

立法會
Legislative Council

LC Paper No. CB(1) 849/02-03

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by the Administration)

Ref : CB1/PL/PLW/1

Panel on Planning, Lands and Works

**Minutes of special meeting
held on Tuesday, 14 January 2003 at 3:00 pm
in the Chamber of the Legislative Council Building**

Members present : Dr Hon TANG Siu-tong, JP (Chairman)
Hon LAU Ping-cheung (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Ir Dr Hon Raymond HO Chung-tai, JP
Hon Timothy FOK Tsun-ting, SBS, JP
Hon WONG Sing-chi
Hon IP Kwok-him, JP

Members attending : Dr Hon David CHU Yu-lin, JP
Hon Cyd HO Sau-lan
Hon Margaret NG
Hon CHAN Yuen-han, JP
Dr Hon Philip WONG Yu-hong
Dr Hon YEUNG Sum
Hon Emily LAU Wai-hing, JP
Hon Henry WU King-cheong, BBS, JP

Members absent : Hon James TO Kun-sun
Hon WONG Yung-kan
Hon LAU Wong-fat, GBS, JP
Hon CHOY So-yuk
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Albert CHAN Wai-yip

Public officers attending : Agenda Item I

Dr Sarah LIAO Sau-tung, JP
Secretary for the Environment, Transport and Works

Mr Y C LO, JP
Permanent Secretary for the Environment,
Transport and Works (Transport & Works)

Mr K K KWOK
Deputy Secretary for the Environment,
Transport and Works (Transport & Works) W1

Mr W S CHAN
Deputy Secretary for the Environment,
Transport and Works (Transport & Works) W2

Mr Clement CHEUNG
Deputy Secretary for the Environment,
Transport and Works (Transport & Works) W3

Agenda Item II

Mr Michael SUEN, GBS, JP
Secretary for Housing, Planning and Lands

Mr John TSANG, JP
Permanent Secretary for Housing, Planning and Lands
(Planning and Lands)

Mr Thomas TSO, JP
Deputy Secretary for Housing, Planning and Lands
(Planning and Lands) 1

Miss CHEUNG Siu-hing
Deputy Secretary for Housing, Planning and Lands
(Planning and Lands) 2

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

Staff in attendance : Ms Pauline NG
Assistant Secretary General 1

Mrs Queenie YU
Senior Assistant Secretary (1)6

Miss May LEUNG
Legislative Assistant

Action

I. Policy briefing by the Secretary for the Environment, Transport and Works on the relevant policy initiatives featuring in the Chief Executive's 2003 Policy Address

(Paper provided by the Administration for the meeting

LC Paper No. CB(1)706/02-03(01)

Other relevant documents

- (a) Address by the Chief Executive at the Legislative Council meeting on 8 January 2003 — "Capitalising on Our Advantages, Revitalising Our Economy"
- (b) The 2003 Policy Address — "Policy Agenda"
- (c) Progress Report on Policy Objectives (2001))

Briefing by the Secretary

The Secretary for the Environment, Transport and Works (SETW) briefed members on the major policy initiatives on the works portfolio for the coming year. She highlighted the following measures for speeding up the delivery of public works:

(a) Project planning and design

To rectify the current situation where projects were often delayed due to changes to the project scope and specifications after the completion of feasibility studies, the Environment, Transport and Works Bureau (ETWB) would formulate rules requiring bureaux and departments not to make such changes unless absolutely necessary and under unforeseen circumstances. On project design, works departments would be required to set up a high level working group to examine the preliminary design and engineering options for large-scale public works projects. The value management approach would be more widely adopted to formulate cost-effective engineering options.

(b) Periods for raising and resolving objections

To further expedite the delivery of public works projects, ETWB would introduce proposed amendments to the Foreshore and Sea-bed (Reclamations) Ordinance (Cap.127) and the Roads (Works, Use and Compensation) Ordinance (Cap. 370) to shorten the current statutory period for raising and resolving objections to road and reclamation projects by six to nine months. The Foreshore, Sea-bed and Roads (Amendment) Bill would be presented to the Legislative Council for first reading in February 2003.

(c) Tender evaluation

The Contractors' Performance Index System was established to provide a ready indication of contractors' performance standard for reference by the project office and relevant tender board in tender evaluation.

(d) Project management

A partnership approach would be adopted for project participants to work as a team so as to minimize contract disputes and compensation claims. On the other hand, ETWB would update the computerized Public Works Management System to provide more up-to-date and comprehensive project management information to other bureaux and departments to facilitate effective project management.

SETW said that ETWB and the works departments would ensure that public works projects would be implemented safely, timely and cost-effectively.

2. SETW also pointed out that as water was essential for life, the Government attached great importance to the provision of adequate and reliable water supply. The Total Water Management programme would be implemented to ensure the provision of adequate water supply to meet the long-term demand arising from population growth. Moreover, technologies for recycling and desalination would be examined through pilot schemes. One of the pilot schemes would be introduced under the proposed project of water supply to Ngong Ping. It would include pioneer facilities for reusing treated wastewater for flushing, landscape irrigation and other possible non-potable uses. The Government would assess the cost-effectiveness of recycling and the extent of public acceptance before deciding the way forward.

3. SETW advised that each year, local construction industry produced about 14 million tonnes of construction and demolition (C&D) materials that could be recycled for use in construction projects. In order to minimize the impact on the environment and to help preserve natural resources, the Government had been promoting the use of recycled C&D materials in public works projects. The first temporary recycling plant had commenced operation in Tuen Mun Area 38. The

recycle aggregates would be used in public works projects. It was hoped that the private companies would follow this practice.

4. SETW also informed members that from January 2003, ETWB was responsible for the implementation of greening policies. A high-level Steering Committee on Greening had been set up in December 2002 to formulate and coordinate greening policies and initiatives. The Steering Committee was chaired by the Permanent Secretary for the Environment, Transport and Works (Transport and Works) (PSETW(TW)) and comprised members from 17 bureaux and departments. It would strive to enlist community and private sector support on the implementation of greening initiatives.

Government's investment in public works projects and employment opportunities for construction workers

5. Referring to the Government's target of spending an average of \$29 billion per year on Capital Works Programme (CWP) for the five financial years from 2002-03 to 2006-07, Ir Dr Raymond HO Chung-tai enquired about the progress made and asked whether the target for the current financial year could be reached by end of March 2003. PSETW(TW) advised that from 1 April to 31 December 2002, around \$20.6 billion had been spent on projects under CWP, representing 72.3% of the total approved provision of \$28.5 billion for 2002-03. The Administration was confident that the remaining provision could be spent by end of March 2003. Ir Dr HO appreciated the progress made. To enable members to have a better understanding of the situation, Ir Dr HO requested the Administration to provide a breakdown of the \$20.6 billion by project and cost. PSETW(TW) agreed to provide the information after the meeting.

6. Referring to the Policy Agenda, Mr WONG Sing-chi noted that the Administration would re-engineer the methodology for the planning and implementation of infrastructural projects with a view to improving efficiency and cost-effectiveness. He was concerned that the measures to achieve cost-effectiveness would result in pay reduction of the construction workers. SETW clarified that the objective of the re-engineering initiative was to improve efficiency and cost-effectiveness of infrastructural projects, but not to reduce the pay of the workers concerned. The Deputy Secretary for the Environment, Transport and Works (Transport & Works)W3 added that the Construction Industry Review Committee had outlined in its report 109 improvement measures to bring about a cultural change to the construction industry through upgrading its efficiency, productivity, cost-effectiveness, quality and performance. The Administration had then put in place measures in the following three major areas to assist construction workers:

- (a) To enhance the quality of construction workers and combat employment of illegal workers through a mandatory Construction Workers Registration System;
- (b) To promote multi-skill development in related trades as well as to equip workers with the necessary skills in anticipation of new projects, such as, the Disney Theme Park; and
- (c) To improve management of subcontracting through two new initiatives, namely, the issue of guidelines on subcontracting practice and introduction of a voluntary subcontractors registration scheme to upgrade the professional standard of subcontractors through a structured system of capability assessment, performance tracking and regulatory procedures. Furthermore, public works contractors would be required to provide information on their subcontracting arrangements, including procedures available to monitor wage payment and resolve disputes with workers, in their tender submission.

7. Being concerned about the high unemployment rate in the construction industry, Mr WONG Sing-chi requested the Government to assist the industry to tide over the present difficulties. SETW pointed out that the Government was equally concerned about the issue and had commenced more maintenance works projects, such as painting and repair works for bridges, to create more job opportunities for construction workers. Nevertheless, the revival of the construction industry depended not only on public works projects, but also private sector projects. In view of the fact that the number of private sector projects had been significantly reduced in recent years, Mr LAU Ping-cheung suggested the Government to invest more in infrastructural projects and maintenance works projects. In his view, procurement of equipment from overseas should be accorded a lower priority. SETW assured members that the Government would strive to achieve the effective use of resources.

8. Mr WONG Sing-chi and Mr Henry WU King-cheong considered that the Government should take a more proactive role to create and provide more employment opportunities for construction workers. PSETW(TW) advised that under the Government's spending programme of \$147 billion for the coming five years, about 40 000 man-years of manual labour in the current financial year would be required and the figure would progressively increase to 44 000 man-years in 2004-05. Apart from manual labour, about 4 000 man-years of professional and technical staff per year would be required for the planning, design and supervision of the projects. Ir Dr Raymond HO suggested the Government to consider providing more job opportunities for workers by investing in labour-intensive projects and outstanding capital works projects of the former Municipal Councils.

Measures to speed up the delivery of public works

9. Whilst appreciating the measures put forward by the Government to expedite the delivery of public works projects, Mr IP Kwok-him pointed out that some major projects, such as the construction of the Central-Wanchai Bypass, had little progress. He was concerned how Hong Kong could keep up with the development pace of other major international cities, such as Shanghai. SETW pointed out that Hong Kong, being a developed city, had a set of established procedures for implementing infrastructural projects. The procedures, including public consultation, were necessary to ensure that the projects were well-planned and cost-effective, and that the public had the opportunity to express their views. However, the Administration saw the need to reduce the time required for the whole process, and therefore, had/would put in place the measures/legislative proposal mentioned in paragraph 1 above. As regards the project mentioned by Mr IP, SETW advised that it was the Central Reclamation Phase III project which would provide land along the harbour front for the construction of the Central-Wanchai Bypass. Following public consultation, the details of the project had been revised. The Territory Development Department was assessing tenders for the project.

Use of recycled construction and demolition materials

10. Ir Dr Raymond HO welcomed the Government's initiative to promote the use of recycled C&D materials in public works projects so as to minimize the impact of the works on the environment and help preserve natural resources. He suggested the Government to provide more incentive for contractors to bring in more C&D materials for recycling and reuse in construction projects.

Slope safety

11. Ir Dr Raymond HO appreciated the sustained efforts made by the Government in improving slope safety to reduce the landslide risk in the past two decades. As the upgrading and maintenance works had been conducted since 1977, Ir Dr HO considered it necessary for the Administration to review the situation. SETW agreed that there was a need for the review. She pointed out that she had already asked the Civil Engineering Department to conduct a comprehensive review and re-prioritize the upgrading and maintenance works to ensure the effective use of resources. Ir Dr HO considered that priority should be given to man-made slopes. PSETW(TW) advised that the 10-year Extended Landslip Preventive Measures Programme had been progressing well with some 250 substandard government slopes upgraded and over 300 private slopes safety screened per year. A total of \$0.8 to \$0.9 billion would be spent on slope safety improvement for the financial year of 2002-03. As regards the maintenance works to combat natural terrain landslide hazards, the works would be carried out on a need basis.

Greening policy

12. Indicating his support for greening policy, Mr Henry WU asked whether the greening policy would apply to new schools under the School Improvement Programme (SIP). SETW advised that for each public works project, including a SIP project, part of the allocated provision was for greening works. The Steering Committee on Greening would advise the project team on the required beautification and planting work.

(Post-meeting note: The information provided by the Administration in response to members' request in paragraph 5 was issued vide LC Paper No. CB(1)790/02-03 on 23 January 2003.)

II. Policy briefing by the Secretary for the Housing, Planning and Lands on the relevant policy initiatives featuring the Chief Executive's 2003 Policy Address

(Paper provided by the Administration for the meeting

LC Paper No. CB(1)706/02-03(02)

Other relevant documents

- (a) Address by the Chief Executive at the Legislative Council meeting on 8 January 2003 — "Capitalising on Our Advantages, Revitalising Our Economy"
- (b) The 2003 Policy Address — "Policy Agenda"
- (c) Progress Report on Policy Objectives (2001))

13. Referring to the paper provided by the Administration on the major policy initiatives of the Housing, Planning and Lands Bureau for the coming five years, the Secretary for Housing, Planning and Lands (SHPL) said that he was pleased to answer questions from Members.

Town planning

14. Given the important role of the Town Planning Board (TPB) in the town planning process in Hong Kong, Mr IP Kwok-him asked how the operation of TPB could be enhanced to expedite the process. SHPL advised that the Administration had introduced a Town Planning Bill to LegCo in February 2000 proposing an overhaul of the statutory planning system, including proposed measures to enhance the openness and efficiency of the town planning process. Due to the complexity of the issues involved, the Bills Committee formed to study the Bill was not able to complete scrutiny of the Bill within the last term of LegCo. The Bill lapsed upon the end of the last term. Having examined the views of the public, the trade and the Bills Committee, the Administration planned to amend the Town Planning Ordinance (TPO) (Cap.131) in stages, giving priority to those amendments which had general consensus and would

produce more immediate benefits to the community. It aimed to introduce the Stage One Amendments, including amendments that would streamline and shorten the town planning process, and enhance openness of the planning system, into LegCo in the current legislative session.

15. Mr IP Kwok-him was concerned whether the proposed legislative proposals would effectively streamline the existing lengthy statutory planning procedures and shorten the whole process. SHPL advised that the Stage One Amendments to TPO would streamline and shorten the town planning process by standardizing the publication period of new and amendment plans for public comments to one month, and by condensing the objection handling process. Subject to Members' support of the proposed amendments, the development approval process would be expedited.

16. Ir Dr Raymond HO considered that effective planning by the Administration would have significant impact on the environment and the livelihood of the community. Referring to the Administration's reply to an oral question raised at the Council meeting on 6 November 2002 that the Government had spent about \$1 billion on installing noise barriers on new and existing roads in the past three years (including the current financial year), Ir Dr HO considered that better planning would avoid spending substantial resources on the installation of noise barriers and disputes on the aesthetic design of noise barriers. Ms Emily LAU Wai-hing shared his view. SHPL replied that while it was generally feasible to follow planning standards and guidelines to keep sufficient distance between residential areas and new roads for new town development, it was difficult to do so for developed areas. In the circumstance, mitigation measures to reduce noise nuisance would be necessary. Ir Dr HO requested the Administration to undertake to avoid installing noise barriers for new development projects, particularly the South East Kowloon Development and the West Kowloon Reclamation. SHPL considered it difficult for him to make such an undertaking. He however assured members that the Administration would consider all the relevant factors and minimize as far as practicable the need to provide noise barriers for newly developed towns/areas.

17. Ms Emily LAU expressed concern about the slow progress of the study on "Hong Kong 2030 - Planning Vision and Strategy" which had commenced in 2000. The Permanent Secretary for Housing, Planning and Lands (Planning and Lands) (PSHPL(PL)) advised that two of the four stages of the Study had been completed. During each stage of the Study, the Administration would consult the public with a view that by gathering and blending the aspirations and wishes of the community, the whole community would participate in the formulation of this long-term development blueprint for Hong Kong. Under the third stage of the Study being conducted, development options would be formulated after taking into account the outcome of public consultation in the first two stages and the latest policy review on population. The Study was expected to be completed by the end of 2003. The Administration would brief Members on the findings of the Study before publishing the final report. Ms LAU asked whether legislative proposals would be needed for the formulation of

planning framework and proposals to meet the future development needs of Hong Kong up to 2030. SHPL replied that it would depend on the findings of the Study.

Planning for the Victoria Harbour

18. Referring to the "Wanchai Development Phase II - new draft Wan Chai North Outline Zoning Plan No. S/H25/1", Ms Emily LAU was concerned that TPB had approved the proposed Harbour Park despite objections from the public and LegCo Members. SHPL pointed out that there were divided views on the proposed Harbour Park. While objectors held the view that the Victoria Harbour should be protected against further reclamation, those who supported the proposal considered that the Harbour Park was a new concept to bring the Harbour close to the public. TPB had considered the views of both sides before approving the proposed Harbour Park. Ms LAU pointed out that LegCo Members had all along objected to further reclamation in the Victoria Harbour. As some objectors to the Harbour Park had applied for judicial review of TPB's decision, she was concerned that other proposals supported by Members and the public, such as the provision of a promenade along the waterfront, would be delayed.

Urban renewal and heritage preservation

19. Mr LAU Ping-cheung declared that he was a non-executive director of the Urban Renewal Authority (URA) Board.

20. Mr LAU Ping-cheung enquired about the progress of the Transfer of Development Rights (TDR) scheme and the timing for public consultation. In his view, the implementation of the TDR scheme could provide an incentive for historical building owners to preserve the buildings, and enhance the redevelopment of small sites. SHPL advised that the Home Affairs Bureau (HAB) was conducting a review of the policy and related legislation on the preservation of historical buildings and sites which were in private ownership. As the number of historical buildings was substantial, easily running into the hundreds, it was necessary for HAB to provide clear guidelines on the criteria for the types of historical buildings for protection. Subject to the outcome of the review, the Housing, Planning and Lands Bureau (HPLB) would provide its necessary input to implement the proposed TDR scheme. As regards the redevelopment of small sites, SHPL advised that while it might not be most cost-effective to redevelop a small site on its own, URA might consider other options, for example, grouping several small sites for more comprehensive renewal of the whole area.

21. Ms CHAN Yuen-han considered that the Administration should put in place policies to preserve views of ridgelines and historical sites of Hong Kong. She was disappointed that the Administration had made no effort to preserve Nga Tsin Wai Tsuen, a six hundred-year-old village which had rich historical and cultural values. SHPL said that he had conducted a site visit to Nga Tsin Wai Tsuen and found that the

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majority of the areas in the Tsuen had been demolished by a private developer. In the circumstance, it would not be feasible for the Administration to preserve the Tsuen. Ms CHAN held the view that the remaining areas of Nga Tsin Wai Tsuen should be preserved because of their historical value. The Chairman considered that joint effort should be made by HPLB and HAB to formulate a comprehensive strategy for heritage preservation.

Building safety and maintenance

Admin

22. Ir Dr Raymond HO asked whether the actions against 800 000 unauthorised buildings works (UBWs) including illegal rooftop structures and the 220 000 signboards referred to in the Comprehensive Strategy for Building Safety and Timely Maintenance (the Strategy) would still be taken by the Administration. SHPL stressed that the Administration would continue its efforts to enhance building safety and maintenance. The Administration would keep the policy initiatives on building safety and maintenance under review and discuss with the concerned professional bodies, LegCo Members and the public on the scope of implementation and the approach to take them forward in the coming 18 months. Responding to Ir Dr HO's enquiry, SHPL said that the Administration had informed the Panel in May 2002 that in view of the prevailing economic condition, the proposed statutory periodic maintenance of buildings would not be introduced for the time being. As regards other initiatives covered by the Strategy, the Administration had reported the progress to the Panel from time to time and would continue to do so.

Review on Small House Policy

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23. Mr WONG Sing-chi pointed out that he had received numerous complaints from indigenous villagers in the New Territories (NT) on the long time taken by the Administration to process small house applications. Noting from the Policy Agenda that the Administration would consult various stakeholders with a view to making preliminary proposals on small house policy for more in depth discussion, Mr WONG asked for the time frame for the review of small house policy and the general direction for resolving the long-standing problems arising from the prevailing policy. In response, SPHL pointed out that the review involved a number of complex issues. In his view, the crux of the problem was not the time required to process the applications, but the shortage of land to meet the demand from male indigenous villagers who were eligible to apply land for building small houses. The Administration would make its best effort to work out acceptable principles with indigenous villagers to tackle the problems within the coming five years. It would consult the public on concrete proposals once it was in a position to do so. The Chairman said that as far as he knew, the problems arising from most of the outstanding small house applications were not related to the shortage of land. He suggested that the Administration should look into the problems.

24. Mr WONG Sing-chi enquired whether the Administration would consider providing flats under public rental housing (PRH) or Home Ownership Scheme to address the housing problems faced by indigenous villagers. SHPL advised that squatters in NT were eligible for PRH application. While the average waiting time for eligible applicants of PRH was three years, the waiting time for PRH in NT, such as Tin Shui Wai or North District, was shorter than that for PRH in the urban areas. Responding further to Mr WONG, SHPL advised that the Administration had not set a time frame for rehousing the squatters in NT to PRH. Nevertheless, the Administration would solicit support from the District Councils to enhance the awareness of squatters of their eligibility for PRH application through publicity and education programme.

III. Any other business

25. There being no other business, the meeting ended at 4:40 pm.

Council Business Division 1
Legislative Council Secretariat
11 February 2003