

立法會
Legislative Council

LC Paper No. CB(2)2722/07-08
(These minutes have been seen
by the Administration)

Ref : CB2/PL/HA

Panel on Home Affairs

Minutes of meeting
held on Friday, 11 April 2008, at 9:30 am
in the Chamber of the Legislative Council Building

- Members present** : Hon CHOY So-yuk, JP (Chairman)
Hon Albert HO Chun-yan (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon James TO Kun-sun
Hon CHEUNG Man-kwong
Hon CHAN Yuen-han, SBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon LAU Wong-fat, GBM, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Andrew CHENG Kar-foo
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon Albert CHAN Wai-yip
Hon LI Kwok-ying, MH, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon CHEUNG Hok-ming, SBS, JP
Hon WONG Ting-kwong, BBS
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon TAM Heung-man
- Members attending** : Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki
- Members absent** : Hon WONG Yung-kan, SBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Daniel LAM Wai-keung, SBS, JP

Public Officers : Item III
attending

Development Bureau

Mrs Carrie LAM
Secretary for Development

Mrs Susan MAK
Deputy Secretary for Development (Planning and
Lands)¹

Planning Department

Mrs Ava NG
Director of Planning

Item IV

Home Affairs Bureau

Mr Donald TONG
Acting Permanent Secretary for Home Affairs

Miss Janet WONG Chin-kiu
Principal Assistant Secretary (Recreation & Sport)

Leisure and Cultural Services Department

Miss Olivia CHAN
Assistant Director (Leisure Services)²

Architectural Services Department

Mr CHAN Wing-tak
Chief Technical Advisor/Subvented Projects

Hong Kong Sports Institute Limited

Dr Eric LI Ka-cheung
Chairman, Hong Kong Sports Institute Limited

Mr Tommy YIM
Member, Hong Kong Sports Institute Redevelopment
Project Steering Committee

Dr Trisha LEAHY
Chief Executive, Hong Kong Sports Institute Limited

Mr Kevin YIP
Project Manager (Redevelopment), Hong Kong Sports
Institute Limited

Mr Joel CHAN
Project Director, P&T Architects and Engineers Limited

Mr William SIU
Associate Director, Northcroft Hong Kong Limited

Item V

Home Affairs Bureau

Mr Donald TONG
Acting Permanent Secretary for Home Affairs

Leisure and Cultural Services Department

Mr Vincent LIU
Acting Director of Leisure and Cultural Services

Miss Olivia CHAN
Assistant Director (Leisure Services) 2

Home Affairs Department

Miss Amy CHAN
Assistant Director (1)

Transport Department

Mr Albert SU
Principal Transport Officer/Urban

Hong Kong Police Force

Mr Tony WONG
Commandant (Police Tactical Unit)

Item VI

Home Affairs Bureau

Ms Esther LEUNG
Deputy Secretary for Home Affairs (West Kowloon
Cultural District)

Mr Danny LAU
Principal Assistant Secretary for Home Affairs (West
Kowloon Cultural District)

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

Staff in attendance : Ms Joanne MAK
Senior Council Secretary (2)2

Miss Vivien POON
Council Secretary (2)3

Ms Anna CHEUNG
Legislative Assistant (2)2

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I. Information paper(s) issued since the last meeting

Members noted that no information papers had been issued since the last regular meeting.

II. Items for discussion at the next meeting

[Appendices I and II to LC Paper No. CB(2)1517/07-08]

Next regular meeting on 9 May 2008

2. The Chairman said that, when the Panel last discussed the item "Strengthening the software and humanware in culture and the arts" with 19 deputations at its regular meeting on 15 February 2008, members agreed to discuss the Administration's responses to those deputations' views at the regular meeting in May 2008 and to invite the 19 deputations to join the discussion. Members agreed to include the subject for discussion at the next regular meeting to be held on Friday, 9 May 2008, at 10:45 am.

List of outstanding items for discussion

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3. Referring to the list of outstanding items for discussion, Ms Emily LAU expressed concern about the latest developments of the Centre on Youth Development project. At Ms LAU's suggestion, members agreed that the Administration should be requested to provide an information paper on the project for members' reference.

Clerk

(Post-meeting note: an information paper on "Centre for Youth Development" was issued to members vide CB(2)1870/07-08(01) on 8 May 2008.)

Follow-up to the Panel's visit to Hong Kong Art School

4. The Chairman briefed members that, during the Panel's visit to the Hong Kong Art School (HKAS) on 27 March 2007, the management of the school had raised the issue of shortage of space faced by HKAS and its urgent need to identify suitable premises for their long-term development. The Chairman sought members' views on a suggestion made by Ms Emily LAU that the Panel should write to the Administration expressing its support for HKAS's pursuit of suitable school premises. As no members raised objection, the Chairman requested the Clerk to follow up.

Clerk

(Post-meeting note: the Chairman subsequently wrote to the Administration. The Administration's interim reply letter was issued vide LC Paper No. CB(2)2035/07-08(01) on 23 May 2008.)

III. Urban Design Study for the New Central Harbourfront Stage 2 Public Engagement including options on reassembling Queen's Pier and reconstructing the clock tower of the old Star Ferry Pier included in the Study

[LC Paper Nos. CB(2)1545/07-08(01), CB(2)2659/06-07 and CB(1)2440/06-07]

5. The Chairman said that, at the request of the Administration, this item had been added to the agenda for this meeting. She said that the Secretary for Development (SDEV) hoped to take the earliest opportunity to brief members on the Stage 2 Public Engagement of the Urban Design Study for the New Central Harbourfront (the Study), before the release of the relevant details in that afternoon. The Chairman informed members that the Panel on Development would schedule a meeting shortly for discussion on the full range of proposals for the Stage 2 Public Engagement of the Study.

6. SDEV and Director of Planning gave a Powerpoint presentation on the proposals for the Stage 2 Public Engagement of the Study. After the presentation, the Chairman suggested that, as members could discuss the relevant proposals in detail at a meeting of the Panel on Development, they could state their views in brief at this meeting for an overall response by the

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Administration.

7. Dr KWOK Ka-ki expressed dissatisfaction with the current proposal which, in his view, had included too much commercial developments at the new Central waterfront, such as the proposed development of an 18-storey hotel next to Central Piers No. 4 to 6. Ms Emily LAU echoed Dr KWOK's concern. She was particularly concerned about the office building of 30 storeys proposed under the design concepts. She urged the Administration to consider reducing the amount of area for commercial developments so that more green open space could be provided. She considered that arts and cultural facilities and only small-scale commercial use such as alfresco dining areas should be allowed at the harbourfront.

8. Mr CHEUNG Man-kwong considered that the natural coast as well as green and quality open space should be the main components of the new Central harbourfront. He expressed dissatisfaction that the design concepts for Sites 1 and 2 included, either, the combination of an 18-storey hotel and a 30-storey office tower, or the combination of two office buildings of 16 and 30 storeys. He said that IFC II had already destroyed the ridgeline and harbour view and the same mistake must not be committed again. He further said that he did not see why additional office towers and hotels still needed to be provided at the new Central harbourfront as such uses were already quite sufficient in Central. He considered that the Administration should seek to provide an unobstructed harbour frontage as far as possible.

9. Mr Albert CHAN remarked that members' demands for maximized provision of green open space at the new Central harbourfront should be complemented with a review of the location of the new Legislative Council (LegCo) Complex which would also occupy the harbour frontage. Dr KWOK Ka-ki, however, pointed out that it was not the expressed wish of LegCo Members to construct the new LegCo Complex at the Tamar Site and they had little say on this issue.

10. Ms Emily LAU expressed support for the Administration's proposal of facilitating the operation of ferry services at the new Central harbourfront. She, however, expressed concern about the strong odor created by the marine diesel used by ferries which had been much complained about by the public. She requested SDEV to tackle the issue in collaboration with the relevant policy bureau.

11. Professor Patrick LAU asked whether it was the Administration's plan to build the Central-Wan Chai Bypass (CWB) first before the implementation of the Central harbourfront project. He said that there was not enough reduction of the development intensity as compared to that permitted under the Outline Zoning Plans (OZPs), and he agreed with other members' views that the development density for Sites 1 to 4 was still too high. As regards the two design concepts proposed for re-assembling Queen's Pier and reconstructing

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the Old Star Ferry Clock Tower, Professor LAU expressed support for Concept B under which Queen's Pier would be re-assembled at its original location. He considered that there was no need to include Concept A in the consultation exercise which would only confuse the people. He further said that even professional architects would find the presentation of the refined urban design framework difficult to understand as it had included too many unnecessary elements.

12. Miss TAM Heung-man enquired about the time frame for the implementation of Road P2 and whether there would be provision of temporary roads to ease the traffic demands should there be delay in the implementation.

13. At the invitation of the Chairman, SDEV made the following initial response -

- the proposed office/hotel developments were proposed in response to the shortage of hotel development in Central for the business and tourism sectors, and in order to meet the high demand for Grade A offices especially in Central for maintaining the competitiveness of Hong Kong;
- in response to community aspirations for lowering development intensity, the current proposed Gross Floor Area of 5 key sites had been largely reduced from 346 000 m² to only 260 000 m²;
- to add vibrancy to the harbourfront, diverse activities and a mix of uses would be necessary and they would also enhance its accessibility and pedestrian flow;
- Concept B for re-assembling Queen's Pier at its original location would involve the realignment of Road P2 northwards. This required gazetting of the amendment to Road P2 and would inevitably delay the completion of Road P2; and
- the implementation schedule of CWB could be discussed in detail at the meeting of the Panel on Development to be scheduled shortly.

(Post-meeting note: the Panel on Development discussed this item at its meeting held on 22 April 2008.)

IV. Redevelopment of the Hong Kong Sports Institute

[LC Paper Nos. CB(2)1500/07-08(01) and CB(2)1517/07-08(01)]

Briefing by the Administration

14. Acting Permanent Secretary for Home Affairs (PSHA(Ag)) briefed

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members on the salient points of the Administration's paper [LC Paper No. CB(2)1500/07-08(01)] on the latest position concerning the redevelopment of the Hong Kong Sports Institute (HKSI) (the Project), and the Administration's proposal to invite the Public Works Subcommittee (PWSC) to consider the second-stage funding application for some \$1.8 billion in money-of-the-day (MOD) prices for the construction of the main works of the Project.

15. Project Director of P&T Architects and Engineers Limited delivered a PowerPoint presentation on the redevelopment of HKSI including the project programme and the time frame for the construction works.

Discussion

Design conducive to energy saving and other enhancements

16. Ms Emily LAU asked whether the lobby of the new multi-purpose building could be designed to allow natural ventilation in order to obviate the need of using air-conditioning. Project Director responded that the present design of the lobby of the new multi-purpose building as well as the athletes' hostel would allow natural ventilation. In response to Professor Patrick LAU's enquiry of whether the project design had incorporated appropriate measures to maximize the use of renewable energy, PSHA(Ag) said that such measures had already been incorporated.

17. Mr WONG Ting-kwong commented that there was room for improvements in the design of the athletes' hostel which, in his view, resembled the style of old public housing estates. Project Director explained that the current design meant to create a homely atmosphere. However, Mr WONG's comments would be taken into account in drawing up the detailed design.

18. Mr Albert CHAN suggested that the new facilities included under the Project should be constructed further away from the riverside in order to provide a larger green area along the Shing Mun River for public enjoyment. Project Director responded that effort had already been made to enlarge the green area as far as possible and the green area under the current design stretched 30 meters from the riverside. He said that only the new 2-storey Rowing Boathouse was located along the riverside as it had a practical need to be near to the river. He also invited members to note that the new Indoor Swimming Pool had been relocated further away from the riverside as compared with its originally proposed location. In addition, the 11-storey multi-purpose building, i.e. the tallest building included in the Project, was now changed to be only a 9-storey one and was located much further away from the riverside than other buildings of the Project.

Consultation with HKSI staff members

19. Ms Emily LAU said that she had received a submission from the

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Chairman, HKSI Staff Union expressing concern about whether the HKSI redevelopment would have any impact on their future employment with HKSI. She sought the views of the Chairman of HKSI on the submission.

20. Chairman of HKSI responded that the management of HKSI had all along maintained a close dialogue with its staff members on the Project and they were supportive of the Project. He said that the Project would not lead to reduction in posts and, in fact, more posts would need to be created. However, there would inevitably be staff redeployment as there would be changes in the operational mode. He assured members that the management of HKSI would continue to engage in active consultation with the staff members and there was no plan at the present stage to implement any outsourcing arrangement.

Collaboration between HKSI and Sha Tin District

21. Referring to paragraph 12 of the Administration's paper, Ms Emily LAU asked whether there was any plan to open up the facilities in the redeveloped HKSI to Sha Tin residents for their use. PSHA(Ag) said that HKSI had undertaken to collaborate fully with Sha Tin District Council (STDC) in offering a great variety of sports training and activities for Sha Tin residents, and HKSI had considered offering the facilities in the redeveloped HKSI for use by relevant stakeholders and the public. Chairman of HKSI supplemented that the collaboration between HKSI and STDC had all along been smooth and HKSI after redevelopment would welcome use of its facilities by local schools or the public.

22. Mr WONG Ting-kwong asked about the measures to be taken to minimize disturbance caused to residents nearby and Sha Tin Racecourse in the course of the implementation of the Project. PSHA(Ag) replied that HKSI would continue to maintain close liaison with STDC to ensure that prompt actions would be taken to address concerns regarding the Project during the construction works. Project Director supplemented that an environmental assessment which had taken into account the impact on residents nearby and Sha Tin Racecourse had been carried out for the Project and the findings had been vetted by the Environmental Protection Department.

Project scope and facilities

23. Mr Albert CHAN questioned whether the provision of additional squash courts under the Project was justifiable as the usage rate of squash facilities in public stadiums was generally low. Chief Executive of HKSI (CE/HKSI) explained that, with the recent inclusion of doubles events in international squash competitions, the proposed provision of three doubles squash courts (convertible into four singles courts) was necessary to cater for the future training needs of squash elite athletes. Mr James TIEN considered that the Administration should support the development of the sports of squash in Hong Kong as the standard of squash elite athletes of Hong Kong, especially the

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women team, was internationally recognized to be high.

24. Mr Albert CHAN further asked about the capacity of the new Fitness Training Centre (FTC) and whether it could meet the demand of elite athletes for fitness training. CE/HKSI briefed members on the fitness training programme for the elite athletes. She said that the new FTC would be able to meet adequately the specific training needs of elite athletes.

25. Mr Albert CHAN said that, while he was not opposed to the Project, he was dissatisfied with the scattered distribution of sports facilities in Hong Kong. He considered that the Administration should provide a large-scale sports village with all the necessary training facilities, which he considered would be a better approach for the sports development in Hong Kong.

26. Professor Patrick LAU expressed concern about the provision of training facilities for cycling under the Project as the outdoor velodrome would be demolished. Principal Assistant Secretary for Home Affairs (Recreation and Sport) (PASHA(R&S)) replied that the outdoor velodrome at Fo Tan venue, which was mainly used for the cycling training of junior athletes, would be demolished in early 2009 to make way for the construction of the new multi-purpose building. HKSI had identified a site at Whitehead, Ma On Shan, for setting up a temporary velodrome as a transitional arrangement pending the completion of a new indoor velodrome cum sports centre to be provided in District Open Space in Area 45 of Tseung Kwan O for the purpose of cycling training and competitions.

27. Referring to paragraph 5(f) of the Administration's paper, Ms Emily LAU asked about the justifications for the proposed increase in the number of parking spaces from the current level of 200 to around 270. PASHA(R&S) responded that the increase had been made taking into account the views expressed by local residents as reflected by STDC to the Administration.

28. In response to Ms Emily LAU's enquiry, PSHA(Ag) said that the construction floor area of HKSI would be increased from about 30 000 square metres at present to about 80 000 square metres after redevelopment. Professor Patrick LAU asked about the reduction in the area of the redeveloped HKSI as a result of the decision to allow the Hong Kong Jockey Club (HKJC) to retain the Equestrian stables.

29. PSHA(Ag) replied that, the request from HKJC for retaining the Equestrian stables in HKSI for HKJC's temporary use had led to a reduction in the area of HKSI. He explained that, notwithstanding the reduced footprint area, with the increased construction floor area and the currently proposed Project scope, the redeveloped HKSI should be capable of meeting its elite training needs over at a period of 10 to 15 years. However, the Administration had yet to come up with a decision on the long-term planning in respect of the site in question in HKSI, which would be dealt with at a later stage. Professor

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Patrick LAU suggested that the Administration should consider that, if HKJC was allowed to use the site for such a long period of time, HKJC should be requested to make donations to HKSI to support elite athletes' training.

Project cost

30. In view of the various changes in the project scope as compared with that presented to the Panel in April 2007, Ms Emily LAU asked whether these changes had incurred any additional construction cost. PASHA(R&S) responded that in its paper [PWSC(2007-08)20] submitted to PWSC in May 2007, the Administration had stated that the main works were estimated to cost about \$1.3 billion. PASHA(R&S) explained that the fine-tuning of the project scope as set out in paragraph 5 of the Administration's paper had not led to any additional cost. However, additional piling works were considered necessary following the site investigation carried out for the Project. This, coupled with factors like inflation, rising construction material and labour cost, and exchange rate changes, had boosted the estimated project cost to be in the region of \$1.7 billion to \$1.8 billion.

31. Mr CHEUNG Man-kwong, however, expressed strong dissatisfaction with the lack of information provided by the Administration in its paper accounting for the substantial cost increase from the estimated amount of \$1,263.2 million to the currently proposed \$1.8 billion. He considered it unacceptable that the Administration had failed to include the original estimate and detailed cost breakdown and justifications for the large increase in project cost amounting to some \$500 million in the current proposal. Mr CHEUNG commented that the Administration's failure to do so had given the impression that it was trying to conceal the substantial cost increase. He said that he could not support the current proposal in the absence of such information.

32. Mr James TIEN shared Mr CHEUNG's concern, adding that he was not convinced that the rise in local labour and cement costs in the past two years could have led to such a huge difference in project cost. He also considered that he could not support the current proposal in the absence of the information requested by Mr CHEUNG.

33. PSHA(Ag) assured members that there was no intention on the part of the Administration to conceal any information on the project cost as such information was in the public domain. He explained that the main works were estimated to cost about \$1,230 million in May 2007 on the basis of the price levels as at September 2006. However, the latest tender price quoted for the Project had been on the rise rapidly. He said that the latest estimates of \$1.8 billion had been made taking into account the tender price adjustment. PSHA(Ag) undertook that the Administration would provide detailed information on the price adjustments accounting for the increase in the cost estimate before making its submission to PWSC. The Chairman stressed to the Administration that such information should have been provided to the Panel

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for its consideration of whether to support the Administration's submission of the proposal to PWSC or not.

34. Chairman of HKSI explained that the preliminary information and figures on the project cost were being verified by the Administration and it was the plan to submit the cost details to PWSC. The increase in cost estimate was mainly attributable to the need to have additional piling works following the site investigation carried out for the Project, tender price escalation between 2006 and 2007, the anticipated inflationary adjustment to be reflected in the actual tender price and provision of contingency cost. Chairman of HKSI invited members to note that the fine-tuning in the project design had not incurred any additional cost. He further stressed that implementation of the project was under a very tight timeframe as HKSI had to return Wu Kwai Sha Youth Village which was currently used for elite training to YMCA by December 2009 for the latter to host the World Council of YMCAs.

35. Mr WONG Ting-kwong said that, while he agreed that the Administration should be prudent in financial management and provide more information to the Panel, he expressed support in-principle for the Project as it was important to promoting sports development in Hong Kong.

36. Ms Emily LAU proposed that the Panel should schedule another meeting to further discuss the current proposal before taking a view on the proposal. At the suggestion of the Chairman, members agreed to include this issue on the agenda of the next regular meeting of the Panel scheduled for 9 May 2008 and to advance the meeting to start at 10 am. To facilitate members' consideration of the current proposal at the next regular meeting, the Administration was requested to provide the requisite information, including a detailed cost breakdown and justifications accounting for the increase in cost estimate, prior to the meeting.

Admin

V. Beijing 2008 Olympic Torch Relay in Hong Kong
[LC Paper No. CB(2)1517/07-08(02)]

Briefing by the Administration

37. Acting Director of Leisure and Cultural Services (DLCS(Ag)) briefed members on the salient points of the Administration's paper on the preparatory arrangements for the Beijing 2008 Olympic Torch Relay in Hong Kong to be held on 2 May 2008, including details on the Torch Relay route, celebration programmes, traffic arrangements and security measures. He informed members that a Community Torch Relay would take place on 18 April 2008 to test the logistics for the Torch Relay. He added that preparatory arrangements might be adjusted in the light of experience gained during the Community Torch Relay.

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Discussion

38. Mr Andrew CHENG considered that the local athletes should be given the opportunity to participate in the Hong Kong Torch Relay as far as possible. He said that in overseas countries, the selection criteria of torchbearers were clear and the process was very transparent. He, however, considered that the criteria for the selection of torchbearers for the Hong Kong Torch Relay were not clear and the selection process lacked transparency. He enquired about the number of athletes making up the 120 torchbearers.

39. DLCS(Ag) responded that, in accordance with the general guidelines provided by the Beijing Organising Committee for the Games of the XXIX Olympiad (BOCOG), 24 of the 120 torchbearers were nominated by sponsors, 12 were nominated by BOCOG, and the remaining 84 came from different sectors of Hong Kong, such as district councils, sports, education and culture. He explained that the list of the 120 torchbearers could not be released yet pending BOCOG's confirmation. He, however, assured members that many of the torchbearers were athletes. Mr CHENG and the Deputy Chairman both considered that, in selecting torchbearers, the Administration should avoid politicising the event and it should provide as many opportunities as possible for athletes to participate since they already had little chance to take part in the Olympic Games. They held the view that athletes should make up a majority of the torchbearers, and it would be inappropriate if most of them came from non-sports sectors. DLCS(Ag) reiterated that members could be rest assured that many of the torchbearers were local athletes and members of the sports sector.

40. Mr James TIEN said that, while he agreed that many of the torchbearers should be athletes, persons from different sectors and groups in Hong Kong should also have the chance to be selected so that the torchbearers were truly representative of the Hong Kong community. Acting Permanent Secretary for Home Affairs (PSHA(Ag)) responded that in accordance with relevant guidelines of BOCOG, the criteria for the selection of torchbearers also included that the selected person should have outstanding achievements or made distinct contributions to the society. PSHA(Ag) said that the Administration had already adopted these criteria for the selection of torchbearers from other sectors.

41. Referring to the recent news reports that, during the Torch Relay in some overseas countries, there had been protesters attempting to grab the torch and extinguish the flame, Mr CHEUNG Man-kwong asked about the Administration's contingency plan during the Torch Relay. He, however, pointed out that the contingency plan should balance considerations of public order and safety as well as the right of the public to participate. He added that as Hong Kong was a free city, the police should allow people who staged protests peacefully on the day of the Torch Relay. Ms Emily LAU expressed a similar view. She considered that the police should refrain from excessive use

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of barricades, such as the water-filled crowd control barriers which would affect the public in watching the event and ruin the atmosphere.

42. PSHA(Ag) responded that the Administration would strive to balance the need to preserve public safety and good order and public aspirations for participating in the event in working out a contingency plan. He said that peaceful and orderly demonstrations would be allowed, but any illegal or violent acts would not be tolerated. Commandant (Police Tactical Unit) (C(PTU)) said that the Police would maintain order during the event by appropriate use of mills barriers and ropes rather than water-filled crowd control barriers.

43. Ms Emily LAU expressed concern that the media and members of the public would not be aware of the final Torch Relay route if the Administration kept on refining the route until the event took place on 2 May 2008. PSHA(Ag) responded that while route alterations would be kept to a minimum, some refinements were necessary for the sake of ensuring public safety and good order and in the light of the results of various trial run.

44. Mr WONG Ting-kwong asked how the Police would protect the safety of those people who wished to express support for the Torch Relay during the event, if it happened that they stood near to the protesters staging demonstrations concurrently.

45. C(PTU) responded that while protesters were expected to express their views in a peaceful manner on the day of the Torch Relay, the police would act in accordance with the laws to stop any illegal act. The Deputy Chairman pointed out that past records could show that local protesters had most of the time expressed their views in a peaceful and rational manner.

46. Mr James TIEN and the Chairman both considered that the Torch Relay should take place in a joyful atmosphere. The police should take appropriate security measures on the day of the Torch Relay and avoid creating an atmosphere of great tension. They agreed that peaceful demonstrations should be permitted, but no protesters should be allowed to go near to the torchbearers to avoid causing disruption to the relay. C(PTU) responded that the police was mindful of the need to preserve public safety and order and also the need to avoid affecting the public in watching the event and ruining the atmosphere. He said that the police might use mills barriers and ropes to cordon off certain area for crowd management and preventing disruption to the relay. He added that policemen on-site would also station in their position to maintain good public order.

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47. Ms Emily LAU requested the Administration to inform the Panel in writing of any updated developments such as changes to the Torch Relay route. PSHA(Ag) agreed to follow up.

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(*Post-meeting note:* the Administration subsequently provided information on the Community Torch Relay and the updated Torch Relay route, which was circulated to members vide LC Paper Nos. CB(2)1640/07-08 and LC Paper CB(2)1761/07-08 respectively.)

48. The Deputy Chairman requested the Administration to inform the public of the alterations to the Torch Relay route as early as possible on the day of the event to allow time for the public to plan their traffic arrangements in advance. PSHA(Ag) responded that the Administration would make announcements on the transport measures through different channels before the Community Torch Relay and Olympic Torch Relay event days, in order to minimise any inconvenience that might be brought by the events.

VI. Staffing proposal relating to the establishment of the West Kowloon Cultural District Office

[LC Paper No. CB(2)1517/07-08(03)]

49. Deputy Secretary for Home Affairs (West Kowloon Cultural District) (DSHA(WKCD)) briefed members on the Administration's proposal to create three supernumerary directorate posts for a dedicated West Kowloon Cultural District (WKCD) Office in the Home Affairs Bureau (HAB) to co-ordinate efforts to implement the WKCD project for three years.

Discussion

50. Referring to paragraphs 8 and 11 of the Administration's paper, Ms Emily LAU asked the following questions -

- (a) why the proposed WKCD Office was to be responsible for "Preparing the legislation for WKCD Authority (WKCDA) and facilitating the legislative process in LegCo", as she envisaged that the proposed WKCD Office, if set up, would be in place in June 2008 the earliest, whereas the Second Reading debate on the WKCDA Bill was expected to be resumed around June 2008;
- (b) how the WKCD Office would be able to facilitate LegCo to examine the financial analysis for the WKCD project; and
- (c) whether a mechanism would be introduced which should be very transparent as well as fair and impartial for the handling of the remuneration package for senior executives of WKCDA and for their recruitment matters.

Ms LAU remarked that, during the scrutiny of the WKCD Authority (WKCDA) Bill, many members of the relevant Bills Committee had expressed concern about the lack of the transparency and accountability of the future Authority.

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She considered that the Administration's failure to address that issue would render it difficult for members to support the current proposal.

51. DSHA(WKCD) said that the Administration would re-deploy senior government officers to fill the proposed posts for the WKCD Office. She informed members that the current staffing proposal was intended to be submitted to the Establishment Subcommittee (ESC) for consideration at its meeting on 30 April 2008. If approval was given by ESC and by the Finance Committee to the proposal afterwards, the Administration was ready to fill up those posts immediately.

52. DSHA(WKCD) said that the Administration would do its best to facilitate the relevant Bills Committee in its scrutiny of the financial analysis for the WKCD project. She informed members that the responsible officers had met with the financial adviser appointed by LegCo to assist in studying the adviser's financial analysis for the WKCD project. She informed members that the Administration had already undertaken, during meetings of the Bills Committee on the WKCDA Bill, to consider introducing provisions into the Bill to require WKCDA to provide for an appropriate mechanism to ensure proper handling of the remuneration and other recruitment-related matters for their senior executives. DSHA(WKCD) undertook that more detailed information on the way forward in this regard would be provided to the Bills Committee.

53. In response to Ms LAU's further question about the cooperation between the staff of the WKCD Office and the staff of WKCDA after its establishment, DSHA(WKCD) clarified that the WKCD Office was independent of WKCDA. She explained that the WKCD Office would play the role of coordinating all interfacing work between WKCDA and the Administration.

54. The Deputy Chairman expressed doubt as to whether the genuine purpose of setting up the proposed WKCD Office was to enable the Administration to interfere with the work done by WKCDA after its establishment. He said that, if that was the case, the Administration might in future consider that there was a continued need for the WKCD Office and propose to extend the duration of the posts involved for an indefinite period.

55. DSHA(WKCD) clarified that the proposed dedicated WKCD Office was only intended to co-ordinate efforts in the legislative exercise and administrative work for the establishment of WKCDA and to assist the Authority in delivering some of its functions during the initial stage. She said that the Office was therefore proposed to be set up for a period of only three years initially, and the Administration would review the work of the WKCD Office towards the end of the three-year period with a view to considering whether there would still be a continued need for the WKCD Office. She assured members that WKCDA, after its establishment, would exercise its powers and carry out its functions in accordance with its enabling legislation.

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56. The Deputy Chairman and Miss CHAN Yuen-han, however, considered that the duration was too long if the proposed WKCD Office was intended to assist WKCDA in delivering some of its functions during the initial stage only. Miss CHAN further said that she failed to see adequate justifications for the proposed duration of the Chief Treasury Accountant (CTA) post.

57. DSHA(WKCD) explained that, after WKCDA had been established, the WKCD Office would act as the focal point for co-ordinating all interfacing work between WKCDA and relevant Government bureaux/departments on all aspects relating to the formulation of the Development Plan (DP) for WKCD, including the functional and site requirements of different facilities, interface with public works projects both within the WKCD site (public roads, drainage, fire station, public pier etc) as well as those in the vicinity of the WKCD site, such as the Guangzhou-Shenzhen-Hong Kong Express Rail Link. She said that, taking into account the complexity of the issues involved and the time required to undertake a thorough public consultation exercise, the Administration expected that it would take around two years to complete this process, during which the WKCD Office would need to assume a coordinating role.

58. DSHA(WKCD) further explained that another key area of WKCD Office's work during this initial period was to provide the necessary administrative support to the WKCD Authority for recruitment, finding office accommodation and short-term secretariat support. DSHA(WKCD) invited members to note that the WKCD Office would have to put in place and implement a proper financial control and monitoring system for enforcing the relevant provisions in the WKCDA Ordinance upon enactment. She said that the proposed CTA post was therefore required for a period of three years in order to provide the necessary professional support in accounting and financial management matters.

59. The Deputy Chairman, however, remained unconvinced of the need for setting up the proposed WKCD Office for a period of three years, adding that he was not aware of any precedent of the government's setting up a dedicated office to support the operation of a newly set up statutory body. Miss CHAN Yuen-han considered that, while she agreed that the Administration would need to render support for the work of WKCDA especially on planning and other technical matters at the early stage after the Authority's establishment, the proposed duration of the posts involved, e.g. the CTA post, was too long.

60. Mr Alan LEONG requested the Administration to explain changes that the WKCD Office would undergo in its role to play and operational mode at different stages in the next 36 months assuming that the current proposal was approved by LegCo.

61. DSHA(WKCD) said that before the establishment of WKCDA, the proposed WKCD Office would be mainly responsible for facilitating the

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legislative process for the enactment of the WKCD Bill, facilitating LegCo in scrutinising the financial analysis, and undertaking the advance work in the preparation of DP for the WKCD site. DSHA(WKCD) further said that, in the early stage after the establishment of WKCD, the WKCD Office would be responsible for supporting WKCD on matters relating to the recruitment of its Chief Executive Officer/other senior executives and setting up a financial and accounting system during the initial operating period of WKCD. The WKCD Office would also play the coordinating role for all interfacing work between WKCD and the concerned government bureaux/departments during the process of formulating DP.

62. Mr Alan LEONG asked whether the Administration would agree that, the more work done by the WKCD Office, the lower degree of autonomy would be allowed for the future WKCD after its setup. He further asked whether the Administration was prepared to accept that the future WKCD might want to overturn the arrangements that had been made for WKCD by the WKCD Office.

63. DSHA(WKCD) said that it remained the Administration's plan that WKCD would be the statutory body to take forward the WKCD project in accordance with the enabling legislation, whereas the WKCD Office would only oversee and coordinate efforts of all relevant parties during the early stages of the project. She assured members that the Administration had no intention to set up the WKCD Office to replace or take over any functions of WKCD.

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64. The Chairman requested the Administration to provide detailed information on the work of the WKCD Office to address the various concerns raised by members and to justify the proposed duration of the three supernumerary directorate posts. DSHA(WKCD) agreed to follow up. The Chairman noted that no members had raised objection to the proposal. Summing up, the Chairman said that the Panel in general supported submission of the proposal to ESC for consideration at its meeting on 30 April 2008.

(Post-meeting note: The Administration subsequently revised its proposal recommending to create the three supernumerary directorate posts for a period of two years with effect from 1 July 2008 to take forward the WKCD project. The revised proposal was issued to members vide LC Paper No. CB(2)1933/07-08 on 15 May 2008.)

65. There being no other business, the meeting ended at 12:28 pm.