

The Government of the Hong Kong Special Administrative Region

政府總部
環境運輸及工務局
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15 May 2007

Mr Andy Lau
Clerk to Bills Committee
Legislative Council
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Mr Lau,

Bills Committee on Tsing Sha Control Area Bill

I am writing to provide further information requested by Members at the meeting of the above Bills Committee held on 7 May 2007.

Measures to Minimize Noise Pollution for Residents in Tsing Yi Area

Tsing Sha Control Area (i.e. Route 8 between Tsing Yi and Sha Tin) is a designated project under the Environmental Impact Assessment Ordinance. An Environmental Impact Assessment study was conducted for the project at the planning stage, in which noise impact was thoroughly assessed. Relevant noise mitigation measures have been identified and incorporated into the works contracts for implementation in the Tsing Yi area. These measures include the placement of noise barriers along the slip road to Cargo Terminal 9, and the use of low noise surfacing on all the new roads constructed under the project.


Notification to the Public on Road Closure for Emergency Works

In the event that closure of a road (or any part of it) in the TSCA for emergency works for a period exceeding or likely to exceed 14 days is required, the Transport Department, in coordination with other relevant departments as necessary, will inform the public of the road closure in a timely manner through the media so as to assist the public in better planning their traveling routes and minimize traffic disruption.

Termination of the Management Agreement with Operator

The management agreement to be entered into with the operator will set out in detail the operator's duties and obligations in respect of the management, operation and maintenance of the Tsing Sha Control Area, including, inter alia, provisions on how the tolls, fees and other charges are to be collected, and how road closure, traffic accidents and other emergency situations are to be handled. The Government is entitled to unilaterally terminate the agreement if the operator has failed to duly and punctually perform or has persistently or flagrantly failed to comply fully and punctually with any of its obligations or duties under the agreement. The relevant terms of the management agreement would appropriately safeguard the interests of the Government and the public in general, as well as ensure satisfactory performance by the operator. Similar arrangements have been made in respect of the Tsing Ma Control Area and other Government tunnels and have worked well. Given the extensiveness of the relevant provisions of the management agreement, we consider that it would not be appropriate to provide for the same in the Tsing Sha Control Area Bill.

Yours sincerely,


(Ms. Annette Lee)
for Secretary for the Environment,
Transport and Works