

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1007/05-06  
(These minutes have been seen  
by the Administration)

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**Panel on Home Affairs**

**Subcommittee to Follow Up the Outstanding Leisure and  
Cultural Services Projects of the Former Municipal Councils**

**Minutes of meeting  
held on Thursday, 1 December 2005 at 10:45 am  
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Emily LAU Wai-hing, JP (Chairman)  
Hon CHOY So-yuk, JP  
Hon Timothy FOK Tsun-ting, GBS, JP  
Hon Daniel LAM Wai-keung, BBS, JP  
Hon WONG Ting-kwong, BBS  
Hon Patrick LAU Sau-shing, SBS, JP
- Member attending** : Hon WONG Kwok-hing, MH
- Members absent** : Hon LAU Wong-fat, GBM, GBS, JP  
Hon CHEUNG Hok-ming, SBS, JP
- Public Officers attending** : Environment, Transport and Works Bureau  
Mr Edwin TONG Ka-hung  
Chief Assistant Secretary for the Environment,  
Transport and Works (Works)3
- Home Affairs Bureau  
Miss Maggie CHOW  
Chief Executive Officer (Recreation & Sport)

Architectural Services Department

Mr Wilson LEE Hung-wai  
Project Director 3

Mrs Celina KWOK  
Chief Project Manager 302

Leisure and Cultural Services Department

Ms Kitty CHOI Kit-yu  
Deputy Director of Leisure and Cultural Services  
(Administration)

Mrs Karen YUEN CHAU Oi-wah  
Chief Executive Officer (Planning)1

Mr Peter KAN Tat-sing  
Chief Executive Officer (Planning)2

**Attendance by invitation** : The Hong Kong Institution of Engineers

Ir Dr Greg WONG Chak-yan  
President

Ir David C S LEE  
Member

The Hong Kong Institute of Surveyors

Mr Raymond CHAN  
Vice-President

The Hong Kong Institute of Architects

Professor Bernard V LIM  
President

Mr Vincent NG  
Vice-President

The Hong Kong Construction Association

Mr Conrad WONG  
President

Mr Edgar KWAN  
Vice-President

**Clerk in attendance** : Miss Flora TAI  
Chief Council Secretary (2)2

**Staff in attendance** : Ms Amy YU  
Council Secretary (2)3

Miss Sherman WOO  
Legislative Assistant (2)2

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**I. Confirmation of minutes**  
[LC Paper No. CB(2)506/05-06]

The minutes of the meeting on 31 October 2005 were confirmed.

**II. Procedures for implementing leisure and cultural services projects**  
[LC Papers Nos. CB(2)504/05-06(01) and CB(2)185/05-06(02)]

Declaration of interest

2. The Chairman declared interest that the Frontier had received donations from the Hong Kong Construction Association in the amounts of \$254,400 and \$442,880 for last year and the coming year respectively. She added that the donations were to encourage the Frontier to conduct more researches.

Briefing by the Administration on its review of the administrative and planning procedures for implementing the 25 priority projects

3. Referring to the Administration's paper on the fast-tracked programme for speeding up the implementation of the 25 leisure and cultural services (LCS) priority projects [LC Paper No. CB(2)504/05-06(01)], the Chairman asked whether the Administration had taken into account the views of the professional bodies submitted when preparing the paper. Project Director 3 (PD3) of the Architectural Services Department (ArchSD) replied that the Administration had already submitted the paper before copies of the

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submissions were received.

4. PD3 informed members that the Administration was now able to draw up a fast-tracked programme for speeding up the implementation of the 25 LCS priority projects because more information about the projects was available, special resources arrangement had been made and relevant parties involved in the process had agreed to enhance their co-ordination.

5. PD3 pointed out that under the fast-tracked programme, the lead time required for completing the pre-construction processes for three typical project types amongst the 25 priority projects, i.e. open space, library-cum-indoor recreation centre complex, and swimming pool complex, had been shortened by about five to six months. With reference to the summary table setting out the revised procedures and lead-time for implementing the 25 priority projects [Appendix 1 to LC Paper No. CB(2)504/05-06(01)], PD3 further elaborated on how each of the pre-construction planning procedures was compressed to achieve the above-mentioned aggregate saving in time as detailed in the paper. As for the construction stage, PD3 said that the construction period would depend on the scale and complexity of the projects. He cautioned that further compressing the timeframe for the 25 priority projects would run the risks of lowering the quality of the projects and slippage in compressed project schedules.

Meeting with deputations

*The Hong Kong Institution of Engineers*  
*[LC Paper No. CB(2)540/05-06(01)]*

6. Ir Dr Greg WONG, President of the Hong Kong Institution of Engineers (HKIE), said that the HKIE welcomed the Administration's move in revising the lead time for the procedures of the 25 priority projects which had taken into account the HKIE's views.

7. Ir David LEE said that the HKIE, however, was of the view that the lead time for the 25 priority projects could be further shortened. On procedures (1), (2) and (3) in Appendix 1 to LC Paper No. CB(2)504/05-06(01), HKIE suggested that the lead time for preparing the Project Definition Statement (PDS), consulting District Councils (DCs) and preparing the Technical Feasibility Statement (TFS) could proceed concurrently with the selection and appointment of consultants (i.e. procedure (4)) and be completed in six months. Ir Lee said that these processes could be combined and accelerated because the 25 priority projects had already been identified in the Chief Executive's Policy Address delivered in January 2005 and sufficient background information on these projects should already be available. He pointed out that although there was a risk that the work spent on selecting consultants would be wasted if no appointment was eventually made, their suggestion was worth considering as it

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could further reduce the lead time required for procedures (1) to (4) by five to six months.

8. Ir David LEE further said that the HKIE suggested that the process for preparing detailed design and tender documents, i.e. procedure (5), could be further compressed, e.g. the timeframe for the detailed design of open space could be further reduced from 10-15 months as revised by the Administration to 7.5-13.5 months.

*The Hong Kong Institute of Surveyors  
[LC Paper No. CB(2)540/05-06(02)]*

9. Mr Raymond CHAN, Vice-President of the Hong Kong Institute of Surveyors (HKIS), expressed support for the HKIE's suggestions of shortening the lead time required for individual procedures for implementing the 25 priority projects. Mr CHAN said that in the past few years the surveying industry had suffered greatly because of the Administration's "stop-and-go" policy in public works construction as well as the small number of medium-scale and small-scale public works projects in the market. He considered that apart from the 25 priority projects, it was important that the Administration would also expedite the implementation of the other 74 projects currently under review.

10. Mr Raymond CHAN further commented that in the timeframe allotted for the selection and appointment of consultants, consultants were given relatively little time for preparing their submissions, while most of the time was taken up by government departments concerned for processing the consultants' submissions. He requested that more time be given to consultants to prepare their tender documentations.

*The Hong Kong Institute of Architects*

11. Professor Bernard LIM, President of the Hong Kong Institute of Architects (HKIA), said that the HKIA was glad that the Subcommittee had followed up with the Administration with a view to expediting the implementation of the ex-Municipal Council (ex-MC) LCS projects, which were urgently needed by the community.

12. Professor LIM remarked that the Administration should improve the coordination among the various government departments involved in preparing TFS. He opined that individual government departments sometimes would raise questions or comments about TFS which served no purpose other than to prolong the process. He suggested that the process should be streamlined so that the lead time involved could be shortened. He added that the cooperation and support of DCs in the consultation process was also pivotal to shortening the lead time for the projects.

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13. Professor LIM suggested that application to the Town Planning Board (TPB) for change of land use, if required, could proceed concurrently with other procedures if appropriate. He said that such application could start at an earlier stage as TPB was concerned with land usage and planning rather than design details and as such did not require the submission of many detailed drawings.

14. Professor LIM further suggested that to further expedite the 25 priority projects, the Administration should consider seeking en bloc funding approval from the Public Works Subcommittee and the Finance Committee for a number of LCS projects. Details of funding arrangements for individual projects could then be worked out by the relevant government departments concerned.

15. Professor LIM, however, said that while he supported the fast-tracked programme put forth by the Administration, it was important to strike a right balance between the need to expedite the procedures and maintaining the quality of project implementation. He was concerned that if the timeframe was overly compressed, there might be no due compliance with the necessary procedures and the public would have unrealistic expectations about the delivery time of a project.

16. On the suitability of adopting a “Design and Build” method (D&B method) to implement LCS projects, Professor LIM opined that its effectiveness had not yet been widely proven in the Hong Kong context. He added that overseas experience had shown that the D&B method was not appropriate for the execution of complex projects as clients might not be fully conversant with their own requirements for the project.

*The Hong Kong Construction Association  
[LC Paper No. CB(2)540/05-06(03)]*

17. Mr Conrad WONG, President of the Hong Kong Construction Association (HKCA), said that he agreed with HKIS that the construction industry really needed more works projects. It was important for the Government to have a consistent policy in public works construction and bring in more works to the industry. Referring to Annex A to their submission which showed the decline in the volume of work of the construction industry over the last few years, Mr WONG expressed concern on whether the Government would invest \$29 billion each year in infrastructure as undertaken.

18. Mr Conrad WONG further said that while the Administration’s revised lead time for implementing the priority projects was appropriate, there was room for the procedures to be further compressed. He said that if the D&B method was adopted, the selection of consultants and the detailed design work (i.e. procedures (4) and (5)) could overlap with the construction stage

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(i.e. procedure (10)), thereby shortening the total time required. Moreover, most of the LCS projects, such as libraries or swimming pools, were not complicated and the D&B method would be an appropriate delivery mode for them. He also urged the Administration to review whether the time given to consultants for detailed design work could be further compressed.

19. Mr Conrad WONG also informed the Subcommittee that the ArchSD's initiative of introducing Dispute Resolution Advisers in their contract management procedures had been successful in bringing about speedy resolution of disputes. He urged the Administration to incorporate such mechanism into the contracts for implementing LCS projects, which would help to speed up the completion of projects.

Discussion with the Administration

*Procedures for implementing the 25 priority projects and ways to speed up their implementation*

20. Referring to the draft reply of the Secretary for Home Affairs (SHA) to the oral question raised by Hon CHEUNG Hok-ming on the outstanding ex-MC LCS projects at the Council meeting on 30 November 2005, the Chairman requested the Administration to clarify the position of the 25 priority projects. Deputy Director of Leisure & Cultural Services (Administration) (DDLCS(A)) explained that among the 25 priority projects, LCSD had successfully bid for funds in the current year for the implementation of 16 projects. Funding had not yet been obtained for the remaining nine projects as many of them were either still at the stage of defining the project scope or undergoing technical feasibility studies. She explained that due to the need to take into account the changing needs of the community as well as the views of DCs, the definition of project scope had not yet been completed for some of the projects, such as the construction of an annex building for the Ko Shan Theatre and leisure centre in area 33 of Tai Po. As for the commencing time for construction, she informed members that nine of the 16 projects which had obtained funding would commence construction in 2007.

21. On the HKIA's suggestion of seeking en bloc funding approval for LCS projects, DDLCS(A) responded that under its annual Resource Allocation Exercise, the Administration had to take into consideration not only all the capital costs of the projects, but also the recurrent operating expenses involved. She said that the HKIA's suggestion would raise the question of whether the proposed en bloc funding would include both the capital costs and the operating expenses for the projects. DDLCS(A) added that the Financial Services and the Treasury Bureau appreciated the need for early implementation of the 25 priority projects and would try wherever possible to expedite their funding arrangements. She further said that, taking into

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consideration the current economic conditions, she was confident that funding could be obtained for the remaining nine priority projects once the Administration could reach consensus with DCs on the project scope.

22. Mr WONG Kwok-hing said that while he was glad to see the fast-tracked programme submitted by the Administration, he felt that more could be done to further speed up the pace for implementing the 25 priority projects. Mr WONG remarked that the Administration should consider adopting the HKIE's suggestion of conducting the selection and appointment of consultants in parallel with the preparation of PDS and TFS. Mr Patrick LAU also commented that the HKIE's suggestion seemed feasible.

23. PD3 responded that the selection of consultants could not be started at an earlier stage as suggested by the HKIE because it was necessary to complete the definition of the project scope and ensure that the project was technically viable before selection of consultants could be started. He explained that if consultants had been engaged before the completion of PDS and TFS, and it was subsequently found that the project scope had to be revised or the project was not technically feasible, time and resources spent would be wasted both on the part of the Administration and the consultants. He added that detailed information on the scope and the technical feasibility of the project should be provided to the consultants in advance for them to work out a reasonable consultant fee for the project.

24. Mr Patrick LAU, however, said that the HKIE's suggestion might be feasible if the Administration appointed a consultant to undertake both the preparation of PDS and TFS as well as the detailed design work. PD3 replied that it was Government policy that TFS should be completed without recourse to consultancy support.

25. Regarding the HKIS's concern that consultants should be given more time to prepare their tender documents, PD3 said that consultants were normally given five weeks to prepare their tender submissions, which was about one quarter of the total time, i.e. five months, allocated for the selection and appointment of consultants. He said that ArchSD needed to undertake detailed assessment of all the tender submissions received in two stages, i.e. technical and fee assessment and recommendation of award to the Architectural and Associated Consultants Selection Board for approval. PD3 said that these processes took time and the time required by the Administration was reasonable under the circumstances.

26. Regarding the adoption of the D&B method, PD3 said that ArchSD had employed different delivery modes for public works projects, each of which had its pros and cons. ArchSD had used the D&B method for some public works projects, such as the construction of office, open space and indoor sports centre. He added that ArchSD would review the effectiveness of the D&B

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method for LCS projects before further employment of such method for LCS projects. A workshop would be organised in January 2006 to collect the views of relevant professional bodies in the architectural and the construction sectors on D&B method as a whole. The Chairman said that professional bodies in the relevant sectors should actively participate in the workshop and requested the Administration to report to the Subcommittee on any achievements made in the workshop.

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27. Regarding the HKIA's comment about the need to enhance the co-ordination of various government departments involved in the preparation of TFS, DDLCS(A) said that each department concerned served a different function in the process, e.g. the Government Property Agency was responsible for ensuring that the requirement on plot ratio had been satisfied. She, however, agreed that there was room for streamlining the process. DDLCS(A) added that the Home Affairs Bureau and LCSD, as proponents of LCS projects, would make effort to enhance the co-ordination of various government departments in the implementation process. Chief Assistant Secretary for the Environment, Transport and Works (Works) 3 (CASETW(W)3) supplemented that the Works Branch of the Environment, Transport and Works Bureau (ETWB) had set up a working group to monitor the progress of the 25 priority projects with a view to expediting their implementation. CASETW(W)3 said that this working group, which was led by him and held bi-monthly meetings, could be used as a platform for improving the coordination of various government departments in the process.

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28. CASETW(W)3 further informed the Subcommittee that since the end of 2001, the Works Branch of ETWB had introduced the following measures to accelerate the implementation of projects –

- (a) a new simplified TFS which took only four months had been introduced in lieu of the Project Preliminary Feasibility Statement (PPFS) previously used which took eight to twelve months to complete;
- (b) gazettal under relevant statutory ordinances and environmental impact assessment of a works project were allowed to proceed concurrently;
- (c) timeframe for dealing with public objection raised following the gazettal of a project was accelerated, thereby reducing the lead time by five months;
- (d) consultant selection and tender exercise could proceed concurrently with application for funding, which would advance the project schedule by five months; and

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- (e) simplified administrative procedures for land repossession had been introduced.

29. Members requested that the Administration should revise the timetable for implementing the 25 priority projects on the basis of the fast-tracked programme. The Chairman also requested the Administration to take into consideration the views of the professional bodies and members expressed at the meeting and see whether the lead time for implementing the 25 priority projects could be further compressed. DDLCS(A) agreed that the Administration would provide an accelerated timetable for implementing the 25 priority projects for the Subcommittee's consideration at its next meeting.

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*Position of the 74 outstanding LCS projects currently under review*

30. Referring to the draft reply of SHA to Hon CHEUNG Hok-ming's oral question raised at the Council meeting on 30 November 2005, Mr WONG Kwok-hing expressed concern that while the Administration was currently consulting DCs on the 74 outstanding LCS projects, it appeared that there was still a long way to go before the projects could be implemented. He requested the Administration to provide a timetable for implementing the 74 projects, so that the Subcommittee could have a full picture on when these projects would be taken forward.

31. DDLCS(A) responded that the 74 projects, which would involve a total capital cost of about \$10 billion, had to be implemented in stages, and at this juncture it was not possible for her to come up with a timetable for their implementation. She said that it was necessary to consult DCs on their current needs and priorities. DDLCS(A) added that when reviewing these 74 projects, LCSD would also need to take into consideration the utilisation rates of the existing LCS facilities in the districts concerned as well as the territory-wide planning on LCS facilities, in order to ensure optimal use of public resources. She said that as the planning of these projects was still in the early stage, it was not possible for her to devise a timetable for their implementation. She stressed that \$10 billion was not a small sum and reiterated that in addition to the capital cost of \$10 billion, the Administration also had to secure additional resources to meet the recurrent operating expenses of the facilities to be built.

32. DDLCS(A) also informed members it was expected that the consultation with DCs would be completed by the end of January 2006, after which the Administration would report the review results to the Subcommittee. She expected that based on the review results, the Administration would be able to propose selecting about 20 projects for implementation, with the remaining ones subject to regular reviews thereafter. She further said that apart from the 74 ex-MC projects, the LCSD had also planned to take forward another four to five projects to cater for the needs of certain districts. She said that information on these projects would also be provided to the Subcommittee together with the

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review results of the 74 projects.

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33. Mr WONG Kwok-hing reiterated that even if a concrete timeline could not be provided for all these 74 projects, the Administration should, nevertheless, give the Subcommittee a full picture of the position of each project, including such relevant information as the difficulties encountered or the issues under consideration by the Administration, etc. DDLCS(A) agreed to provide as much information on these projects as possible after the review was completed by the end of January 2006.

34. Miss CHOY So-yuk considered that while the various factors explained by DDLCS(A), such as changing needs of the community and utilisation rates of existing LCS facilities, were valid considerations and not all of the 74 projects would be taken forward as a result, the Administration should make an undertaking that \$10 billion would nonetheless be spent on LCS facilities, with priority being given to the 74 outstanding projects. She stressed that the Administration should give a timeframe during which the \$10 billion would be spent, say in the coming five to six years.

35. DDLCS(A) responded that priority would certainly be granted to the 74 outstanding projects. She said that the Administration was, however, not in a position to pledge that \$10 billion would be spent on LCS projects within a certain timeframe. The \$10 billion was just for capital cost and it was difficult to estimate at this stage the amount of resources needed for the operating expenses of the relevant facilities. DDLCS(A) assured members that although some LCS projects might have been delayed due to the economic downturn a few years ago, LCSD would not reduce the allocation of funding to LCS projects if they were justified to be proceeded with. She pointed out that since the establishment of LCSD, 56 projects had been completed, involving a total project cost of \$9,500 million. In addition, 16 projects, with a project cost of \$1,200 million, were currently under construction and another 44 projects of \$4,700 million would commence construction shortly. DDLCS(A) added that the Administration spent about \$29 billion each year on public works, of which LCS projects constituted only a very small part, and she was not worried about securing funding for justified projects.

36. Responding to concerns about decline in construction works in recent years, CASETW(W)3 said that the figures quoted by the HKCA in Annex A had included the volume of construction works in the private sector, the decline of which also contributed to the dwindling in the total volume of works in the construction sector. He said that during the period from 2001-02 to 2004-05, the Government had spent an average of \$29 billion each year on public works projects, and the Administration would try its best to expedite the implementation of medium-scale and small-scale projects.

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Motion passed by the Subcommittee

37. Mr Wong Ting-kwong moved the following motion which was seconded by Mr Patrick LAU –

“That this Subcommittee urges the Administration to provide the timetable for implementation of the 25 priority projects and the other 74 projects for deliberation by this Subcommittee.”

38. Mr Wong Ting-kwong said that the Administration should provide to members a timetable for implementation of all the ex-MC projects, and for those projects which could not be taken forward, detailed explanations should be given. The motion was passed.

Other issues discussed

*Settling of final accounts*

39. The Chairman noted that the HKCA had in its submission expressed concern about the length of time needed to finalise account following the completion of a project. At the Chairman’s request, PD3 explained that delay in settling the final account was caused by the need to obtain further information from the contractors, or disagreement between the contractors and the Administration over some account items. In case no consensus could be reached between the contractor concerned and the Administration, the Administration would determine the reasonable amount and issue the final payment accordingly, and the contractor had the right to take action to dispute the sum settled in accordance with the contract. Mr Edgar KWAN, Vice-President of the HKCA, considered that co-operation and partnership on both parties were important in solving this problem and reference should be made to the successful experience in the construction of the Tseung Kwan O MTR line whereby the final account was settled on completion of the project. The Chairman suggested that the Administration should discuss the issue on the finalization of account with the construction sector. PD3 agreed to follow up.

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*Use of environmentally sound devices in projects*

40. Miss CHOY So-yuk remarked that before implementing a project, the Administration should conduct an assessment on its compliance with environmental protection standards as well as its use of energy-saving devices, such as lights and water heaters that run on solar energy, and green roofs. Miss CHOY said that the Administration had no requirements on the need to incorporate environmentally sound concepts in project design. She called upon the professional bodies to build in these concepts in their designs. She also urged the Administration to accord greater priority to such designs when

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reviewing tenders. Chief Project manager 302 of ArchSD responded that ArchSD had incorporated energy saving devices and environmentally friendly materials in some of their projects. For example, they had used recycled vehicle tyres to build a children's playground in a Tuen Mun open space and in another project, used stored up rain water for irrigating the soccer field. They were also exploring the use of renewable energy in future projects. She thanked Miss CHOY for her suggestion and said that they would extend the use of environmentally friendly devices to more of their projects.

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*Utilisation rates of existing sports centres*

41. Referring to DDLCS(A)'s remark that some sports centres were under-utilised, the Chairman asked whether the Administration had considered allowing schools to use the facilities in the sports centres so as to maximise their utilisation. DDLCS(A) replied that the Administration had made great effort to increase the utilisation of sports centres, e.g. some under-utilised squash courts had been converted into ping-pong courts or multi-purpose function rooms. Mr Patrick LAU said that Mr Timothy FOK had commented that one of the reasons why some sports centres were under-utilised was that there was too much Government intervention in the management of sports centres. Mr LAU suggested the Administration to consult Mr Timothy FOK in this regard. The Chairman opined that DCs should be given the authority to manage the LCS facilities as they would be in the best position to ascertain the needs and views of their local communities.

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Date of next meeting

42. The Chairman suggested that as the Administration's consultation with DCs would be completed by the end of January 2006, the Subcommittee should hold its next meeting around February or March 2006 to discuss the review results.

Clerk

43. There being no other business, the meeting ended at 12:44 pm.

Council Business Division 2  
Legislative Council Secretariat  
2 February 2006