works and submitted the Certificate to BD. The Administration considered that the collaboration between BD and URA in various building rehabilitation schemes had been smooth. That said, the Administration welcomed members' views and would study how to further improve the cooperation between BD and URA.

60. Director of Buildings supplemented that the risk factors considered by BD in the selection of Category 2 buildings under the risk-based and proactive intervention approaches included the age of buildings, how long the non-complied BD statutory order(s) related to common drains had been expired, ability of building owners to coordinate the drainage works by themselves and whether the buildings were located in "specified areas" under the Prevention and Control of Disease Ordinance (Cap. 599) and its subsidiary legislations.

61. Expressing support for the launch of the proposed DRS, Mr Martin LIAO was concerned how the Administration would strike a balance between expediting the drainage works under DRS to prevent the spread of COVID-19 through defective drains and the need of averaging out the construction volume of these works to avoid pushing up the construction costs. Mr LIAO also enquired how the Administration would monitor the quality of drainage works carried out under DRS.

62. SDEV and D/BR/URA advised that of the over 3 000 buildings to be benefited from the proposed DRS, inspection or drainage works of about 300 buildings were targeted to be commenced in 2021, 700 buildings in 2022 and 800 buildings in 2023. The Administration would expedite the implementation progress of the drainage works as far as possible, having regard to the impact of the works on the construction costs and quality. On monitoring of quality of works, D/BR/URA advised that the drainage works in Category 1 buildings should be carried out by the registered contractors. To ensure the quality of works carried out under the Minor Works Control System, BD would randomly select the completed works for audit check. On the other hand, the drainage works in Category 2 buildings would be carried out by government contractors under the supervision of the default works consultants appointed by BD.

63. Dr Priscilla LEUNG expressed support for the launch of the proposed DRS. Pointing out that defective drains in old buildings and "three-nil buildings" had remained a long-unresolved problem after the outbreak of the Severe Acute Respiratory Syndrome in 2003 and the issue had aroused public concerns again amid the COVID-19 pandemic, Dr LEUNG urged the Administration to continue improving the drainage systems of old buildings when the pandemic was over with a view to tackling the issue of defective drains thoroughly.

64. SDEV responded that the Administration had implemented various measures, such as DIS and OBB 2.0 (which included the provision of financial assistance to building owners to undertake drainage works) that sought to improve the drainage systems of buildings. However, as funding under OBB 2.0 could be deployed for use in various aspects of a building (e.g. structural elements), the resources available for drainage works would inevitably be thinned out. As such, the Administration proposed to introduce DRS that would dedicate to subsidizing the drainage works of old and dilapidated buildings. He assured members that the Administration would continue its efforts on the improvement of building drainage system.

65. Mr Holden CHOW was concerned whether the provision of financial incentives alone would be sufficient to encourage owners of Category 1 buildings to carry out drainage works under the proposed DRS to rectify the defective drains of their buildings which had been posing a health hazard in the community. He enquired the next course of action to be taken by the Administration should the building owners concerned not take the initiative to apply for DRS.

66. SDEV explained that should building owners fail to comply with statutory orders, BD might exercise its statutory power to carry out the requisite works in default of the owners concerned or instigate prosecutions against these owners.

#### Subsidy level

67. Noting that a subsidy cap on a "per-building" basis based on the number of domestic units of a building would be set under the proposed DRS and the subsidy level per unit for a building with a smaller number of units would be higher than that with a larger number of units, the Deputy Chairman enquired how the proposed subsidy level was determined.

68. SDEV advised that the subsidy level of DRS was determined based on the implementation experience of other building rehabilitation schemes (e.g. OBB 2.0), and having regard to the economies of scale if drainage works were carried out in buildings with a larger number of domestic units (i.e. lower average costs per unit for these buildings as the common costs of works could be shared among more units).

69. The Chairman appreciated the timely introduction of the proposed DRS by the Administration with a view to addressing the issue of defective drains. He was concerned how the Administration would handle cases involving Category 2 buildings, particularly those of "three-nil buildings", where the owners concerned were unwilling or unable to bear 20% of the costs of drainage works. Mr KWOK Wai-keung enquired if subsidy schemes other than DRS were available for needy building owners to undertake drainage works. Mr Martin LIAO asked whether the Administration would follow the arrangement of OBB 2.0 by providing a higher level of subsidy under DRS to elderly building owners aged 60 or above.

70. SDEV replied that according to past experience, BD was usually able to recover the cost of default works from the building owners concerned. When compared to OBB 2.0, as the amount of subsidy allocated to each owner under the proposed DRS would be limited, the Administration had adopted a simple approach by standardizing the subsidy level on a "per-building" basis without imposing live-in and age requirements on applicants. For owners with financial difficulties in repaying the cost of default works, they could apply for other building rehabilitation assistance schemes such as the means-tested Building Maintenance Grant Scheme for Needy Owners with a maximum grant of \$80,000 per case.

#### Eligibility criteria

71. Pointing out that some buildings aged 30 years or above might have completed the drainage works under OBB 2.0, Mr LEUNG Che-cheung said that there was an overlap in the coverage of DRS and OBB 2.0. He also enquired if the eligibility criteria of DRS would be relaxed to cover residential or composite buildings aged below 40 years. Mr Michael TIEN called on the Administration to consider extending the coverage of DRS to buildings aged 30 years or above such that more buildings could benefit from the Scheme.

72. SDEV indicated that generally speaking, drainage systems of younger buildings were in better condition and buildings with higher

rateable values ("RV") were in lesser need of subsidy for building rehabilitation. For prudent use of public funds and adhering to the risk-based approach, the Administration would adopt the same set of eligibility criteria of OBB 2.0 (i.e. buildings aged 40 years or above on condition that the average RV of the domestic units of these buildings did not exceed \$162,000 for buildings in urban areas and \$124,000 for buildings in the New Territories at 2017-2018 level) for the proposed DRS. At present, there were about 12 700 private domestic buildings aged 40 years or above in Hong Kong and DRS would cover some 80% of these old buildings. SDEV assured members that the Administration would consider extending the coverage of DRS to include younger buildings or injecting additional funding into DRS depending on the response to the Scheme, spending position of the approved funding commitment and the financial position of the Government.

#### Enhancement of drainage standards

73. Noting that the proposed DRS would cover the cost of works carried out to upgrade the existing drains in accordance with the enhanced design standards promulgated in a practice note to be issued by BD shortly, the Chairman enquired when the practice note would be issued.

74. Director of Buildings advised that BD was consulting the industry on a draft practice note, and the finalized practice note was expected to be issued in May this year to promulgate the enhanced design standards of floor drains, anti-syphonage pipes, branch discharge pipes and ventilating pipes of the aboveground drainage system.

75. Dr CHENG Chung-tai noted that the Administration would introduce legislative amendments to the extant Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123I) ("Drainage Regulations") in the coming legislative session to enhance the drainage standards. In this connection, Dr CHENG enquired whether the new Drainage Regulations would only apply to new buildings and not existing buildings as he was concerned that the requirement of repairing and/or upgrading the plumbing system (e.g. water pump) in common areas of old buildings imposed by the new Drainage Regulations would pose a financial burden to owners of these buildings.

76. SDEV explained that under the grandfathering arrangement, the extant Drainage Regulations would continue to apply to existing buildings and the proposed new Drainage Regulations would apply to new buildings and existing buildings with major retrofitting works. That said, owners of

existing buildings would be encouraged to adopt the enhanced design standards when carrying out the drainage works.

#### Implementation of drainage inspection scheme

77. Mr Wilson OR urged BD to expedite the inspection progress of the two-year DIS. SDEV said that DIS was launched in June 2020 and targeted for completion in around June 2022. BD's consultants had completed inspection of about 5 000 buildings as of end February 2021. While BD would strive to expedite the inspection progress, it was unable to provide a compressed schedule at this stage.

78. The Chairman sought details of the conditions of the drainage systems of the said 5 000 buildings. SDEV advised that BD had so far reviewed the consultants' reports of about 1 800 buildings. Of these buildings, about 10% warranted serving of advisory letters by BD and 7% for statutory orders. Further information on the inspection results of DIS would be provided to the Panel in due course.

79. Concluding the discussion, the Chairman said that members in general supported the proposed DRS. He hoped that DRS could be launched as early as possible to benefit more buildings.

*[At 4:28 pm, the Chairman said that he would "draw a line" for members' enquiries. He would allow members who had indicated their intention to speak to raise questions.]*

*[At 4:54 pm, the Chairman proposed to extend the meeting time until the last member who had requested to speak had spoken. Members raised no objection.]*

#### **VII Any other business**

80. There being no other business, the meeting ended at 5:03 pm.