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

**Minutes of the 13th meeting
held in the Conference Room A of Legislative Council Building
on Wednesday, 20 June 2007, at 8:30 am**

Members present:

Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP (Chairman)
Hon Alan LEONG Kah-kit, SC (Deputy Chairman)
Hon Fred LI Wah-ming, JP
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon CHAN Yuen-han, JP
Hon CHAN Kam-lam, SBS, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon CHOY So-yuk, JP
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Albert CHAN Wai-yip
Hon LEE Wing-tat
Hon LI Kwok-ying, MH, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon CHEUNG Hok-ming, SBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon TAM Heung-man

Members absent:

Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP

Member attending:

Hon WONG Yung-kan, JP
Hon Frederick FUNG Kin-kee, SBS, JP

Public officers attending:

Mr Joe C C WONG	Deputy Secretary for Financial Services and the Treasury (Treasury) ³
Mr MAK Chai-kwong, JP	Permanent Secretary for the Environment, Transport and Works (Works)
Mrs Rita LAU, JP	Permanent Secretary for Housing, Planning and Lands (Planning and Lands)
Ms Anissa WONG, JP	Permanent Secretary for the Environment, Transport and Works (Environment)
Mr Davey CHUNG	Principal Assistant Secretary for Financial Services and the Treasury (Treasury) (Works)
Mr CHEUK Wing-hing, JP	Permanent Secretary for Health, Welfare and Food (Food and Environmental Hygiene) (Acting)
Miss Vivian KO Wai-kwan	Principal Assistant Secretary for Health, Welfare and Food (Food and Environmental Hygiene) ²
Mr YUE Chi-hang, JP	Director of Architectural Services
Mr SIN Kwok-hau	Assistant Director (Operations) ³ (Acting) Food and Environmental Hygiene Department
Mr YEUNG Shun-kui	Assistant Director (Operations) ² Food and Environmental Hygiene Department
Dr LEUNG Siu-fai	Assistant Director (Fisheries) Agriculture, Fisheries and Conservation Department
Mr Stephen CHUNG Siu-teng, JP	District Officer (Tuen Mun) Home Affairs Department
Mr LAI Yu-wah	Assistant Director (Planning and Services) Marine Department
Mr Wilson SO Ying-leung	District Planning Officer (Tuen Mun and Yuen Long) Planning Department
Mr Eddy YAU Kwok-yin, JP	Assistant Director (Leisure Services) ³ , Leisure and Cultural Services Department
Mr LEE Yuk-man	Assistant Director (Libraries and Development) Leisure and Cultural Services Department
Mr Daniel SIN Pak-wing	Assistant Secretary for Home Affairs (Recreation and Sport)
Mr Peter KAN Tat-sing	Chief Executive Officer (Planning) ² , Leisure and Cultural Services Department

Mr WONG Chee-keung, JP	Director of Drainage Services
Mr CHAN Kin-kwong	Chief Engineer (Drainage Projects)
	Drainage Services Department
Ms Annette LEE Lai-ye, JP	Deputy Secretary for the Environment, Transport and Works (Transport) ³
Mr SIN Kwok-keung	Chief Engineer (Traffic Control), Transport Department
Ms Sharon HO Ho-shuen	Principal Assistant Secretary for the Environment, Transport and Works (Transport) ⁵
Mr John CHAI Sung-veng, JP	Director of Civil Engineering and Development
Mr YEUNG Kwok-kuen	Deputy Head of Civil Engineering Office (Port and Land), Civil Engineering and Development Department
Mr LEE Yan-ming	Chief Engineer (Traffic Engineering (New Territories West)), Transport Department
Miss Charmaine LEE Pui-sze	Principal Assistant Secretary for Education and Manpower (Higher Education)
Miss Mary TSANG Fung-ye	Deputy Secretary-General (1), University Grants Committee
Mr CHAN Wing-tak	Chief Technical Advisor (Subvented Projects), Architectural Services Department
Professor Frank FU	Associate Vice-President (Special Projects), Hong Kong Baptist University
Mr Michael KWOK	Director of Estates (Acting), Hong Kong Baptist University
Dr Ellen KO	Vice-President for Administration, City University of Hong Kong
Professor James MOY	Dean, School of Creative Media, City University of Hong Kong
Mr Arthur LEUNG	Director of Campus Planning, City University of Hong Kong
Professor CHING Pak-chung	Pro-Vice-Chancellor, The Chinese University of Hong Kong
Mr David LIM See-wai	Director of Campus Development, The Chinese University of Hong Kong

Clerk in attendance:

Ms Rosalind MA	Senior Council Secretary (1) ⁸
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Staff in attendance:

Ms Pauline NG	Assistant Secretary General 1
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Mr Anthony CHU
Ms Alice CHEUNG
Mr Frankie WOO

Council Secretary (1)2
Senior Legislative Assistant (1)1
Legislative Assistant (1)2

Action

The Chairman advised members that including the ten items for this meeting, the Administration had submitted a total of 100 items at an estimated cost of about \$26.2 billion to the Public Works Subcommittee (PWSC) in the 2006-07 legislative session.

Head 703 – Buildings

PWSC(2007-08)36	9NT	Conversion of aqua privies into flushing toilets - phase 3
	10NT	Conversion of aqua privies into flushing toilets - phase 4

2. The Chairman advised members that an information paper on the project had been circulated to the Panel on Food Safety and Environmental Health (FSEH Panel) on 8 May 2007.

3. Mr TAM Yiu-chung enquired about the number of aqua privies that had yet to be converted into flushing toilets after completion of the current proposal for phases 3 and 4 of the conversion programme. He urged the Administration to expedite the conversion works for aqua privies and to provide more cubicles for the female lavatories in the design of the conversion programme.

4. The Permanent Secretary for Health, Welfare and Food (Food and Environmental Hygiene)(Acting) (Ag PS(FEH), HWFB) said that after the completion of the proposed works, there would still be 376 aqua privies over the territory. The Administration had planned for the conversion of 80 aqua privies under phase 5 of the programme and the full conversion of all aqua privies in the territory was expected to be completed in five or six years. He advised that generally one additional cubicle would be provided for the female flushing toilets in the conversion works. Responding to Mr TAM Yiu-chung's further enquiry about the reasons for the long timeframe for completion of the conversion programme, Ag PS(FEH), HWFB said that to facilitate the best deployment of resources, priority had been given to the conversion of aqua privies at locations of relatively higher usage rate or popular scenic spots and tourist attractions in the earlier phases of the conversion programme. The 296 aqua privies in the territory to be converted after phase 5 of the programme were mainly of lower usage rates.

5. Referring to the proposed bio-treatment system in Enclosure 4 to the Administration's proposal, Prof Patrick LAU enquired about the size and operation of the system, as well as why it was not located adjacent to the public sewer.

6. The Director of Architectural Services (D Arch S) said that the bio-treatment system was a new technology introduced from the overseas, which was more environmental friendly as the treated effluent could be recycled for flushing purpose. Given its successful operation under phases 1 and 2 of the conversion programme, this technology would be adopted at suitable sites for the current project. The size of the system was comparable to that of a standard container and was installed either underground or at-grade depending on the site conditions. Nevertheless, the exact location of the bio-system would be confirmed in the detailed design of the project subject to space availability at the works site and the approval of the Lands Department on the land use. Responding to Prof Patrick LAU's further enquiry on maintenance of the system, Ag PS(FEH), HWFB said that the sludge had to be cleared every six months to one year with annual maintenance cost and electricity fee of around \$42,000.

7. The item was voted on and endorsed.

PWSC(2007-08)37 14NM General improvement works to Po On Road Market and Cooked Food Centre

8. The Chairman advised members that the FSEH Panel had been consulted on a range of market and cooked food centre (CFC) improvement works including this project in March 2004.

9. Mr Albert CHAN considered the cost of the improvement works for the CFCs on the high side. In his view, the facilities of CFCs were out-dated and the majority of CFCs were operating under very difficult environment as well as causing nuisance to nearby residents. He urged the Administration to undertake a comprehensive review of the policy on provision of CFCs having regard to the cost-effectiveness of and demand for the facilities, including the option of offering a buy-back package to CFC stall lessees for abolition of CFCs. The Chairman opined that Mr Albert CHAN's view on the policy for CFCs could be further deliberated at meetings of the relevant Panel.

10. In response to Mr Jasper TSANG's enquiry about the possible adjustment to the rental for the Po On Road Market and CFC, Ag PS(FEH), HWFB said that there would not be any immediate rental adjustment upon completion of the proposed works. Instead, rental adjustment, if any, would be considered by the Food and Environmental Hygiene Department (FEHD) in accordance with the prevailing mechanism.

11. Mr Jasper TSANG expressed concern about the impact of the proposed works on the business operation of the stall lessees and enquired about the special arrangements during the works period, such as compensation or relocation for the affected stall lessees. Sharing similar view, Mr Frederick FUNG sought confirmation from the Administration as to whether consent from the affected stall lessees had been obtained on the relevant arrangements.

12. In reply, Ag PS(FEH), HWFB advised that for food hygiene reasons, the whole CFC would be closed for one month for the improvement works during the summer of 2008, when patronage was relatively low and affected CFC stall lessees would be provided with rental waiver/reduction in accordance with the Government's established procedures. For affected stall lessees of the market, relocation arrangements within the market or to nearby markets would be made where practicable. Generally speaking, rental waiver would be granted to stall lessees who had to cease operation during the works period, together with an additional seven-day waiver upon completion of the works. For other stall lessees whose business operation would be subject to impact from works being carried out on the same floor, a rental reduction of 50% would be offered. The Administration had obtained the consent of the affected stall lessees on the relevant relocation and compensation arrangements through the Market Management Consultative Committee of Po On Road Market and CFC. The Assistant Director (Operations)2, FEHD (AD(Ops)2, FEHD) added that to minimize the impact of the works on the stall lessees, the proposed works would be carried out in the market by small work zones. There would be 37 work zones of which temporary closure for works at each zone would last for around seven days.

13. Responding to Mr Frederick FUNG's further enquiry about the plan for amalgamation of stalls under the proposed works, Ag PS(FEH), HWFB said that the proposed works would include amalgamation of some of the existing 732 market stalls and there would be a total of about 470 stalls in the market after completion of the works.

14. Ms Miriam LAU supported the proposal and noted that the original plan for retro-fitting of air-conditioning (A/C) system for the market and CFC had been excluded given the absence of support from the majority of the stall lessees. She was particularly concerned about the ventilation in CFC and doubted whether the place would be too stuffy and hot for patrons in summer time. Ms LAU opined that retro-fitting of A/C could help raise customer patronage, particularly during the summer. She suggested the Administration to consider installing air coolers to improve the environment in CFC.

15. Ag PS(FEH), HWFB explained that the Administration had consulted the FSEH Panel on the support threshold for retrofitting of A/C to markets and got the endorsement of a support rate of 85% or more from the stall lessees concerned as the benchmark for the provision of A/C. Nevertheless, the survey in 2002-03 showed that support rate from the stall lessees in Po On Road Market and CFC was only 17% and 35% respectively because some lessees were reluctant in bearing the recurrent expenditure on electricity and maintenance. Retro-fitting of A/C was therefore not pursued in the current proposal. He advised that other measures would be implemented to improve the ventilation of the market and CFC, such as installing extraction systems, providing ceiling fans, jet fans and exhaust ducts, etc.

16. Referring to Enclosure 6 to the discussion paper, Ms Miriam LAU noted that the consultants' staff cost for contract administration was calculated in

accordance with the existing consultancy agreements for the provision of A/C or other improvement works to existing public markets and CFC. She queried whether the calculation represented a deviation from the scope of the current proposal and sought clarification from the Administration in this regard. In reply, D Arch S advised that the consultant would only be required to provide service on upgrading the existing ventilation system and not service for the retro-fitting of A/C.

17. Prof Patrick LAU expressed particular concern about the ventilation system for the market area at the basement. As to CFC on the second floor, Prof LAU enquired about measures to facilitate air circulation, such as by opening more windows.

18. D Arch S said that the Administration would implement different measures to improve the air ventilation in the market and CFC, such as making use of the market economic air treatment system to supply fresh air and providing more entrances at the ground level. Responding to Prof Patrick LAU's suggestion on using sound absorbent materials for the walls and the ceiling to reduce the noise level inside CFC, D Arch S advised that such materials might not be suitable for CFC given the problem of cleansing and hygienic concerns. To facilitate maintenance and cleaning, tiles would be used for the floor and the walls in CFC. Consideration could be given to noise mitigation for CFC by using sound absorbent materials for the ceiling but the availability of suitable material would have to be examined in collaboration with FEHD in the detailed design.

19. Mr Fred LI was of the view that the policy on retro-fitting of A/C for market with a support rate of 85% or more from the stall lessees concerned should be subject to review. He enquired whether the proposed works included replacement of the old and dilapidated plumbing and drainage systems, which had caused problems of water leakage. He also suggested that the locations and size of the signage at the Po On Road Market and CFC should be improved to provide clear information to the public. Noting that the proposed works were planned for commencement in January 2008, he called on the Administration to exercise flexibility in this regard so that the proposed works would start after the Chinese New Year. In reply, D Arch S advised that improvement to the drainage system within the market and CFC would be part of the project. AD(Ops)2, FEHD took note of Mr LI's suggestions and agreed to consider adding new signage where appropriate as well as scheduling project commencement after the Chinese New Year.

20. The item was voted on and endorsed.

PWSC(2007-08)39

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Joint-user complex and wholesale fish market in Area 44, Tuen Mun

21. The Chairman advised members that the Administration had briefed the FSEH Panel and the Panel on Home Affairs (HA Panel) on the proposal at a joint

meeting on 8 May 2007. The majority of the members of the two Panels (including Members of the Liberal Party, Members of the Democratic Alliance for the Betterment and Progress of Hong Kong and Members of the Democratic Party) did not object to the Administration's proposal. They however urged the Administration to finalize as soon as possible the routing arrangement for the fishing vessels, as well as formulate effective measures to monitor the environmental impact of the future operation of the wholesale fish market (WFM) and the noise nuisance from loudhailers and horns of fishing vessels, so that disturbance to local residents could be minimized. Mr Frederick FUNG had reservations about the proposal and Mr Albert CHAN reserved his position. They both considered that the mitigation measures proposed by the Administration could not effectively prevent or alleviate the nuisance caused by the operation of WFM to local residents. Mr Albert CHAN requested the Administration to provide supplementary information on the routing arrangements for fishing vessels. Prof Patrick LAU did not support the proposal given his strong dissatisfaction over the housing of the community hall in the same complex with the proposed WFM.

Noise and odour nuisances

22. Mr TAM Yiu-chung recalled that the decision on the suitable site for reprovisioning of the temporary Castle Peak Wholesale Fish Market (CPWFM) was a difficult one and had gone through a very long process. Mr TAM noted the objection raised by residents of Yuet Wu Villa, the nearest residential estate to the proposed WFM in Area 44, Tuen Mun, on grounds of concern about environmental nuisance and disturbance caused by the operation of the proposed WFM. Mr TAM called on the Administration to take forward the proposed works in a cautious manner, attaching importance to minimizing nuisance and disturbance to local residents by closely monitoring the implementation and effectiveness of the various environmental mitigation measures set out in the discussion paper during the construction period and the future operation of the proposed WFM.

23. In reply, Ag PS(FEH), HWFB advised that in response to concerns of residents of Yuet Wu Villa about the environmental impact caused by operation of the proposed WFM, the Administration had taken on board the proposal of the then Tuen Mun Provisional District Board for shifting the WFM northward by 20 metres to maximize the distance from Yuet Wu Villa. Approval from the Town Planning Board had also been obtained in this regard. A number of noise and odour mitigation measures recommended in the Environmental Impact Assessment report (EIA Report) for the project would be implemented, for example, the building of WFM would be a fully-enclosed design with the external wall facing Yuet Wu Villa being a blank façade with no opening except for fixed windows. To address members' concerns expressed at the joint meeting on 8 May 2007, the Administration would put in place a number of nuisance mitigation and monitoring measures. For example, conducting an environmental monitoring and audit programme on odour and marine traffic noise at the frequency of no less than once a week during the first 12 months of the operation of WFM; setting up a

management committee with representatives from the nearby residents to closely supervise the operation of WFM and to follow-up on environmental complaints about the operation of WFM; and getting the consent of the fishing community of the use of the eastern entrance for approaching and leaving WFM during the early morning period.

24. Noting that a management committee would be set up to supervise the operation of WFM, Mr CHEUNG Hok-ming expressed concern about monitoring of environmental impacts and follow-up of complaints before the completion of the project, particularly during the construction period. He enquired whether any committee comprising representatives of local residents would be established for this purpose. In reply, Ag PS(FEH), HWFB advised that a working group was set up under the Environment, Hygiene and District Development Committee (EHDD Committee) of the Tuen Mun District Council (TMDC) in 2006 to oversee the construction and development of the joint-user complex and WFM and its environmental impacts. The working group would carry out publicity and public education activities to keep local residents abreast of the project development.

25. Miss CHAN Yuen-han also expressed concern about the strong objection raised by the Yuet Wu Villa Owners' Committee (OC) to the proposed WFM. She enquired whether information on the proposed provision of a WFM in Area 44 was made available to the potential buyers of Yuet Wu Villa during the sale of the residential property. Noting that the Administration had consulted TMDC and local residents in the past years in the process of implementing the proposed joint-user complex, Miss CHAN was concerned whether and how the Yuet Wu Villa OC had been involved in the consultation process.

26. In reply, Ag PS(FEH), HWFB pointed out that when the land was rezoned from industrial use to residential use in the Tuen Mun Outline Zoning Plan (OZP) in 1987, it was clearly indicated that there would be a WFM in the neighbourhood. As far as he knew, the developer of the Yuet Wu Villa had provided information on the WFM in Area 44 in the brochure for the sale of the flats. As such, residents of Yuet Wu Villa should have been informed of the location of the new WFM before they moved in. On efforts to collate public views on the proposed development, the District Officer (Tuen Mun), Home Affairs Department (HAD) advised that the working group set up in 2006 under the EHDD Committee of TMDC had been active in meeting and collating views of local residents, including those of Yuet Wu Villa, on the proposed joint-user complex.

27. Miss CHAN Yuen-han pointed out that the Yuet Wu Villa OC had apparently maintained its strong view against the proposed WFM despite HAD's efforts in collating public views. She enquired whether improvements could be made in the management of the WFM with reference to successful experience overseas, to alleviate the concern of residents in the vicinity about the environmental nuisances caused by the operation of the WFM.

28. In reply, the Assistant Director (Fisheries), Agriculture, Fisheries and Conservation Department (AD(F), AFCD) stressed that the Administration had

maintained discussions with the Yuet Wu Villa OC in the past few years, through different channels such as attending residents forums and discussion together with members of TMDC, to explain to them the nature, design and environmental mitigation measures of the project. The Administration understood the concerns of nearby residents over the impact of the operation of the WFM. In addition to ensuring implementation of the mitigation measures recommended in the EIA Report, the Administration would continue to communicate with local residents throughout the design, construction and operation of the WFM to explain and respond to their concerns about the environmental impacts. Responding to Miss CHAN Yuen-han's further concern about ensuring strict implementation of the environmental mitigation measures in the long run, AD(F), AFCD advised that the project was a designated project under the EIA Ordinance (Cap. 499) which required an environmental permit for its construction and operation. The mitigation measures under the environmental permit were statutory requirements to be met with strict compliance. Moreover, nearby residents could supervise and monitor the operation of WFM through their representatives in the management committee to be set up.

29. Mr Albert CHAN said that he had been urging the Administration to relocate the existing CPWFM to another site in the past decade as it caused hygienic and environmental problems to residents of Sam Shing Estate and Hanford Garden in its close neighbourhood. Referring to the incorrect assessment in the EIA Report for the Chek Lap Kok International Airport, Mr CHAN was concerned that the proposed mitigation measures recommended by the EIA Report of the proposed joint-user complex might not adequately address the environmental impacts from the project. In this connection, he sought confirmation from the Administration whether the nuisance mitigation measures proposed by the FSEH Panel and the HA Panel set out in Enclosure 4 to the discussion paper would be implemented. In reply, Ag PS(FEH), HWFB answered in the affirmative.

30. Mr Frederick FUNG pointed out that in addition to objections from Yuet Wu Villa OC, residents of nearby estates such as the Miami Beach Towers and Marina Garden as well as the TMDC member of the respective area also objected to the proposed project. Moreover, he noted at residents forums organized by the Yuet Wu Villa OC that the location of the WFM in Area 44 was only made known to residents during the sale of stage two of the residential development but not stage one. He was of the view that Area 44 was not suitable for reprovisioning of CPWFM given its proximity to residential estates and questioned why the Administration had not proposed other sites with a greater distance from residential estates, such as Area 40.

31. Ag PS(FEH), HWFB said that as far as he could recall, Yuet Wu Villa was developed in the 1990s. As he had advised earlier on at the meeting that Area 44 was rezoned from industrial use to residential use in the Tuen Mun OZP in 1987, residents of Yuet Wu Villa should have information about the location of the new WFM before they moved in. He pointed out that the proposed project had got the support of the vast majority of members during the consultation with TMDC in

September 2006. As the decision of reprovisioning CPWFM to Area 44 had been made after detailed site search and consultations, he advised that a long lead time would be involved for re-examination of the reprovisioning site. As to the concerns of residents of other estates such as the Miami Beach Towers, Ag PS(FEH), HWFB advised that the Administration understood that their major concern was about the noise nuisance caused by fishing vessels using the western entrance of the typhoon shelter when they approached and left the WFM. In this connection, fishing vessels would be required to use the eastern entrance during the early morning period.

32. Pointing out that the problem of noise nuisance to nearby residents caused by the WFM in Sham Shui Po remained unresolved for many years, Mr Frederick FUNG was gravely concerned about the effective implementation of the various environmental mitigation measures in Enclosure 4 to the discussion paper to address fully the problem of noise nuisance in the future operation of the proposed WFM.

33. Ag PS(FEH), HWFB advised that there were statutory requirements for the control of marine traffic noise such as the installation of noise abatement device for vessels and speed control in the typhoon shelter area. Administrative measures would be implemented for the continued monitoring of environmental nuisance during the operation of the WFM, including a registration system for market users and requiring them to comply with conditions such as not to use loudhailers and vessel horns except under emergency situation during the early morning period.

34. Mr Frederick FUNG doubted the effectiveness of the registration system in preventing contravention of the conditions by market users, in particular the use of loudhailers during early morning, and enquired about the means to identify and take actions against the rule-breakers. While appreciating that the registration system was an improvement in monitoring compliance of market users, Mr LEE Wing-tat shared the concern of Mr FUNG about the difficulty in enforcement against contraventions and sought elaboration from the Administration on the implementation of the measures. Mr LEE also urged the Administration to further assess the effectiveness of the noise mitigation measures before submitting the proposal to the Finance Committee for approval.

35. The Chairman noted members' concern about the environmental impact of the future operation of the WFM but reminded members that this should be dealt with in the discussion of the relevant Panels rather than at PWSC meeting. He also asked the Administration not to incorporate unnecessary information in the discussion papers of PWSC proposals on the operational details of projects.

36. Ag PS(FEH), HWFB pointed out that fishing vessels normally arrived by the early evening and berthed directly at the WFM for unloading their fish catches to the market in the early morning on the next day. According to the records of the CPWFM in 2006, there were only a small number of fishing vessels (normally about two to three and maximum of about eight vessels) approaching the WFM

(from both within and outside the typhoon shelter) for unloading fish catches during the busiest trading hours of the market daily. Given the small number of fishing vessels involved, identification of the rule-breakers would be possible in enforcement actions. Responding to Mr Frederick FUNG's further enquiry about the conduct of the environmental monitoring and audit programme on odour nuisance and marine traffic noise, Ag PS(FEH), HWFB said that the initial plan was for the programme to be conducted during the peak operating hours throughout the first 12 months of operation of the WFM but the continuation of the programme would be considered where necessary. Moreover, the management committee to be set up by the market operator would comprise representatives of local residents to supervise the operation of the WFM and follow-up on environmental complaints.

37. Mr LEE Wing-tat and Mr Frederick FUNG did not subscribe to the Administration's explanation and maintained their views that the mitigation measures could not adequately address their concern about effective enforcement actions against contraventions of the requirements on control of marine traffic noise. Mr FUNG stated his reservation about the proposed project.

38. Mr WONG Yung-kan recalled that discussion on relocation of the temporary CPWFM had started since 1987. He was concerned that the slow progress in the provision of a permanent WFM would affect the long term development of the fishing industry in Hong Kong. Noting the concern of members and local residents about the noise nuisance caused by loudhailers and vessel horns, Mr WONG hoped that the relevant mitigation measures would be implemented with full understanding of the operational needs of the fishing community for using loudhailers and horns during emergency situation. He also urged members to consider the current proposal in the light of the majority support of TMDC members during past consultations.

Design of the joint-user complex

39. Noting the design of the joint-user complex with separate entrances for the community hall and WFM, Mr CHEUNG Hok-ming considered this a merit in minimizing any possible disturbances to users of the two facilities. Mr CHEUNG was however concerned whether the entrance to the community hall could cope with the large number of spectators seeking access to the dragon boat race spectator stand on the first floor of the complex on the day of the dragon boat race.

40. In reply, D Arch S explained that spectators could access the stand both through the stairs and the ramp leading to the landscaped podium on the first floor and the passenger lift in the community hall. D Arch S pointed out that the design of the joint-user complex had incorporated flexibility in allowing direct access to the spectator stand through the landscaped podium so as to relieve the pressure of spectators flow on the day of the dragon boat race. Moreover, the community hall would provide convenient indoor venue for prize presentation ceremony or other festive functions. Responding to Mr CHEUNG Hok-ming's enquiry on the full utilization of the spectator stand for other functions, Ag PS(FEH), HWFB advised

that the Administration would explore the best option to utilize the stand on dates other than the dragon boat race in consultation with TMDC.

41. Prof Patrick LAU was of the view that the architectural design of the joint-user complex was inappropriate. He criticized that the community hall, WFM and refuse collection point should not be housed in the same complex as the purposes of the facilities were incompatible. He questioned why the community hall which was only of a small floor area, could not be constructed at a more suitable site separate from the WFM and the refuse collection point. Prof LAU also asked the Administration to consider providing clear separation between the main pedestrian access to the community hall and the vehicular access to ensure safety of users.

42. In reply, Ag PS(FEH), HWFB said that the proposal of building a joint-user complex to accommodate the community hall and the WFM was to optimize land use. He pointed out that the design of the complex had taken into consideration the recommendations in the EIA Report on measures to mitigate the environmental nuisances. He stressed that the community hall and WFM were physically separated in the building design, with the main entrances of the two facilities facing different directions. Prof Patrick LAU maintained his view that the design of the joint-user complex to house the community hall and WFM was inappropriate.

43. The item was voted on and endorsed.

PWSC(2007-08)38 48RG Tin Shui Wai public library cum indoor recreation centre

44. The Chairman advised members that the Administration had briefed the HA Panel on the proposal at the meeting on 11 May 2007. Members of the Panel generally supported the proposed works. While noting the Administration's explanation that longer time would be required for piling due to the location of the works site on a cavern, some members considered that feasible technologies should be available to resolve the problem and to expedite project delivery. Members urged the Administration to speed up implementation of the project to meet residents' demand for the facilities. In addition, the Administration was requested to incorporate more greening measures in the project design and to make reference to views of DC and the community on the proposed project, including the request for extending the opening hours of the facilities.

45. Mr TAM Yiu-chung commented that the late provision of a public library in Tin Shui Wai was the result of incorrect planning in the new town development. He called on the Administration to expedite the implementation of the project to provide for the long overdue facilities to meet the demand of local residents. Referring to the high usage rate of the interim district library at Phase 2 of the Kingswood Ginza, Mr TAM called on the Administration to consider extending the opening hours of the proposed public library. In reply, the Assistant Director

(Libraries and Development), Leisure and Cultural Services Department advised that the proposed public library would initially operate on the same opening hours as the existing district library and the opening hours would be subject to review having regard to the needs of local residents.

46. Mr Albert CHAN expressed similar view that the public library had been long overdue and opined that considerable public resources had been wasted for the rental of the interim district library on private premises at the Kingswood Ginza. He criticized the defects in the project design resulted from the lack of forward planning of the Government in choosing the current site which was subject to height restrictions of the rural development area. In this connection, Mr CHAN expressed great dissatisfaction towards the limitation of the total floor area of the public library cum indoor recreation centre as a result of the height restrictions, thereby affecting the standard of provision of facilities in the centre, in particular the indoor heated swimming pool the size of which was substandard. He therefore requested to put on record that while he was not satisfied with the proposed project design, he had no better choice other than supporting the current proposal so that the provision of the long overdue facilities would not be further delayed. Pointing out his aspiration for the proposed building to become the landmark of Tin Shui Wai, Mr CHAN urged the Administration to improve the project design by making reference to other outstanding designs and implement more vertical greening for the building.

47. In reply, D Arch S advised that the Administration had taken on board the views of Mr Albert CHAN and Prof Patrick LAU on the incorporation of more vertical greening in the project design. In this connection, he pointed out that vertical greening would be provided for a total area of about 750 square metres on the building and the access from the West Rail station to the proposed public library cum indoor recreation centre would be beautified. The Administration would take forward the detailed design of the project having regard to members' views on greening measures.

48. The item was voted on and endorsed.

Head 704 - Drainage

PWSC(2007-08)40 109CD Drainage improvement works in Tai Po

49. The Chairman advised members that an information paper on the project had been circulated to the Panel on Planning, Lands and Works on 14 May 2007.

50. Mr LI Kwok-ying stated support for the project. Noting that three out of the 19 objections received on the project remained unresolved, he enquired whether measures would be implemented to address the objectors' concerns about land resumption and the increase in vehicular traffic through the existing narrow access and road safety.

51. The Director of Drainage Services (DDS) said that the Administration had endeavoured to modify the alignment of the drainage channel to lessen the impact of the works on the nearby residents. Among the three unresolved objections, one of the objectors expressed concern about the resumption of her land, which could not be avoided as the building structures on the land was located at the drainage channel. After considering the objections, the Chief Executive in Council authorized the proposed works on 5 June 2007. As to Mr LI Kwok-ying's concern about compensation to affected residents, DDS advised that affected residents would be compensated in accordance with the prevailing policy. On road safety, according to a traffic impact assessment conducted by the Administration, the proposed works would not cause unacceptable traffic impact as vehicular access would be provided through both the existing roads and the roads on the widened drainage channel during the construction period.

52. The item was voted on and endorsed.

Head 706 - Highways

PWSC(2007-08)41	21TC	Provision of traffic control and surveillance facilities for existing strategic roads
	22TC	Replacement of area traffic control and closed circuit television systems for Kowloon, Tsuen Wan and Sha Tin and expansion of the systems to Tseung Kwan O
	23TC	Provision of facilities for traffic incident management and traffic information dissemination in the urban areas and their vicinities

53. The Chairman advised members that an information paper on the project had been circulated to the Panel on Transport on 23 May 2007.

54. Noting the concern of a Central & Western DC member on the privacy issue, Miss TAM Heung-man doubted whether the images captured by the Close Circuit Television (CCTV) system would give rise to any privacy concerns. She enquired about the content and handling of the information captured by the CCTV system, including whether the Transport Department (TD) would provide the images/information to other authorities, such as the Hong Kong Police Force for investigation and law enforcement. In this connection, Miss TAM also sought information on the measures, if any, to prevent abuse of the CCTV system so as to safeguard the privacy of road users.

55. The Deputy Secretary for the Environment, Transport and Works (Transport)3 (DS(T)3, ETWB) explained that information collected from the CCTV system would be used to facilitate better traffic management and allow

quick remedial actions to be taken when necessary to cope with abnormal traffic conditions and/or incidents. The images on display on TD's website were fed by CCTV cameras pre-set to collect real time traffic information at a fixed wide angle but would not identify any individual or number plate. The Chief Engineer (Traffic Control), Transport Department added that in the event that the coverage of CCTV cameras captured images from private premises, the relevant part of the image would be obscured by pixels so that details could not be identified. He further advised that the images captured from the CCTV system would not be recorded as they would only be used for traffic control and surveillance purposes.

56. While expressing support to the provision of more traffic control and surveillance facilities under this project, Ms Miriam LAU asked how drivers could obtain the real time traffic information from the CCTV system during their trips and whether arrangements had been made with the media such as the radio stations to ensure timely dissemination of traffic information to the drivers.

57. In reply, DS(T)3, ETWB advised that traffic information captured from the about 180 CCTV were made available to the public through TD's website on the Internet and the media, including the television and radio stations. The provision of real time traffic information aimed to facilitate road users to make informed route choices in their pre-trip planning. Meanwhile, arrangements had been made with some telecommunication companies for dissemination of traffic information to their 3G mobile phone users.

58. Ms Miriam LAU remained concerned about the timely dissemination of traffic information to drivers during their trip so that they could be kept abreast of the latest traffic incidents/abnormal traffic conditions and re-route their trips accordingly. Ms LAU doubted the efficiency of the existing channels for dissemination of traffic information to drivers and enquired whether and how improvement could be made in this respect. In response, DS(T)3, ETWB said that TD would continue to facilitate the dissemination of traffic information through new technologies, such as global positioning system installed in vehicles.

59. The item was voted on and endorsed.

Head 707 – New Towns and Urban Area Development

PWSC(2007-08)42 811TH Ping Ha Road improvement – remaining works (Ha Tsuen Section)

60. The Chairman advised members that an information paper on the project had been circulated to the Panel on Transport on 25 May 2007.

61. The item was voted on and endorsed.

Head 708 - Capital Subventions and Major Systems and Equipment

PWSC(2007-08)43 19EH School of Communication-cum-School of Creative/Visual Arts Building, Hong Kong Baptist University

62. Ms Miriam LAU declared that she was a member of the Council of the Hong Kong Baptist University (BaptistU).

63. Mr CHEUNG Man-kwong pointed out that he had made a comparison of the estimated costs of the current proposal of BaptistU with the two remaining items on the agenda, i.e. **PWSC(2007-08)44** (CityU's proposal) and **PWSC(2007-08)45** (ChineseU's proposal) given the similarity of the scopes of these three capital subvention projects proposed by University Grants Committee (UGC)-funded institutions, in particular the similarity between proposals of the BaptistU and the CityU with the construction of school buildings for Communication-cum-School of Creative/Visual Arts and Multi-media Studies. According to his calculation, the unit costs per square metre (m²) of net operational floor area (NOFA) for the three capital subvention projects were \$24,500 for **PWSC(2007-08)43**, \$32,600 for **PWSC(2007-08)44** and \$21,600 for **PWSC(2007-08)45** respectively. He queried the cause for the significantly higher estimated cost for the Multi-media Building, stage 2 under CityU's proposal. Mr CHEUNG further pointed out that even a comparison of the unit cost per m² of the construction floor area (CFA) of the three proposals demonstrated the same fact that the estimated cost of CityU's proposal was on the high side (with unit costs per m² of CFA for the proposals of BaptistU, CityU and ChineseU being \$13,500, \$17,700 and \$11,900 respectively).

64. The Chief Technical Advisor (Subvented Projects), Architectural Services Department (CTA(SP), ArchSD) said that the Administration had carefully assessed and vetted the specifications and requirements of all the proposed capital subvention projects. Referring to Enclosure 6 to the discussion papers of the proposals of BaptistU and CityU, CTA(SP), ArchSD pointed out that the estimated construction unit cost, represented by the building and building services costs, for the two buildings were comparable (with the unit construction cost per m² of CFA for the CityU's proposal and the BaptistU's proposal at \$11,900 and \$11,857 respectively). He advised that the higher estimated cost for the CityU's proposal was partly attributable to a provision of \$30 million for the specialist equipment required by CityU. The Deputy Secretary-General (1), University Grants Committee (DSG(1), UGC) added that examples of the specialist equipment required by CityU included high speed server and equipment for running 2D and 3D animation software, digital cinema equipment, studio grade sound systems and processors, professional multi-format audio compressor and digital audio recording equipment and mixing console etc. For BaptistU's proposal, the equipment requirement was covered under the provision for furniture and equipment.

65. Mr CHEUNG Man-kwong did not subscribe to the Administration's explanation and pointed out that the estimated cost of CityU's proposal still amounted to over \$400 million even if \$30 million for the specialist equipment was deducted from the estimate. Mr CHEUNG also noted with concern that while CityU contributed \$14.3 million from private source of funding to support the additional building cost for the crystalline shape building design, the substantial balance of the project cost would be borne by the Government out of the public pocket. Prof Patrick LAU and Mr LEE Wing-tat shared similar concern about the high cost estimates for the CityU's proposal.

66. Noting that members' major concern was about the proposal of the CityU, the Chairman suggested and members agreed that the Subcommittee should deal with the current proposal and the ChineseU's proposal under **PWSC(2007-08)45** before proceeding with the deliberation of CityU's proposal.

67. The item was voted on and endorsed.

PWSC(2007-08)45 48EF Teaching building at Chak Cheung Street - phase 2, The Chinese University of Hong Kong

68. Mr CHEUNG Man-kwong declared that he was a member of the Council of The Chinese University of Hong Kong.

69. The item was voted on and endorsed.

PWSC(2007-08)44 20EJ Multi-media Building - stage 2, City University of Hong Kong

70. The Chairman advised members that the Panel on Education was consulted on stage 1 of the project at its meeting on 18 March 2002. Panel members raised no objection to stage 2 of the project. He declared interest that he was a member of the Court of CityU.

71. Mr LEE Wing-tat pointed out that the individual items making up the capital funding for the project, such as external works and consultants' fees, were higher than those of the BaptistU's proposal under **PWSC(2007-08)43**. Noting that a higher provision was required for the special design of the Multi-media Building in a crystalline shape and that CityU would contribute \$14.3 million for this purpose, Mr LEE doubted whether it was worthwhile to spend over \$400 million of public money for the special building design and opined that CityU should shoulder a higher proportion of the project cost.

72. The Director of Campus Planning, CityU explained that apart from the higher provision for specialist equipment under the current proposal, other

expenditure items were worked out on the basis of established formulae/methodology. For example, the estimated costs for drainage and external works were prepared by the consultants based on the project design and the costs for the furniture and equipment was projected based on 12.5% of the building and building services costs of the project estimate.

73. As to the cost incurred for the special building design, the Vice-President for Administration, CityU (VP(Adm), CityU, HK) said that CityU had expected the state-of-the art design of the Multi-media Building to inspire creativity of the students and provide trainings for the talents required for the development of creative industry in Hong Kong. VP(Adm), CityU, HK further said that when the funding proposal for the stage 1 of the project was submitted to the Legislative Council in May 2002, the preliminary estimate for the Multi-media Building was \$550 million. The estimated cost for the current proposal was therefore within the scope of the previous estimate in 2002. As regards CityU's contribution to the project cost, she pointed out that CityU had borne the costs for engaging consultants for site investigation, preliminary design and detailed design of the project. As such, the contribution made by CityU to the project cost would be more than \$14.3 million.

74. As the meeting had overrun and the Council meeting would commence shortly, the Chairman proposed and members agreed that the discussion of the item could be deferred to the next PWSC meeting scheduled for 27 June 2007.

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75. To facilitate members' further consideration of the proposal, the Administration was requested to provide supplementary information to address members' following concerns before the next PWSC meeting:

- (a) Ms Miriam LAU's concern about the criteria adopted by the Administration in assessing and vetting the funding proposals of capital subvention projects from the UGC-funded institutions;
- (b) Mr Albert CHAN's enquiry on whether the Administration had given special consideration in vetting the funding proposal for the present project of CityU, and if so, reasons for the project to merit special consideration and details of the consideration;
- (c) concern of Mr CHEUNG Man-kwong and Mr LEE Wing-tat about the reasons for the substantially higher estimated cost of the project over the other two capital subvention projects of UGC-funded institutions considered at the meeting (i.e. **PWSC(2007-08)43** and **PWSC(2007-08)45**). In this connection, the Administration was requested to provide detailed breakdown of the capital cost estimate for the project (with unit cost of each item and further details on the consultants' fee for the project), as well as similar breakdown for the other two above-mentioned projects for comparison purpose; and

- (d) Mr Albert CHAN's concern about the relation, if any, between the approved project estimate of \$46.4 million for site investigation, preliminary design and detailed design of the project and the estimated cost of \$437.0 million for the construction of the multi-media building. He sought the Administration's elaboration of the background information in paragraph 23 of the discussion paper to illustrate such relation.

(Post-meeting note: On the advice of the Administration and with the concurrence of the Chairman of the Subcommittee, the meeting scheduled for 27 June 2007 was cancelled as more time was needed for the compilation of the required information in paragraph 75 above.)

76. The meeting ended at 10:50 am.

Council Business Division 1
Legislative Council Secretariat
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