

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

**Minutes of the 9th meeting
held in the Chamber of Legislative Council Building
on Wednesday, 26 March 2008, at 4:30 pm**

Members present:

Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP (Chairman)
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon James TO Kun-sun
Hon CHAN Yuen-han, SBS, JP
Hon CHAN Kam-lam, SBS, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Hon LAU Kong-wah, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Miriam LAU Kin-ye, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Andrew CHENG Kar-foo
Hon Abraham SHEK Lai-him, JP
Hon Albert CHAN Wai-yip
Hon Daniel LAM Wai-keung, SBS, JP
Dr Hon KWOK Ka-ki
Prof Hon Patrick LAU Sau-shing, SBS, JP

Members absent:

Hon Alan LEONG Kah-kit, SC (Deputy Chairman)
Hon Fred LI Wah-ming, JP
Hon Bernard CHAN, GBS, JP

Hon SIN Chung-kai, SBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon Timothy FOK Tsun-ting, GBS, JP
Hon LEE Wing-tat
Hon LI Kwok-ying, MH, JP
Hon CHEUNG Hok-ming, SBS, JP
Hon TAM Heung-man

Member attending:

Dr Hon Fernando CHEUNG Chiu-hung

Public officers attending:

Mr Joe C C WONG, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) ³
Mr MAK Chai-kwong, JP	Permanent Secretary for Development (Works)
Ms Anissa WONG, JP	Permanent Secretary for the Environment
Mr Raymond YOUNG, JP	Permanent Secretary for Development (Planning and Lands)
Mr Davey CHUNG	Principal Assistant Secretary for Financial Services and the Treasury (Treasury) (Works)
Ms Sharon HO Ho-shuen	Principal Assistant Secretary (Transport) ⁵ , Transport and Housing Bureau
Mr WAI Chi-sing, JP	Director of Highways
Mr CHOW Ying-shun, JP	Project Manager (Major Works), Highways Department
Mr LEE Yan-ming	Chief Engineer (Traffic Engineering) (New Territories West), Transport Department
Mr Francis HO	Principal Assistant Secretary (Food) ² , Food and Health Bureau
Mr LO Siu-fung	Assistant Director (Operations) ² (Acting), Food and Environmental Hygiene Department
Mr YUE Chi-hang, JP	Director of Architectural Services
Miss Grace LI Wai-ting	Assistant Secretary for Home Affairs (Recreation and Sport) ²
Mr Eddy YAU, JP	Assistant Director (Leisure Services) ³ , Leisure and Cultural Services Department
Mr Peter KAN Tat-sing	Chief Executive Officer (Planning) ² , Leisure and Cultural Services Department

Clerk in attendance:

Ms Rosalind MA Senior Council Secretary (1)8

Staff in attendance:

Ms Pauline NG Assistant Secretary General 1
Mr Noel SUNG Senior Council Secretary (1)4
Ms Angel SHEK Council Secretary (1)2
Ms Alice CHEUNG Senior Legislative Assistant (1)1
Mr Frankie WOO Legislative Assistant (1)2

Action

Head 706 – Highways

PWSC(2007-08)89 801TH Widening of Tuen Mun Road at Tsing Tin Interchange

The Chairman advised members that the Panel on Transport was consulted on this proposal on 28 January 2008.

2. Noting that a considerable length of noise barriers would be installed along Tuen Mun Road (TMR) under this project and item **PWSC(2007-08)88** endorsed at the last Public Works Subcommittee (PWSC) meeting held on 20 February 2008, Ms Emily LAU advised that she had requested the Administration to consider making improvement to the aesthetic design of the noise barriers through organizing an open design competition. She was given to understand that instead of organizing a design competition on a project basis, the Administration would consider inviting public submissions on model designs for noise barriers through an open competition and using the winning designs for road projects. In this connection, Ms LAU expressed concern about the Administration's plan, such as the timeframe, for the design competition. She was gravely concerned that the design competition should be held timely for the winning designs to be adopted in the current project and the project under **PWSC(2007-08)88**.

3. The Director of Highways (DH_y) responded that to address Members' concern about the aesthetic design of noise barriers, the Administration was devising plan for an open design competition to invite designs for noise barriers. The initial plan was to invite designs for selected existing road sections in the rural or urban areas and liaise with the professional bodies and tertiary institutions for indication of interest. The Administration planned to use the winning designs as the reference models for future road projects, making modifications to suit circumstances of each road project where appropriate. As to the timeframe of the design competition, DH_y said that as reasonable time would be required for arrangements of the competition, the winning designs

would unlikely be available for adoption in the current proposal and the proposal under **PWSC(2007-08)88**. DHy nevertheless pointed out that the Administration had made efforts to improve the aesthetic design of noise barriers, through measures such as requiring expert advice from architects on aesthetic issues of project design of all road projects starting from 2007. Responding to Ms Emily LAU's request for provision of rewards/incentives to winners of the design competition, DHy advised that the Administration would take her view into consideration in planning the design competition. As to Ms LAU's enquiry on the photomontages showing the appearance of the proposed noise barriers under the current project, DHy provided two photomontages for members' reference.

4. While not objecting to the use of the winning designs for noise barriers, Mrs Selina CHOW cautioned that such designs should not be adopted indiscriminately for all road projects, as the design of noise barriers had to be compatible with the surrounding environment and the overall design of individual projects. Mrs CHOW enquired whether the design of the noise barriers had been updated with the development of new noise barriers materials in the market. In reply, DHy reiterated that the winning designs of the competition would only be used as reference models which would be modified to suit the circumstances of different road projects. As to the use of new noise barrier materials, DHy advised that the Administration endeavoured to introduce new elements by using new materials in the market to improve the design of noise barriers. Responding to Mrs CHOW's concern about the need to minimize the traffic impact of the proposed road works, DHy advised that the contractor would be required to submit detailed traffic management plans for approval by the Highways Department in consultation with the Transport Department and the Hong Kong Police Force.

5. Mr Albert CHAN expressed concern that tenderers might be constrained by the estimated funding provisions for the noise barriers when working out the design and the materials to be used for the noise barriers under the project. He was of the view that the Administration should relax the upper limit of the cost estimates for noise barriers under the project to provide greater flexibility for the tenderers to put forward high quality designs.

6. In response, DHy explained that instead of setting an upper limit for individual expenditure items for a project, the Administration would work out the cost estimate based on the actual costs of similar projects and having regard to possible variations in prices. The project contract would be awarded through open tender, and flexibility was allowed for the tenderers to propose in their bids alternative design and/or materials to be used for the noise barriers. In the assessment of tender bids, both the technical and the financial aspects would be taken into consideration. Hence, a tender bid proposing the use of higher quality materials and/or better design for the noise barriers would possibly get a higher score in the technical aspect. The contract for the road widening project would be awarded to the tenderer with the highest overall score. Responding to Mr Albert CHAN's request for attaching greater importance to the aesthetic

design in tender assessment, DHy said that the Highways Department could discuss with the Development Bureau on increasing the weighting of the technical factor in the tender assessment of the current project.

7. Prof Patrick LAU opined that the design of noise barriers should be compatible with the surrounding environment and should feature the unique characteristics of the district/area where they were located. In this connection, Prof LAU asked the Administration to make reference to the successful design of the noise barriers near the container terminals in Kwai Chung. Noting that noise barriers would be installed along TMR at Tsing Tin Interchange under the current project but not the remaining sections of TMR to the south of the Interchange where a considerable number of buildings were located on both sides of the road, Prof LAU questioned the rationale for choosing the locations of the noise barriers. Ms Emily LAU shared Prof LAU's concern and opined that noise barriers should also be installed along TMR to the south of the Tsing Tin Interchange to reduce the level of traffic noise affecting the neighbouring residents.

8. DHy advised that the provision of noise barriers under the project was determined in accordance with assessments of traffic noise levels on affected sensitive receivers arising from the proposed road widening works. As the proposed works would be carried out on the section of TMR at Tsing Tin Interchange only (the area shaded grey in Enclosure 1 to the Administration's paper), noise barriers would be installed for dwellings/buildings near the Interchange affected by the increased traffic noise levels from the road widening, including a primary school, a residential building and a hospital staff quarter.

9. Prof Patrick LAU remained concerned that noise mitigation measures should be implemented to reduce the impact of traffic noise on neighbouring residents along other sections of TMR. Ms Emily LAU expressed similar concern about the implementation of measures to mitigate road traffic noise. She pointed out that the Panel on Environmental Affairs (EA Panel) would discuss the progress of such measures with the Administration at a meeting to be held in April 2008. She did not agree to the Administration's arrangement of installing noise barriers only for those sensitive receivers affected by the increased traffic noise of proposed road projects.

10. DHy said that the policy for the implementation of noise mitigation measures had been discussed at meetings of the EA Panel previously. Responding to Ms Emily LAU's enquiry on details of the proposal for installation of noise barriers along TMR from Tseng Choi Street to Tuen Mun Heung Sze Wui Road, DHy advised that members of the Tuen Mun District Council (TMDC) had put forward their request for noise barriers at the aforesaid location, and they had been informed that the feasibility was being examined under a separate project. The Administration would conduct further consultation with TMDC when the project proposal was ready.

11. The item was voted on and endorsed.

Head 703 – Buildings**PWSC(2007-08)78 27NM General improvement to Fa Yuen Street Market and Cooked Food Centre**

12. The Chairman advised members that an information paper on the project was circulated to the Panel on Food Safety and Environmental Hygiene in January 2008.

13. Dr KWOK Ka-ki enquired about the occupancy rate of the Fa Yuen Street Market and Cooked Food Centre (Fa Yuen Street Market CFC). He noted with concern that quite a number of stall lessees had used their stalls in the markets under the management of the Food and Environmental Hygiene Department (FEHD) for storage instead of business operation. He therefore enquired about the number of stalls in business operation in the Fa Yuen Street Market CFC.

14. The Principal Assistant Secretary (Food)2, Food and Health Bureau (PAS(F)2, FHB) responded that there were 166 market stalls and 22 cooked food stalls in the Fa Yuen Street Market CFC. As at 1 February 2008, the occupancy rate was about 80%, i.e. 137 market stalls and 14 cooked food stalls were leased out. As to the number of stalls in business operation, PAS(F)2, FHB advised that from the observation of FEHD staff, the majority of the stalls in the Fa Yuen Street Market CFC were in operation daily, despite that some stalls might occasionally be closed on certain days subject to the commercial consideration of the stall lessees concerned.

15. Noting that a number of improvement works were proposed to upgrade the existing provision of the Fa Yuen Street Market CFC, Dr KWOK Ka-ki enquired whether the stall lessees had been consulted on the proposed works, and if so, what their views were in this regard. He also expressed concern about the effectiveness of the proposed works in enhancing the attractiveness of the market facilities to stall operators, thereby boosting the occupancy rate of the Market and CFC.

16. In reply, PAS(F)2, FHB advised that the existing provisions and conditions of the Fa Yuen Street Market CFC had been subject to considerable wear and tear after opening for nearly 20 years. Improvement works would therefore help to upgrade the outdated provisions, thus increasing the attractiveness of the market/CFC facilities to stall operators and users. Based on past experience of improvement works completed in other markets and CFCs, there had been an increase of 5% to 10% in the occupancy rates after completion of works. Upon completion of the proposed works under the project, FEHD would organise promotion and publicity activities for the Fa Yuen Street Market CFC. As for the views of stall operators on the market and CFC facilities, there had been general concern about ventilation and toilet facilities. Relevant

improvement works had been incorporated into the current proposal to address these concerns, such as improvements to the mechanical ventilation system, the kitchen exhaust system and refurbishment of toilets.

17. Noting that rental waiver/reduction for the affected stall lessees would be considered in accordance with Government's general guidelines, Mr Jasper TSANG asked whether the affected stall lessees of the Fa Yuen Street Market CFC had been consulted on the terms of rental concession to be granted, and if so, whether they considered such terms acceptable. He also enquired about the amount of rental loss as a result of the closure of part of the market for the improvement work. Miss CHAN Yuen-han and Ms Emily LAU shared Mr TSANG's concern. Miss CHAN stressed that the Administration should ensure that the proposed terms of rental concessions were considered acceptable by the affected stall lessees.

18. PAS(F)2, FHB responded that affected stall lessees of the Fa Yuen Street Market CFC were advised of the arrangements for closure and rental concessions in general. For example, the work schedule for the project had been suitably worked out to fit in with the closure of CFC in summer, taking into account the preference of stall lessees concerned for closing the CFC for the necessary works in summer. Stall lessees were also informed of the general principles for granting rental concession to stalls affected by market improvement works, such as granting of rental waiver during the works period (when stalls had to be closed) and for the first seven days of re-opening. FEHD staff would continue to maintain close liaison with the affected stall lessees in the planning and implementation of the proposed project. The Assistant Director (Operations)2, Food and Environmental Hygiene Department supplemented that FEHD had explained to the affected stall lessees the general arrangements for rental waiver/reduction during the improvement works period. The affected stall lessees would be informed about the details of the terms of rental concession once the improvement works schedule had been finalized. At the request of Ms Emily LAU, the Administration agreed to provide, before the relevant meeting of the Finance Committee (FC), details of the proposed terms of rental concession for consultation with the affected stall lessees, and also report the outcome of the consultation together with information on the proposed terms provided to the stall lessees in the consultation.

Admin

19. Miss CHAN Yuen-han noted with concern the significant reduction in stall lessees' support for the proposed air-conditioning retro-fitting works in the different rounds of surveys, i.e. from 86% in 2002 to 40% in 2005 for Market lessees, and from 100% in 2002 to 71% in 2006 for CFC lessees. She questioned whether such a great difference in the survey findings had anything to do with the attitude and approach of Government officials conducting the survey. She suspected that the lessees could have been influenced by the surveying staff to change their views on the retro-fitting works.

20. PAS(F)2, FHB responded that as the previous paper on the project submitted to PWSC in May 2003 had met with members' divergent views, the

Administration had maintained dialogue with the relevant DC and the stall lessees concerned to gauge their views in the past few years. He stressed that objective surveys were conducted in the past few years to ascertain the extent of stall lessees' support for the air-conditioning retro-fitting works. The change in the lessees' views on the proposed retro-fitting works was by no means attributable to the approach of the surveying staff. As far as what the Administration had gathered from the stall lessees, one of their major considerations was the possible financial burden arising from the recurrent cost for air-conditioning such as electricity charges.

21. Ms Emily LAU questioned whether energy efficient features would be adopted in the current project, as the Administration was committed to implementing energy conservation measures as far as practicable for its buildings projects. The Director of Architectural Services (D Arch S) replied that there was limited scope for adopting energy efficient features for such an old market building. Nevertheless, energy efficient fluorescent tubes would be used for lighting under the project, which would achieve an estimated 3.5% savings in annual electricity consumption.

22. Prof Patrick LAU asked whether the Administration would take the opportunity of the current project to conduct refurbishment works for the exterior of the market building as well. He opined that in terms of cost-effectiveness and efficiency, it would be a better arrangement to synchronize the refurbishment works for the exterior and the interior of the same building. D Arch S responded that the exterior of the building was maintained and refurbished regularly under a separate maintenance programme which was outside the scope of the current project. D Arch S noted Prof LAU's suggestion and advised that the maintenance work for the exterior of the building would have to be arranged in consultation with the relevant building management committee in accordance with the normal maintenance cycle.

23. The item was voted on and endorsed.

**PWSC(2007-08)82 261RS Sports Centre in Area 28A, Fanling/
Sheung Shui**

24. The Chairman advised members that an information paper on the project was circulated to the Panel on Home Affairs in January 2008.

25. Prof Patrick LAU expressed support for the adoption of energy efficient features for the proposed Sports Centre. Referring to the layout plan in Enclosure 2 to the Administration's paper, Prof LAU asked about the construction material to be used for the large area of the entrance lobby. He was concerned that the use of glass might increase heat transmission and result in high energy consumption for air-conditioning, if the lobby would be air-conditioned. D Arch S advised that the lobby area would be air-conditioned, and low-emission glass would be used to facilitate the penetration of sunlight to

minimize lighting requirements while at the same time reduce heat transmission. Other energy conservation measures would also be implemented under the project, such as installation of solar photovoltaic panels (SP panels) on the rooftop for generation of renewable energy.

26. Prof Patrick LAU expressed concern about the amount of energy required to provide air-conditioning for the large lobby area constructed with glass. He opined that the Administration should explore the feasibility of using other construction materials as well as alternative project design for the Sports Centre so that air-conditioning would not be required for the lobby. Ms Emily LAU shared Prof LAU's concern and cautioned that in examining alternative design for the project, the Administration should ensure that even without air-conditioning, the ventilation for the entrance lobby would be maintained at a comfortable level for users of the Sports Centre, especially during hot summer days.

27. In response, D Arch S advised that under the current design, there might not be sufficient natural ventilation in the lobby area at all times without air-conditioning due to the presence of structures at its east and west sides. Hence, modifications would have to be made to the project design, if ventilation for the entrance lobby were to be provided by means other than air-conditioning. D Arch S pointed out that modifications of the project design had to be examined with the project designer and any revised design would have to be subject to consultation with the North District Council (North DC).

28. Ms Emily LAU appreciated the need to consult the North DC on providing natural ventilation instead of air-conditioning for the entrance lobby. She was however concerned about the time required for working out the revised design for consultation with the North DC, and whether the consultation could be arranged timely for the outcome to be available before the relevant FC meeting.

29. D Arch S advised that he believed that the modification required for natural ventilation for the lobby should not entail major changes to the design. In any case, the Administration was committed to commence the proposed works according to the scheduled timeframe, and had planned to proceed with project tendering soon. As to the timing for consultation with the North DC, the Assistant Director (Leisure Services)³, Leisure and Cultural Services Department advised that it might not be possible for the consultation to be completed before the relevant FC meeting given the fixed meeting schedule of the DC. At the request of Ms Emily LAU, the Administration agreed to provide information on the outcome of its examination, and as far as practicable, the outcome of the consultation with DC on the revised design.

Admin

30. Noting that greening would be implemented on the rooftop of the Sports Centre, Ms Emily LAU enquired whether the proposed greening works would reduce space for the installation of SP panels. She sought information on the criteria adopted by the Administration for determining the proportion of greening and SP panels on rooftops of government buildings. Ms LAU was

concerned whether the Administration would try to install as many SP panels as possible so as to generate more renewable energy for use in government buildings.

31. In reply, D Arch S advised that for the proposed Sports Centre, SP panels would be installed on the rooftop of the entrance lobby and greening works would be carried out on rooftops of the Table Tennis Room and the Fitness Room. Greening would nevertheless not be provided on the rooftop of the Multi-purpose Main Arena as lighter and non-reflective material had to be used to minimize the light impact on neighbouring residents. He pointed out that as far as technical feasibility was concerned, SP panels could be installed on all rooftops provided there was sufficient space. D Arch S however highlighted that the Administration exercised great caution in determining the amount of SP panels to be installed, given the high capital cost for these panels. He advised that the installation of SP panels to generate solar energy for water heating under the current project was considered appropriate.

32. Ms Emily LAU did not subscribe to the Administration's explanation of applying cost consideration in the installation of devices for generation of renewable energy. In reply, D Arch S reiterated that in determining the suitable proportion of SP panels to be installed on rooftops, policy as well as cost considerations had to be taken into account. Ms LAU remained concerned about the restricted provision of SP panels based on consideration of capital cost. She was of the view that savings in recurrent costs for energy charges could eventually offset the capital cost for installation. She doubted whether the environment conservation would have been attached greater importance if the Environment Bureau was involved in the determination of the proportion of SP panels to be installed.

33. The Permanent Secretary for Development (Works) advised that even if SP panels were to be installed on the entire rooftop of the proposed Sports Centre, the energy generated would not be adequate to meet the demand for all the facilities therein. The adoption of energy conservation measures had to be determined after balancing all the relevant factors such as energy consumption, weather and building design. The Permanent Secretary for the Environment said that in line with the consensus between the Development Bureau and the Environment Bureau, energy efficient features would be incorporated in new government buildings where practicable and appropriate. The current proposal had incorporated a number of energy conservation measures, including installation of SP panels and rooftop greening, which had the support of the Environment Bureau. As a matter of fact, renewable energy to be generated through SP panels could not provide adequate and stable power supply for all the facilities in the Sports Centre.

34. The item was voted on and endorsed.
35. The meeting ended at 5:40 pm.

Council Business Division 1
Legislative Council Secretariat
18 April 2008