

立法會
Legislative Council

LC Paper No. CB(1) 2219/00-01
(These minutes have been seen
by the Administration)

Ref : CB1/PL/PLW/1

Legislative Council
Panel on Planning, Lands and Works

Minutes of special meeting
held on Monday, 11 June 2001 at 10:45 am
in the Chamber of the Legislative Council Building

Members present : Dr Hon TANG Siu-tong, JP (Chairman)
Ir Dr Hon Raymond HO Chung-tai, JP
Hon LAU Wong-fat, GBS, JP
Hon Timothy FOK Tsun-ting, SBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Albert CHAN Wai-yip
Hon IP Kwok-him, JP

Members absent : Hon LAU Ping-cheung (Deputy Chairman)
Hon James TO Kun-sun
Hon WONG Yung-kan

Public officers attending : **Agenda Item II**

Mr W S CHAN
Deputy Secretary for Works (Works Policy)

Mrs May TAM
Legal Adviser (Works)

Mr Helius Kai-ming NG
Principal Assistant Secretary for Works
(Professional Services)

Agenda Item III

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

Mr Augustine NG
Assistant Director/Territorial & Sub-Regional
Planning Department

Ms Maria SIU
District Planning Officer/Tsuen Wan and West Kowloon
(Ag)

Ms Rita LAI
District Lands Officer/Kwai Tsing (Ag)

Clerk in attendance : Miss Salumi CHAN
Chief Assistant Secretary (1)5

Staff in attendance : Mrs Queenie YU
Senior Assistant Secretary (1)6

Action

I. Draft Report of the Panel on Planning, Lands and Works for submission to the Legislative Council in July 2001
(LC Paper No. CB(1) 1437/00-01(01))

The Chairman invited members' comments on the draft report of the Panel for submission to the Legislative Council (LegCo) on 4 July 2001.

2. Members endorsed the draft report, subject to the project cost of "\$39.17 million" in paragraph 21 of the draft report be amended as "\$3,917 million". Members also authorized the Chairman to incorporate into the report the Panel's major deliberations made at the special meetings on 11 June and 13 June 2001.

II. Creation of supernumerary directorate posts in Works Bureau

- (LC Paper No. CB(1)487/00-01 — Construct for Excellence — Report of the Construction Industry Review Committee
- Legislative Council Brief — Report of the Construction Industry Review Committee
- LC Paper No. CB(1)1437/00-01(02) — Paper provided by the Administration)

3. The Chairman advised that the Construction Industry Review Committee (CIRC) had, in its report published in January 2001, recommended 109 improvement measures to lift the quality and cost-effectiveness of the construction industry. The Administration then issued on 7 June 2001 a LegCo Brief setting out the strategy in taking forward the recommendations. In this connection, the Administration planned to submit its proposal to create three supernumerary directorate posts in the Works Bureau (WB) to study, assess and implement the recommendations to the Establishment Subcommittee (ESC) for consideration at its meeting on 20 June 2001.

4. The Deputy Secretary for Works (Works Policy) (DSW) said that WB had been appointed as the lead agency within the Administration to co-ordinate with relevant bureaux and departments on all construction-related matters, and to co-ordinate the implementation of the CIRC's recommendations. In order to provide the dedicated support to the Secretary for Works in performing these functions, the Administration proposed to create three supernumerary directorate posts in WB for a period of three years and a core team of nine non-directorate posts to provide administrative, professional and general support. The Administration would review after three years the progress of implementation of the CIRC's recommendations and the need for these posts. DSW then briefed members on the background and justifications of the proposal as detailed in the LegCo Brief and the paper.

General views

5. Members generally supported the CIRC's recommendations. Mr Abraham SHEK Lai-him said that the construction industry was in support of the recommendations and urged that the implementation of the improvement measures be expedited. Mr TAM Yiu-chung also said that representatives of both the Hong Kong Construction Industry Employees General Union and the Hong Kong Construction Association Limited had expressed their support for implementation of the recommendations.

Justifications for the staffing proposals

6. Mr Albert CHAN Wai-yip queried the justifications for the staffing proposals. In his opinion, the creation of the proposed posts would not put an end to building

problems of public housing units caused by corruption. DSW explained that the CIRC's comprehensive change programme comprising 109 improvement measures aimed at transforming the construction industry into a modern, safe, innovative, efficient, environmentally responsible and client-oriented industry. Citing examples of successful infrastructure works projects in Hong Kong, DSW pointed out that only a very small number of individual works projects had caused problems. The purpose of the proposed measures was to enhance the overall quality and efficiency of the construction industry to meet the changing needs of the economy. Ultimately, the improvement would benefit the community.

Involvement of WB

7. Referring to Annex A of the LegCo Brief, Mr Albert CHAN expressed concern that less than 20% of the 109 improvement measures required direct input from WB. DSW advised that taking into account those improvement measures for which "Government", "client organizations" or "major clients" was named as the implementing party, WB would be involved in the implementation of 65 improvement measures, i.e. 60% of the 109 measures recommended by the CIRC. The proposed new Industry Review Division of WB would act as an overall co-ordinator for the implementation of the 109 measures. As part of this role, it would closely monitor progress of implementation and conduct a full review of overall progress in three years.

8. Mr Albert CHAN was not convinced that the workload involved would justify the proposed creation of the three directorate and nine non-directorate posts, as many improvement measures were on-going and required not so much input from WB as a co-ordinator. He said that to his knowledge, the term "clients" as used in designating the implementing parties in the CIRC report referred to professional bodies rather than the Government. DSW explained that developers in the private sector, as well as Government bureaux and departments in particular the WB and works departments, the Housing Authority, and other public sector bodies such as the Kowloon-Canton Railway Corporation (KCRC) might be designated as "clients" in works contracts. At the request of members, DSW undertook to provide, before submitting the staffing proposals to ESC, additional information on -

- (a) the term "clients" as used in designating the parties for implementing specific improvement measures recommended by the CIRC;
- (b) the role of the WB as the overall co-ordinator in implementing the change programme; and
- (c) the number of specific improvement measures for which the WB would be involved in implementation.

(*Post-meeting note:* The information provided by the Administration was circulated to members vide LC Paper CB(1) 1546/00-01 on 14 June 2001.)

Proposed creation of three supernumerary directorate posts

9. Responding to Mr IP Kwok-him, DSW explained the main duties and responsibilities of the proposed posts of Deputy Secretary (Industry Review), Chief Assistant Secretary (Industry Review) and Deputy Principal Government Counsel (Industry Review) (DPGC/IR) as detailed in Enclosures 2, 3 and 4 of the paper. Mr IP noted that there were two DPGCs in the Legal Advisory Division of WB and queried the need for the creation of an additional DPGC post in the Division. DSW advised that with the coming on stream of a number of major infrastructure projects such as Routes 9 and 10 projects, and the Hong Kong Disneyland project, the two existing DPGCs would be heavily engaged in the drafting of works contracts and consultancy agreements in the next few years. The Legal Adviser (Works) also pointed out that the Legal Advisory Division of WB provided legal services to seven works departments, as well as advising other departments on their construction projects. The existing two DPGCs were heavily engaged in drafting and vetting of contract documents, dispute resolution arising from the contracts as well as advising on interpretation and contractual matters relating to works contracts. An additional DPGC post was therefore required to advise on the legal aspects of the CIRC's recommendations.

Proposed creation of nine non-directorate posts

10. Whilst appreciating the need to provide additional professional and technical support for implementing the CIRC's recommendations, Mr TAM Yiu-chung considered that the proposed creation of three directorate and nine non-directorate posts were on the high side. He asked for more details of the proposed non-directorate posts.

11. DSW advised that the nine non-directorate posts (one Senior Administrative Officer, three Senior Engineers, three Personal Secretaries and two Clerical Officers) were proposed to provide the administrative, professional and general support mainly to the proposed new Industry Review Division of WB in taking forward the CIRC's recommendations. Given the scope and complexity of the improvement measures and the time constraint for implementing the measures within three years, deployment of existing staff to absorb all the additional workload would not be feasible. Nevertheless, the workload arising from the implementation of some of the less complicated improvement measures would be absorbed by existing staff of the Works Policy Division of WB. DSW assured members that the non-directorate posts, if created, would also be subject to review in three years.

III. Proposed construction of a cement plant and a concrete batching plant in Tsing Yi

(LC Paper No. CB(1)1437/00-01(03) — Paper provided by the Administration)

12. The Chairman said that the subject under Agenda Item III was referred to the Panel for consideration after being discussed at the LegCo Members' meeting with Kwai Tsing District Council (KTDC) members on 1 February 2001. He drew members' attention to a group of KTDC members' submission tabled at the meeting.

(Post-meeting note: The submission was circulated to members vide LC Paper CB(1) 1507/00-01 on 12 June 2001.)

13. The Principal Assistant Secretary (Lands) of Planning and Lands Bureau (PAS/PLB) referred members to the paper provided by the Administration responding to the concerns and suggestions raised by LegCo Members and KTDC members on the subject. He pointed out that the proposed land use of Tsing Yi Town Lots (TYTL) 161 and 162 had been included in the Application List for the 2001 Land Sale Programme. Relevant departments considered the proposed use of the two lots for concrete/asphalt production compatible with the surrounding land uses. As the two sites were some two kilometers from the nearest residential area with a natural barrier of hills between them, the proposed land use would not have any adverse impact on the residential area. As regards TYTL 102, the lot owner's application for converting part of the lot into a concrete batching plant had been approved by the Town Planning Board (TPB) in January 2001 for a period of 5 years on condition that the plant could not operate before the commissioning of the Tsing Yi North Coastal Road scheduled for completion by early 2002. However, the lot owner's application for a temporary modification of the lease in accordance with the TPB's approved scheme was being considered by the Lands Department.

14. With visual aid equipment, the District Lands Officer/Kwai Tsing (Ag) (DLO/KT(Ag)) and the District Planning Officer/Tsuen Wan and West Kowloon (Ag) (DPO/TWK(Ag)) briefed members on the proposed land use of the three sites concerned as detailed in the paper and the land use history of the Tsing Yi Island respectively.

TYTL 161 and 162

Pollution problem

15. Mr TAM Yiu-chung shared the concern of KTDC members that the commissioning of the new concrete batching plants would aggravate the pollution problem caused by the 400 concrete vehicles serving two existing concrete plants in Tsing Yi. He asked whether the Administration considered that there was a shortage

of concrete plants in Tsing Yi. PAS/PLB responded that in deciding whether a site was suitable for concrete production, the relevant bureaux and departments would assess carefully the compatibility of the proposed land use with the surrounding areas and whether the provisions of the environmental protection legislation would be complied with. In this regard, TYTL 161 and 162 were considered suitable as the two sites had been zoned for industrial use and were far away from residential areas.

Impact on traffic

16. Referring to paragraph 6 of the paper where it was mentioned that transportation of raw materials to the two proposed concrete batching sites was likely to be by sea with minimal impact on land traffic, Mr TAM Yiu-chung pointed out that transportation of finished products to other districts would unavoidably increase the demand for land traffic. PAS/PLB responded that concrete vehicles were expected to use the two Tsing Yi South Bridges to go to urban areas. It was not expected to have a significant impact on the residential areas as the most direct route from TYTL 161 and 162 to the two South Bridges would not pass through residential area. Moreover, there were provisions governing cleansing requirements for concrete vehicles before leaving work sites.

17. The Chairman considered that the Administration should not exclude the possibility that concrete vehicles might choose a shorter routing to other New Territories areas via the Tsing Yi North Bridge which was adjacent to residential areas. PAS/PLB said that even if that happened, concrete vehicles would gain access to the highways at the roundabout and would not enter the residential areas in North Tsing Yi. Mr Albert CHAN held the view that residents in North Tsing Yi would be adversely affected by additional traffics unless administrative measures would be implemented, as a condition for leasing TYTL 161 and 162, to allow concrete vehicles to use Tsing Yi South Bridges only. PAS/PLB undertook to consider Mr CHAN's proposal in consultation with relevant departments. Ir Dr Raymond HO Chung-tai was of the view that the problem could have been avoided if the Administration had a good planning on the land use of Tsing Yi in the light of its population growth.

Admin

18. To address the concern of KTDC members, Mr TAM Yiu-chung asked whether the Administration would put on hold its plan to dispose the sale of TYTL 161 and 162. PAS/PLB responded that initially the two sites had been included in the 2001 Land Sale Programme and scheduled for sale through tender in August 2001. In view of the local concerns, the Administration was considering disposal of the sites by short leases rather than by sale so as not to hamper any long-term development in the future.

TYTL 102

19. The Chairman said that according to some local residents, TYTL 102 was planned for development of a park and the proposed concrete batching plant would not

be compatible with the development. PAS/PLB clarified that the former site of Tsing Yi Shipyard further down the proposed site was planned for the development of a park.

20. The Chairman and Mr Albert CHAN requested the Administration not to approve the lot owner's application for lease modification. Mr CHAN pointed out that the approval of the application would deviate from the established principle of relocating potentially hazardous industries away from residential areas. In his opinion, the existing concrete plants in Tsing Yi had already adversely affected the residents in North Tsing Yi and Tsuen Wan. The commissioning of Tsing Yi North Coastal Road would not help resolving completely the traffic and pollution nuisances produced by concrete vehicles, as the vehicles would need to gain access through residential areas to the Tsing Yi North Coastal Road. Mr CHAN therefore objected to any planning of pollution-prone industry in Tsing Yi. PAS/PLB assured members that the Administration would take into account the views of Members and relevant parties before making a decision on whether to approve the application.

Admin

IV. Any other business

21. In view of the heavy rainfalls in the past week which caused serious territory-wide flooding problems, Mr IP Kwok-him suggested that a special meeting be arranged to discuss with the Administration on the flood control and prevention strategy and measures. Members agreed that a special meeting be scheduled for the purpose for Wednesday, 13 June 2001 at 9:00 am. Mr TAM Yiu-chung requested the Secretariat to compile information on the locations of the flooding incidents for members' reference.

22. There being no other business, the meeting ended at 12:15 pm.

Legislative Council Secretariat

7 November 2001