

立法會
Legislative Council

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**Public Works Subcommittee of the Finance Committee
of the Legislative Council**

**Minutes of the 7th meeting
held in the Chamber of Legislative Council Building
on Wednesday, 2 March 2005, at 10:45 am**

Members present:

Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP (Chairman)
Hon Alan LEONG Kah-kit, SC (Deputy Chairman)
Hon Fred LI Wah-ming, JP
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon CHEUNG Man-kwong
Hon CHAN Kam-lam, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-ye, JP
Hon CHOY So-yuk
Hon Andrew CHENG Kar-foo
Hon Albert CHAN Wai-yip
Hon LEE Wing-tat
Hon CHEUNG Hok-ming, SBS, JP
Hon Patrick LAU Sau-shing, SBS, JP
Hon TAM Heung-man

Members absent:

Hon James TO Kun-sun
Hon CHAN Yuen-han, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP

Hon LI Kwok-ying, MH
Hon LEUNG Kwok-hung

Public officers attending:

Miss Amy TSE, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) ³
Mr Y C LO, JP	Permanent Secretary for the Environment, Transport and Works (Works)
Mrs Rita LAU, JP	Permanent Secretary for Housing, Planning and Lands (Planning and Lands)
Mr Rob LAW, JP	Director of Environmental Protection
Miss Janice TSE	Principal Assistant Secretary for Financial Services and the Treasury (Treasury) (Works)
Mr TSE Chin-wan	Principal Assistant Secretary for the Environment, Transport and Works (Environment) ³
Mr TSAO Tak-kiang, JP	Director of Civil Engineering and Development
Mr SIU Sau-ching	Chief Engineer/New Territories West Civil Engineering and Development Department
Mr William KO, JP	Director of Water Supplies
Mr M C LEUNG, JP	Assistant Director of Water Supplies/New Works
Mr Vincent LIU	Principal Assistant Secretary for Health, Welfare and Food (Food and Environmental Hygiene) ²
Mr Donald TONG	Deputy Director of Food and Environmental Hygiene (Administration and Development)
Mr SIN Kwok-hau	Assistant Director of Food and Environmental Hygiene (Operations) ³ (Acting)
Mr C H YUE, JP	Director of Architectural Services
Mr Patrick LI, JP	Assistant Director of Home Affairs (2)
Mr KO Chi-wo	Chief Architect/1 Housing Department

Clerk in attendance:

Ms Alice AU	Senior Council Secretary (1) ⁵
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Staff in attendance:

Ms Pauline NG	Assistant Secretary General 1
Mr Anthony CHU	Council Secretary (1) ²

Ms Caris CHAN
Mr Frankie WOO

Senior Legislative Assistant (1)1
Legislative Assistant (1)2

Action

Head 707 – New Towns and Urban Area Development

PWSC(2004-05)60 780TH Retrofitting of noise barriers on Cheung Pei Shan Road, Tsuen Wan

The Chairman informed members that the Panel on Environmental Affairs (EA Panel) was consulted on the proposal at its meeting on 21 December 2004.

2. Miss CHOY So-yuk, Chairman of the EA Panel, reported that Panel members were concerned about the non-provision of semi-enclosures at the section of Cheung Pei Shan (CPS) Road in front of Lui Ming Choi Lutheran College (LMCLC). According to the Administration, all teaching activity-related rooms of LMCLC had already been provided with the necessary mitigation measures in the form of acoustic window insulation and air-conditioning under the “Noise Abatement Programme” in 1993. With such measures, the noise level experienced at LMCLC had been reduced to an acceptable level. The Administration considered that even if noise barriers were retrofitted, LMCLC would still have to close the windows of all classrooms and rely on air-conditioning during classes. Although Panel members had called on the Administration to re-consider the matter, they considered that the proposed project should not be delayed so as to bring early relief to the nearby residents.

3. The Chairman advised that in response to members’ request raised at the EA Panel meeting, the Administration had provided supplementary information on noise assessment results of the proposed scheme as compared with two alternative schemes for the installation of noise barriers under the project.

4. Mr LEE Wing-tat was gravely dissatisfied with the non-provision of noise barriers in front of LMCLC as it was unreasonable to expect the school to close all windows and rely on air-conditioning even in cold weather. Citing overseas experience where the planting of trees could act as an effective barrier against noise and dust, he asked whether the Administration would consider any alternative measures to reduce the impact of traffic noise on LMCLC.

5. Mrs Selina CHOW said that the non-provision of noise barriers for LMCLC had been raised during the meeting between Legislative Council Members and Tsuen Wan District Council (TWDC) on 6 January 2005. Although TWDC had wished for the early completion of the project, it had passed a motion calling on the Administration to extend the noise barriers to LMCLC. Mrs CHOW opined that given their knowledge on local matters, the Administration should respect the view of TWDC and re-consider the matter.

6. In reply, the Principal Assistant Secretary for the Environment, Transport and Works (Environment)³ (PAS(E)³, ETWB) said that provision of noise mitigation for LMCLC in the form of acoustic window insulation and air-conditioning had already been made back in 1993 under the “Noise Abatement Programme”. With such measures, the noise level at LMCLC was mitigated to an acceptable level, i.e. under 65 dB(A). Notwithstanding this, LMCLC could open the windows facing the corridor for air circulation in cold weather when necessary.

7. PAS(E)³, ETWB further said that the Administration had carefully considered the view expressed by TWDC and EA Panel. Given the close proximity of LMCLC and CPS Road, the Administration’s assessment was that even with the extension of noise barriers, the school would still need to close the windows facing CPS Road during classes. More importantly, LMCLC had already been provided with adequate noise mitigation measures to reduce the noise to an acceptable level. If TWDC’s request was acceded to under the circumstances, it would have an implication on the Administration’s policy of noise abatement for schools.

8. Mrs Selina CHOW however opined that the Administration should be more flexible when implementing its policy. In view of the strong request from TWDC and LMCLC, the Administration should actively explore whether other alternatives were available to enhance protection for the school children. In reply, PAS(E)³, ETWB stated that at present, all teaching-related classrooms and function rooms in LMCLC had already been provided with the necessary noise mitigation measures. Post-installation assessments had confirmed that such measures had effectively reduced the noise level by up to 20 dB(A) to provide an acceptable teaching environment for the school.

9. Mr CHEUNG Hok-ming enquired about the estimated cost of extending the noise barriers in front of LMCLC. The Chief Engineer/New Territories West, Civil Engineering and Development Department (CE/NTW, CEDD) stated that as a very rough estimate, providing noise semi-enclosures for the road section in front of LMCLC would cost \$20 million. However, even with the provision of noise semi-enclosures, the noise level of LMCLC would still be above 65 dB(A).

10. In reply to Mr LEE Wing-tat, PAS(E)³, ETWB confirmed that as the proposed project was intended to provide noise mitigation for an existing road, it was not a designated project under the Environmental Impact Assessment Ordinance (Cap. 499).

11. Expressing support for the project, Ms Miriam LAU opined that transparent noise barrier panels should be used as far as practicable for the benefit of drivers. In this connection, she enquired about the differences between transparent and opaque types of noise barrier panels in terms of both performance and durability.

12. In reply, the Director of Civil Engineering and Development (DCED) explained that transparent panels were noise-reflective while opaque ones were

noise-absorptive. The cost and durability of the two types of noise barrier panels were similar. For the proposed project, opaque absorptive panels would be installed at the lower portion of the noise barriers up to 2.5 metres (m) from ground while transparent reflective panels would be installed at the upper portion. As traffic noise was mainly generated from the tyres and engines of vehicles, the panels at the lower portion of the noise barriers would absorb most of such noise. He assured members that adequate noise mitigation would be achieved as the difference in acoustic performance between using either absorptive or reflective materials for the entire noise barriers was generally less than 1 db(A).

Admin 13. Mr LEE Wing-tat enquired about the non-provision of noise barriers for a building located adjacent to the Tsuen Kam Interchange (TKI) between CPS Road and Texaco Road North under the project. CE/NTW, CEDD stated that the present project would only cover the section of CPS Road between Shek Wai Kok Estate and Cheung Shan Estate. As regards mitigation for the said building, DCED advised that the installation of noise barriers in front of the said building had already been planned under the Route 9 project. Moreover, the westbound carriageway of CPS Road leading to TKI was a depressed road. The retaining walls on the side could also act as a shield against traffic noise. To facilitate members' understanding, Mr LEE Wing-tat requested and the Administration agreed to provide a layout plan indicating the interface between the noise barriers proposed for the present project and those to be installed along CPS Road near TKI under the Route 9 project before the relevant Finance Committee (FC) meeting.

14. Citing the exposed location of Shek Lan House, Miss TAM Heung-man expressed concern about the performance of noise barriers if there were gaps in between. CE/NTW, CEDD responded that there would be connectivity between the noise barriers to be installed under the present project and the Route 9 project. As regards the situation at Shek Lan House, he said that the building was located away from CPS Road with a car park in between to serve as a natural barrier against traffic noise. Moreover, the cantilevered noise barriers and semi-enclosures proposed under the present project would offer adequate protection for the affected dwellings at Shek Lan House and Shek Kuk House.

15. Miss TAM Heung-man nonetheless remained concerned about the impact of traffic noise on residents living on higher floors of Shek Kuk House and Shek Tsui House. CE/NTW, CEDD explained that the Administration had considered all relevant factors in the design of noise barriers for different locations under the project to ensure that the affected dwellings would be suitably protected. For the said buildings, the semi-enclosures to be retrofitted along the westbound carriageway of CPS Road could effectively mitigate the impact of traffic noise on dwellings at higher floors. He added that 6-m high cantilevered noise barriers would be retrofitted along the eastbound carriageway of CPS Road to offer protection for the low-rise village houses nearby.

16. Mr Albert CHAN considered that while improvements to the design of the present project could be made to offer better protection for the affected residents and LMCLC, he would support the funding proposal as it had been a

long-standing request of the local residents to have noise barriers retrofitted. In particular, he invited the Administration to take note of the concern raised by local residents that instead of cantilevered noise barriers, noise semi-enclosures should be retrofitted along the uphill eastbound carriageway of CPS Road to better protect Shek Tsui House and Luk Yeung Sun Chuen near TKI.

17. The Chairman referred to the provision of \$600,000 made under the estimate for consultants' fees to employ independent advisors to help resolve contractual disputes, and questioned the need for such provision if \$2.6 million had already been earmarked for construction supervision and contract administration. He also asked whether such an arrangement would be adopted for other works projects.

18. In reply, the Permanent Secretary for the Environment, Transport and Works (Works) explained that one of the measures to expedite the delivery of capital works projects as pledged by the Government was the wider adoption of a partnering approach and alternative dispute resolution (ADR) mechanisms. Under the project, dispute resolution advisors would be employed by the Government and contractors jointly to help resolve and avoid contractual conflicts. He supplemented that in addition to the proposed project, the Government would adopt similar ADR mechanisms for four other infrastructural projects.

19. The item was voted on and endorsed.

Head 709 – Waterworks

PWSC(2004-05)62 36WS Ring mains for Cha Kwo Ling salt water supply system

20. The Chairman advised that an information paper on the item was circulated to the Panel on Planning, Lands and Works in February 2005.

21. While stating support for the proposal, Mr CHAN Kam-lam pointed out that the local District Council had expressed concern about the traffic impact caused by the proposed works. He urged the Administration to implement appropriate traffic management arrangements to minimize the traffic impact.

22. Miss TAM Heung-man referred to the preliminary environmental review (PER) conducted for the project as far back in 1996, and asked whether the findings then were still valid. In reply, the Director of Water Supplies said that the environmental conditions had not changed much since the PER was conducted and it would still be appropriate to make reference to its findings.

23. The item was voted on and endorsed.

Head 703 – Buildings

PWSC(2004-05)61 7NT Conversion of aqua privies into flushing toilets – phase 2A

24. The Chairman informed members that the Administration's proposal to convert 100 aqua privies at popular sightseeing spots or locations of heavy usage in the New Territories into flushing toilets had been discussed at the meeting of the Panel on Food Safety and Environmental Hygiene on 25 November 2003. While Panel members supported the proposal, they had requested the Administration to expedite the whole project. The funding proposal for Phase 1 of the project to convert 30 of the 100 aqua privies into flushing toilets was approved by FC in July 2004.

25. Mr LEE Wing-tat expressed appreciation for the Administration's effort to upgrade the standard of public toilet facilities in the New Territories to meet the present-day demand.

26. Mr CHAN Kam-lam was concerned that as some aqua privies were built a long time ago, they would still fall short of rising public expectation if only general refurbishment works were undertaken. Instead, the Administration should take the opportunity to build new toilet facilities where possible, in particular at popular sightseeing spots.

27. The Director of Architectural Services (D Arch S) replied that in considering the matter, the Administration would be mindful of the need to ensure cost-effectiveness. If the demand could be met by general refurbishment works, the existing aqua privies would be upgraded. If warranted by demand, the Administration would also consider the construction of new public toilets subject to site constraints.

28. Stressing the need to ensure that the conversion works of each aqua privy were carried out to meet actual demand, Mr CHAN Kam-lam asked whether local village representatives or rural committees would be consulted in the process. The Deputy Director of Food and Environmental Hygiene (Administration and Development) (DD(A&D), FEHD) responded that the views of local District Councils, rural committees and resident groups would be sought on the layout and design of the improved flushing toilets.

29. Stating support for the proposal, Mr Patrick LAU asked whether more environmental friendly measures for waste water treatment would be adopted. Moreover, he enquired about the Administration's consideration on the provision of toilet facilities for the disabled under the proposed project.

30. D Arch S responded that under the project, three aqua privies with sufficient space available within the existing site area would be installed with the newly-introduced bio-toilet system. After treatment by a biological process, the effluent would be clean enough to be re-circulated for flushing purpose. The

Administration would monitor the effectiveness of the system and consider wider adoption of the new technology where appropriate.

31. As regards the provision of toilet facilities for the disabled, D Arch S replied that it was the Government's policy to facilitate access by the disabled. However, due to site constraints, no separate toilet facilities would be provided for the disabled under the project. But ancillary facilities, such as ramps for access, would be installed. To supplement, DD(A&D), FEHD stressed that the Administration would strive to provide toilet facilities for the disabled where possible. However, it should be balanced against the need to meet general demand as the provision of separate toilet facilities for the disabled would take up the space originally used to build the required number of toilet cubicles. He added that after conversion, the size of a standard toilet cubicle would be increased from 0.72 m² to 1.2 m². This could also facilitate access by the disabled.

32. Mr CHEUNG Hok-ming noted with concern that for 34 aqua privies under the proposed project, the only major improvement in terms of public hygiene was the conversion of the septic tank into an underground holding tank. He asked whether the Administration had any plan to further upgrade the toilet facilities at these locations by connecting the underground drains to the public sewer in the vicinity. D Arch S replied that such connection for the toilet facilities at the said 34 locations was not possible as no public sewer was available nearby. But he assured members that the conversion of these aqua privies into flushing toilets would bring about substantial improvement. DD(A&D), FEHD also said that as the converted flushing toilets with holding tanks would require more frequent tankering away of waste water and hence higher recurrent costs, the Administration would consider giving priority to the use of bio-treatment system or connection to the public sewer if allowed by site constraints.

33. The item was voted on and endorsed.

**PWSC(2004-05)63 189SC Community hall at the housing site in
Area 103, Tin Shui Wai**

34. The Chairman advised that an information paper on the item was circulated to the Panel on Home Affairs (HA Panel) in February 2005.

35. Mr Albert CHAN cited the acute shortage of community facilities in Tin Shui Wai (TSW) North, and deplored the Administration for the planning blunder of inadequate provision of community and recreational facilities for the increasing population in the area. While calling on the Administration to expedite completion of the proposed community hall (CH), which was long-awaited by local residents, he was strongly of the view that the design of the proposed facilities was ill-conceived without taking into account the demand of local residents. In particular, he was dissatisfied that only one conference room would be provided in the CH, which was completely against the repeated calls from local residents as well as Yuen Long District Council (YLDC) that more function rooms

should be provided to allow different users to organize their activities at the same time.

36. The Assistant Director of Home Affairs (2) (AD(2), HAD) replied that the proposed facilities were provided in accordance with the Administration's existing policy on the provision of CHs. Should more facilities be required, a CH with large floor area would have to be built which incurred additional capital costs. He further explained that both functionality and flexibility had been provided in the proposed design to meet the need of local residents for smaller individual spaces. For example, the conference room which had a capacity of 50 people could be divided into smaller rooms by the use of noise insulating partitions. Taking into account YLDC's request, mirrors and handrails would also be installed in the conference room so that it could serve as a dancing room if necessary. The multi-purpose hall could also be divided into smaller rooms by the use of full height partitions. It also had a meeting room which could accommodate about 10 people.

37. Mr Albert CHAN nonetheless remained unconvinced that the use of partitioning was an effective solution. In particular, he said that dancing and Chinese opera classes were popular among local residents. Mr Patrick LAU also expressed concern about possible obstruction of the sightline of audiences in the multi-purpose hall if partitions were to be installed.

38. Denouncing the Administration's bureaucratic approach, Mr Albert CHAN said that TSW was a relatively less well-off area with the local residents having a great demand for recreational activities. Instead of following the established rules rigidly, the Administration should design the proposed CH and its facilities taking into consideration the characteristics of the local community and its actual need. If the proposed CH could not bring about maximum benefits for the local residents, precious public resources would be wasted. Sharing similar views, Mr Patrick LAU stressed that community facilities should be provided to meet the actual needs of local residents. In this connection, he remarked that the Administration should make plans for future expansion of the proposed CH if necessary.

39. In response, AD(2), HAD reiterated that the proposed design had allowed for a great degree of flexibility in the use of facilities without incurring additional costs. He also assured members that the Administration would keep YLDC informed of the detailed design of the proposed CH, and solicit their views whenever necessary. It would be in the interest of the local community to have the proposed CH completed early without any delay.

40. Mr LEE Wing-tat however expressed grave dissatisfaction that the Administration had used urgency of the project as a pretext to ignore the views expressed by members that the proposed CH facilities should be provided to meet the need of local residents. He strongly called on the Home Affairs Bureau to expeditiously review the existing specifications of CH projects taking into account, amongst others, the need of locals. Concurring with need for the Administration to

seek further improvements, the Chairman said that the Administration should appropriately consult the HA Panel when undertaking the review.

41. AD(2), HAD said that the Administration would conduct regular reviews on the requirements in the design and provision of individual CHs. The HA Panel would be consulted as and when necessary.

42. Mr Patrick LAU asked whether other proposed community facilities in the adjacent space would be built together with the present project to achieve cost savings and coherence in architectural design. AD(2), HAD stated that the proposed community facilities, which included an integrated family service centre, an integrated children and youth services centre and a kindergarten, would be built together with the proposed CH. As far as architectural design was concerned, the Chief Architect/1, Housing Department (CA/1, HD) explained that the proposed CH facilities as well as the nearby community facilities would be housed in two two-storey buildings. Together with the civic plaza in between, this low-rise cluster was intended to provide a relaxed space amidst the high-rise public housing blocks in the site as suggested by YLDC.

Admin

43. Mr CHEUNG Hok-ming expressed support for the early completion of the project. At his request, the Administration agreed to submit progress reports on the project to YLDC every six months.

44. Referring to the strong demand of local residents for community facilities, Mrs Selina CHOW was dissatisfied with the long implementation programme of the proposed project which was of a relatively small scale. She was strongly of the view that the completion time of the project could be shortened for at least twelve months. The Chairman also said that cost savings would be achieved if the project could be completed earlier.

45. CA/1, HD explained that the construction of the proposed CH formed part of the Public Housing Development Phase 2 in Area 103, Tin Shui Wai. While the actual construction of the proposed CH would take about 21 months, the adjacent public housing blocks would take 30 months to complete. Under the master programme, all drainage and landscaping works would be done together for the two projects. The two project sites would also share the same ingress/egress. If the two projects were to be undertaken separately, it would incur a substantially higher cost for the present project. Moreover, given the close proximity of the two sites, the early opening of the CH might create risks for the users if the public housing blocks were still being constructed.

46. Mrs Selina CHOW however remained unconvinced by the Administration's explanation. She opined that each project should be considered in its own right. Moreover, it was incumbent upon the Administration to speed up delivery of capital works projects to achieve early benefits for the community as a whole. Mr Albert CHAN was also dissatisfied that the relevant government departments were only concerned about administrative efficiency without giving due emphasis on the need of local residents.

47. Noting the members' concern, the Permanent Secretary for Housing, Planning and Lands (Planning and Lands) stated that the Administration would explore possible alternatives to expedite the project in the most cost-effective manner. AD(2), HAD also said that the Administration was aware of public expectation for the early completion of the proposed CH. The Home Affairs Department would work together with the Architectural Services Department and the Housing Department to see how best the construction works could be undertaken.

48. Both Mr CHAN Kam-lam and Mr Albert CHAN took the view that an additional ingress/egress for pedestrians should be provided adjacent to the Light Rail Transit (LRT) Tin Yuet Station to facilitate access to the proposed CH. The Administration agreed to consider the members' suggestion.

49. Mr CHAN Kam-lam remarked on the unimpressive appearance of the proposed CH, and suggested that the Administration should try to improve its architectural design to reflect more local characteristics. CA/1, HD replied that consideration would be given to Mr CHAN's view as this aspect of the building design was being developed.

50. Mr CHAN Kam-lam also suggested that consideration be given to moving the roundabout in front of the proposed CH towards the northeastern side to provide a larger site for the proposed CH. While agreeing to consider the member's suggestion, CA/1, HD advised that with proper landscaping, the roundabout would form part of the Civic Plaza. The roundabout would also serve as a drop-off point for the access road.

Admin

51. At the request of the Chairman, the Administration agreed to provide a written response to the following suggestions raised by members on the proposed project before the relevant FC meeting:

- (a) the design of the proposed CH be improved to provide more meeting rooms and functions rooms;
- (b) the construction works of the project be re-engineered for early completion of the proposed CH without causing interface problems with the public housing development in the same site;
- (c) an additional ingress/egress for pedestrians be provided adjacent to the LRT Tin Yuet Station; and
- (d) consideration be given to moving the roundabout in front of the proposed CH towards the northeastern side to provide a larger site for the CH.

52. The item was voted on and endorsed.
53. The meeting ended at 12:25 pm.

Council Business Division 1
Legislative Council Secretariat
28 April 2005