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

**Minutes of the 6th meeting
held in the Conference Room A of Legislative Council Building
on Wednesday, 21 January 2009, 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 CHAN Kam-lam, SBS, JP
Hon LAU Wong-fat, GBM, GBS, JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Albert CHAN Wai-yip
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon CHEUNG Hok-ming, SBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon KAM Nai-wai, MH
Hon Cyd HO Sau-lan
Hon Starry LEE Wai-king
Hon CHAN Hak-kan
Hon Paul CHAN Mo-po, MH, JP
Hon Tanya CHAN
Dr Hon LEUNG Ka-lau
Hon WONG Kwok-kin, BBS
Hon WONG Yuk-man
Hon IP Kwok-him, GBS, JP
Dr Hon Samson TAM Wai-ho, JP

Member attending:

Hon WONG Sing-chi

Members absent:

Hon Timothy FOK Tsun-ting, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP

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
Miss Sandra LAM	Principal Assistant Secretary for Financial Services and the Treasury (Treasury) (Works)
Ms Mable CHAN	Deputy Secretary for Education (2), Education Bureau
Mr Raymond SY Kim-cheung	Principal Assistant Secretary (Infrastructure and Research Support), Education Bureau
Mr CHAN Wing-tak	Chief Technical Adviser (Subvented Projects) Architectural Services Department
Mr Philip YUNG Wai-hung, JP	Deputy Secretary for Transport and Housing (Transport) ¹
Mr Alan CHU King-man	Deputy Secretary for Transport and Housing (Transport) ³ Transport and Housing Bureau
Mr WAI Chi-sing, JP	Director of Highways Highways Department
Mr Albert CHENG Ting-ning, JP	Project Manager (Hong Kong-Zhuhai-Macao Bridge Hong Kong) Highways Department
Mr Kevin LAI Ming-fai	Principal Assistant Secretary (Transport) ⁵ Transport and Housing Bureau
Mr WAN Man-leung	Deputy Project Manager (Major Works) ¹ Highways Department
Ms YING Fun-fong	Chief Engineer (Transport Planning) Transport Department
Mr MA Lee-tak, JP	Director of Water Supplies Water Supplies Department
Mr NG Chi-ho	Assistant Director (New Works) Water Supplies Department
Mr SO Kam-shing, JP	Deputy Secretary for Home Affairs (3)

Ms Polly KWOK Wai-ling	Home Affairs Bureau Principal Assistant Secretary (Culture)2 Home Affairs Bureau
Mr YUE Chi-hang, JP	Director of Architectural Services Architectural Services Department
Mr CHUNG Ling-hoi, JP	Deputy Director (Culture) Leisure and Cultural Services Department
Ms Cynthia LIU Chiu-fun	Assistant Director (Performing Arts) Leisure and Cultural Services Department
Mr Tom MING Kay-chuen	Executive Secretary (Antiquities and Monuments) Leisure and Cultural Services Department
Professor Gabriel M LEUNG, JP	Under Secretary for Food and Health Food and Health Bureau
Mr Francis HO Siu-hong	Principal Assistant Secretary (Food)2 Food and Health Bureau
Ms Rhonda LO Yuet-ye, JP	Assistant Director (Operations)2 Food and Environmental Hygiene Department
Mr John CHAI Sung-veng, JP	Director of Civil Engineering and Development Civil Engineering and Development Department
Mr YIP Sai-chor, JP	Head of Civil Engineering Office Civil Engineering and Development Department
Mr Joseph CHAN Chun-shing	Chief Engineer (Fill Management) Civil Engineering and Development Department

Clerk in attendance:

Ms Debbie YAU	Chief Council Secretary (1)6
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Staff in attendance:

Mrs Constance LI	Assistant Secretary General 1
Ms Angel SHEK	Senior Council Secretary (1)1
Ms Alice CHEUNG	Senior Legislative Assistant (1)1
Mr Frankie WOO	Legislative Assistant (1)2

Action

The Chairman reported that a total of 56 capital works projects of an amount of \$18.910 billion had been endorsed by the Public Works Subcommittee (PWSC) in the 2008-2009 session so far.

Head 708 – Capital Subventions and Major Systems and Equipment

PWSC(2008-09)66 30EA Redevelopment of Diocesan Girls' Junior School, a private independent school at Jordan Road, Kowloon

PWSC(2008-09)67 89EB Redevelopment of Diocesan Girls' School, a direct subsidy scheme school at Jordan Road, Kowloon

2. The Chairman proposed to combine the discussion and voting of the two funding proposals under PWSC(2008-09)66 and PWSC(2008-09)67 as the two projects formed one single redevelopment project contemplated by the school sponsor. Members agreed.

3. The Chairman advised members that the Panel on Education had been consulted on 24 October 2005 on the review of the School Building Programme. Panel members noted the Administration's plan on the re-development or re-provisioning of existing schools with sub-standard facilities.

4. Members noted that PWSC(2008-09)66 aimed to upgrade 30EA to Category A at an estimated total cost of \$163 million in money-of-the-day (MOD) prices for the redevelopment of Diocesan Girls' Junior School which was a private independent school at Jordan Road, Kowloon. Members also noted that PWSC(2008-09)67 sought to upgrade 89EB to Category A at an estimated cost of \$208.6 million in MOD prices for the partial in-situ redevelopment of Diocesan Girls' School which was a direct subsidy scheme school at the same site.

5. The two items were voted on and endorsed.

PWSC(2008-09)62 3QR Hong Kong-Zhuhai-Macao Bridge-funding support for Main Bridge

6. The Chairman advised that the Panel on Transport had been consulted on the proposal at the meeting on 19 December 2008. The proposal was to upgrade part of 3QR to Category A at an estimated cost of \$233.5 million in MOD prices to fund the Government of the Hong Kong Special Administrative Region (HKSAR)'s share for the engagement of consultants to undertake the preliminary design and site investigation for the Main Bridge of the Hong Kong-Zhuhai-Macao Bridge (HZMB).

7. Mr CHEUNG Hok-ming, Chairman of the Panel on Transport, reported that Panel members generally supported that the funding proposal would be submitted to PWSC for consideration. Panel members had expressed concern about the Administration's measures to boost the patronage and enhance the cost-effectiveness of HZMB, and had urged the Administration to expedite the

study on issues which would affect the utilization of HZMB, including the provision of adequate road connecting infrastructure, introduction of ad hoc quotas for cross-boundary vehicles, and the "park-and-ride" scheme. The Administration had subsequently provided supplementary information on the connectivity of western PRD and the potential developments thereat. Mr CHEUNG further said that members also expressed concern about the toll level and the authority for managing HZMB. While acknowledging that the proposed project would only bring about limited benefits to Hong Kong companies as the construction of the Main Bridge would be carried out in Mainland waters, Panel members requested the Administration to strive to create job opportunities for local workers through implementation of the project. The Panel noted that the implementation of HZMB-related projects (i.e. Hong Kong Boundary Crossing Facilities (HKBCF), Hong Kong Link Road (HKLR), Tuen Mun-Chek Lap Kok Link and Tuen Mun Western Bypass (TMWB) projects) were estimated to create about 18 000 jobs during the construction stage. Mr CHEUNG also conveyed the grave concern of Mr Albert CHAN about the environmental impacts of the HZMB project on PRD, in particular the impacts on the habitat of Chinese White Dolphins and the marine culture. Mr CHAN had requested the Administration to address relevant issues before taking forward the proposed works.

Location of Hong Kong Boundary Crossing Facilities and alignment of Hong Kong Link Road

8. Mr TAM Yiu-chung said that Members belonging to the Democratic Alliance for the Betterment and Progress of Hong Kong supported the proposal and hoped that the construction of HZMB could commence early. Nevertheless, he relayed the objection of local concern groups about the location of HKBCF and the proposed alignment of HKLR, particularly the section of HKLR between the Airport Island and the proposed HKBCF which would be quite close to the residential areas in northeast Tung Chung. There were also doubts about the effectiveness of the proposed connecting road infrastructures in ensuring smooth cargo transportation. Mr TAM urged the Administration to take note of the views of local residents and concern groups.

9. Director of Highways (DHy) said that the Administration had attached great importance to public consultation, and the engagement exercise on HZMB-related projects within Hong Kong waters was still in progress. The Administration would maintain ongoing dialogue with the local concern groups and analyze the public views received, including those from Tung Chung residents, and would ensure that the location of HKBCF and alignment of connecting roads would be determined in an objective and scientific manner.

10. Mr WONG Kwok-hing urged that the completion of the HZMB project should be synchronized with the commissioning of TMWB and TM-CLKL, so as to ensure smooth traffic along the Hong Kong section of HZMB and to avoid congestion in North Lantau and Tuen Mun. DHy acknowledged the need to complete HKBCF and HZMB-related connecting road infrastructure at about the same time, which was in line with the Administration's current planning.

11. Mr Albert CHAN noted from the Enclosure to PWSC(2008-09)62 that although the alignment of HZMB and HKLR was close to Tai O, there was no connecting road in between. He suggested that the Administration should improve the overall accessibility of South Lantau by linking up HZMB with Tai O and South Lantau Road, so as to maximize the transport and economic benefits of HZMB to these areas. Mr CHAN was also disappointed that HKLR would not route through Tung Chung despite their proximity, and vehicles on HKLR had to take a much longer ride to access Tung Chung through Tai Ho. He strongly urged the Administration to re-consider the routing and design of the road network to address the needs of these areas. Prof Patrick LAU expressed similar concern.

12. DHy apprised members that vehicles from Zhuhai or Macau would need customs clearance at HKBCF on the east of the Airport Island before joining local road networks. Due to technical considerations, HKBCF could not be situated at Tai O or Tung Chung. In fact, the proposed alignment of HZMB and HKLR would be the best option, with the advantage of multi-connectivity with the Hong Kong International Airport, Tuen Mun-Chek Lap Kok Link as well as North Lantau. With the proposed alignment, HKLR would run through Tai Ho, and connect with Tung Chung and the rest of Lantau by local road infrastructures.

13. Project Manager (HZMB Hong Kong), Highways Department (PM(HZMBHK), HyD) said that the current arrangements had already given regard to enhancing the accessibility of Tung Chung. Vehicles leaving HKBCF could also reach Tung Chung through the connecting road from the Airport Island.

14. Mr Albert CHAN remained concerned and reiterated that the proposed alignment was undesirable and unreasonable. He was not convinced that there was genuine technical difficulty in revising the design. It also appeared that the proposed alignment had differed from the three options presented in the last round of public consultation. Referring to the design of cross boundary facilities in Zhuhai and Macao, he strongly insisted that the Administration should adjust the location of HKBCF so that it would be closest to HKSAR boundary and near Tung Chung or Tai O, and these areas could also benefit from HZMB. He said that Members belonging to the League of Social Democrats would object to the project if these concerns were not addressed.

15. PM(HZMBHK), HyD explained that it was necessary to allow adequate space across the Pearl River Estuary (PRE) for vessels accessing to and from the northern part of PRE and for local barges travelling between North and South Lantau. As the proposed artificial islands for tunnel landing of HZMB would take up about 1 kilometre (km) of width across PRE, if HKBCF were to be located near the HKSAR boundary, it would take up additional space of PRE and hinder the shipping routes. This would also pose a serious threat to the regulation of water flow and prevention of floods at PRE and bring about adverse impacts on the habitat of Chinese White Dolphins and marine ecology in the vicinity.

Regulatory arrangements for cross-boundary private cars

16. Mr LEE Wing-tat said that, while Members belonging the Democratic Party (DP) supported the proposal, these Members were concerned that the existing regulatory arrangements for cross-boundary private cars would affect the utilization and investment return of HZMB, and this concern should be addressed before the project was taken forward. Mr LEE was worried that although the ad hoc quota system for cross-boundary private cars would increase the number of private cars using HZMB, the overall utilization of HZMB would still be too low to sustain its operation. He urged the Administration to expedite its study on relaxation of control on cross-boundary vehicles, and keep members and the public informed of the outcome as soon as possible.

17. Mr Abraham SHEK expressed support for the construction of HZMB. Referring to the low utilization of Shenzhen Bay Port (SBP), he suggested that the three governments should proactively explore ways to boost the patronage of HZMB, so as to maximize its economic benefits.

18. Deputy Secretary for Transport and Housing (Transport) (DS(T)1, THB) responded that the consultant engaged by the Administration was conducting a study on measures to relax the regulatory arrangements for cross-boundary vehicles. In addition, the Administration was still discussing with the Mainland the regulatory arrangements for cross-boundary private cars. There had been preliminary exchanges of views with the Guangdong authority on the proposal of introducing ad hoc quotas, with an aim to roll out a trial scheme at SBP. The trial scheme, if proven successful, would pave way for future implementation at HZMB. The Administration would further consult the Panel on Transport on related arrangements at its meeting on 23 January 2009.

19. Mr LEE Wing-tat considered that the proposed regulatory arrangements for cross-boundary vehicles were still far from adequate. He envisaged that the volume of additional traffic brought to HZMB by ad hoc quotas would not have any significant increase. He requested the Administration to convince the Mainland authority to further relax the control of cross-boundary private cars. DS(T)1, THB took note of Mr LEE's views.

Management body

20. Noting that a management body would be set up under the command of the three governments for the implementation of the HZMB Main Bridge, Mr LEE Wing-tat said that it was unsatisfactory for members to consider the funding proposal without relevant information regarding the operation of HZMB, such as the toll level and cross-boundary private car quotas.

21. Prof Patrick LAU expressed concern about the extent to which the Government of HKSAR could influence the future operation of HZMB Main Bridge. He asked for more information about the establishment of the management body.

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22. DS(T)1, THB advised that a management body would be set up in 2009 under a joint working committee of the three governments for the implementation and day-to-day operation of the HZMB Main Bridge. DHy supplemented that should the tripartite management body be unable to reach a consensus on a particular issue, the view of the next higher authority, i.e. HZMB Task Force formed under the National Development and Reform Commission, would be sought. DHy undertook to report to the Panel on Transport when more details were available.

Economic benefits to Hong Kong

23. Mr Abraham SHEK noted that the three governments would take up the responsibility for the construction of the HZMB Main Bridge, and Hong Kong would contribute RMB¥6.75 billion to the project costs. He asked whether and how the interests of Hong Kong companies would be protected so that they would be engaged for related works in the construction of the Bridge.

24. Referring to the Administration's paper (PWSC(2008-09)62) that "suitable consultants in Hong Kong might also submit tenders in the form of joint venture with Mainland consultancy firms for the preliminary design and site investigation works for the HZMB Main Bridge, and this should create some jobs in Hong Kong", Mr WONG Kwok-hing asked how the project would contribute to the creation of local job opportunities. He stressed that this would be the main consideration for Members belonging to the Hong Kong Federation of Trade Unions whether to give support to the project.

25. Prof Patrick LAU expressed concern as to how the management body would select the consultants and construction companies for building the HZMB Main Bridge. He asked how the Government of HKSAR could ensure that the selection would be conducted in a fair and open manner. He suggested that an open competition be conducted for the award of consultants and construction companies, which was the usual practice in the Mainland for awarding contracts of large-scale construction projects. He considered that Hong Kong companies should be given equal opportunity to participate in the project, given the trend of mutual recognition of professional qualifications in the construction and design engineering services between Hong Kong and Guangdong province under the liberalization measures of the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA).

26. DHy explained that as the HZMB Main Bridge and other associated works would be undertaken within Mainland waters, the tendering work had to be conducted in accordance with the laws and regulations of the Mainland. Participating companies would be required to comply with the practising requirements in the Mainland. For those companies which did not meet the Mainland requirements, they could participate in the project through joint venture with Mainland firms. Participation by foreign companies would be assessed based on the requirements stipulated in the "Administration of foreign enterprises

engaging in construction project design activities in the People's Republic of China tentative provisions" as promulgated by the Ministry of Construction of the Mainland. Nevertheless, in the tender selection exercise, bidders with international experience would be given certain weighting, and Hong Kong companies would have some advantages in this regard.

27. Mr Abraham SHEK expressed concern that Hong Kong companies might encounter difficulty in securing joint ventures with Mainland companies. He strongly urged the Administration to protect the interests of Hong Kong companies and liaise further with Mainland authorities, in order to maximize job opportunities for local professionals and workers during the implementation of the HZMB project.

28. Mr WONG Kwok-hing urged the Administration to proactively assist Hong Kong companies to participate in the project, and to create more employment opportunities for people in Hong Kong.

29. Mr Albert CHAN referred to the experience of previous cross-boundary capital projects (e.g. Deep Bay Link), and commented that only limited job opportunities would be created for Hong Kong by the HZMB project as it was carried out within the Mainland waters. In his view, it was more likely that Mainland companies, including those registered in Hong Kong, would be engaged for the works since the selection would follow the laws and regulations of the Mainland.

30. Director of Highways (DHy) said that tendering for the preliminary design and site investigation for the Main Bridge was in progress. He understood that some Hong Kong companies intended to bid the contracts in the form of joint venture with Mainland enterprises. If Hong Kong companies secured any of the contracts, local professionals and workers might be hired for the works. While the Administration would continue to enhance economic cooperation with the Mainland under the CEPA framework, he urged Hong Kong companies to elevate their competitiveness by attaining the necessary qualifications and practising requirements in order to participate in projects carried out on the Mainland. In reply to the Chairman, DHy said that there were previous cases in which Hong Kong companies had collaborated with Mainland partners in construction works projects carried out in Hong Kong or on the Mainland.

31. DS(T)1, THB informed members that there was an open tender in selecting financial consultant for the project, notice of the tender had been published in newspapers. Interested parties from the three sides fulfilling the prescribed requirements could bid for the tender.

32. The Chairman advised that issues related to the implementation of the HZMB project could be further deliberated at meetings of the Panel on Transport.

Environmental implications

33. Mr WONG Yuk-man enquired about the outcome of consultation with the Advisory Council on the Environment and environmental bodies on the project.

34. PM(HZMBHK), HyD explained that environmental groups had been consulted on the choice of location for the landing point of HZMB with regard to its environmental implications (e.g. impact on the habitat of Chinese White Dolphins and marine ecology). They generally supported the location of HKBCF at the northeast of Airport Island.

35. Mr WONG Yuk-man noted that Environmental Impact Assessment (EIA) Ordinance (Cap. 499) would not apply to the HZMB Main Bridge project as the site was outside HKSAR boundary. On the other hand, an environmental assessment had been carried out to review key environmental issues including air quality, water quality, noise, ecological impacts and visual impacts along the proposed alignment of the HZMB Main Bridge in PRE to assess whether they met the requirements under Mainland laws. He opined that the same environmental standards should be applied to all HZMB-related works, irrespective of whether they were within or outside Hong Kong waters, as HKSAR was part of Mainland. Mr WONG asked about the difference between the environmental requirements under the laws of Mainland and that of Hong Kong. In his view, the Administration should proactively discuss with Mainland authorities to adopt for this project the higher standard which was currently applied in Hong Kong or in the Mainland.

36. Permanent Secretary for the Environment (PS(Env)) and PM(HZMBHK), HyD said that the environmental standards applied in Hong Kong and in the Mainland were broadly the same although there might be some variations in the minor details to meet the statutory requirements in the respective jurisdictions. PS(Env) further said that there was an established mechanism to facilitate communication between Mainland and Hong Kong on environmental aspects of the project. Representatives from the Environmental Protection Department had participated in the Expert Group meetings formed by the three governments to exchange views on the environmental standards adopted by each side. PM(HZMBHK), HyD added that the Mainland had also conducted relevant environmental assessments and the reports would be submitted to the relevant authorities of the Central People's Government for approval.

37. Mr Albert CHAN expressed concern about the environmental impacts in terms of noise and air pollution on Tung Chung. He considered that it would be unfair to the local residents if they would have to bear these adverse impacts but could not benefit directly from HZMB and related road network.

38. PM(HZMBHK), HyD said that as the distance between Tung Chung and HZMB was over 2 km, the environmental impacts on the Tung Chung areas would be limited. The Administration had maintained close dialogue with local residents about the developments of the project and they would be kept informed of the latest outcome of the environmental assessments.
39. The item was voted on and endorsed.

Head 706 - Highways

PWSC(2008-09)63 720TH Widening of Tolo Highway/Fanling Highway between Island House Interchange and Fanling

40. The Chairman advised members that the Administration had consulted the Panel on Transport on the proposal on 19 December 2008. Mr CHEUNG Hok-ming, Chairman of the Panel, reported that the Panel generally supported the proposal. However, Panel members expressed concern that the proposed works would involve the felling of some 10 900 trees, and urged the Administration to retain the trees as far as practicable. They also requested the Administration to enhance greening within the project site, including vertical greening for the noise barriers. Concern was also raised about the temporary traffic arrangements during construction works.
41. Mr CHEUNG Hok-ming noted that an objector to the proposed works had requested the Administration to resume his entire lot, as the residual portion not resumed would have no economical/commercial value. He expressed concern that if the size of the residual portion was very small, the owner could hardly put it to any beneficial use.
42. DHy advised that according to the existing policy, the Government was obliged to resume the minimum land required for a public project. As a result, there might be situations that only a portion of a private lot would be resumed by the Government. He added that a portion of land with an area larger than 400 square feet would still carry some economical/commercial value and this would not be resumed.
43. Mr CHEUNG Hok-ming considered the existing land resumption policy very unfair to the land owner. If a large part of a lot was resumed, the owner could not continue the existing operation on the residual portion of land. Mr CHEUNG sought further details on the area of the entire lot in question and that of the residual portion. The Chairman suggested Mr CHEUNG to raise the subject of land resumption policy at another forum for discussion.
44. Noting that an international design competition for aesthetically vibrant noise barriers and enclosures was organized by government departments and organizations, Prof Patrick LAU enquired whether the winning design would be

adopted for the proposed project. DHy advised that the competition was not held for any particular project, but the concepts collected in the competition would serve as reference for the Highways Department in designing noise barriers and enclosures for relevant projects. As the result of the competition was expected to be announced in end March 2009, concepts of the winning and merit entries would as far as possible be deployed for the proposed project, the construction works of which was planned to commence in May 2009.

45. The item was voted on and endorsed.

Head 709 - Waterworks

PWSC(2008-09)64 237WF Mainlaying along Fanling Highway and near She Shan Tsuen

46. The Chairman advised members that an information paper on the proposal had been circulated to the Panel on Development on 18 November 2008. The proposal sought to upgrade part of 237WF to Category A at an estimated cost of \$52.6 million in MOD prices for mainlaying along Fanling Highway and near She Shan Tsuen.

47. Mr IP Kwok-him noted that the proposed mainlaying works aimed to enable the transfer of fresh water from the Tai Po water treatment works (WTW) to the supply zones of the Sheung Shui WTW in case the latter broke down. He asked about the frequency of such breakdowns in the past.

48. Recalling that pumps in Tuen Mun WTW had once gone out of order in 1993 due to flooding, Director of Water Supplies advised that breakdown of WTWs was very rare. While the Water Supplies Department would continue its efforts to maintain the normal operation of WTWs, the proposal to lay additional water mains between the Sheung Shui and Tai Po WTWs was to further improve the reliability of fresh water supply for the area concerned.

49. The item was voted on and endorsed.

Head 703 - Buildings

PWSC(2008-09)60 57RE Conversion of Yau Ma Tei Theatre and Red Brick Building into a Xiqu Activity Centre

50. The Chairman advised that the Administration had consulted the Panel on Home Affairs on the proposal at its meeting on 12 December 2008. Mr IP Kwok-him, Chairman of the Panel, reported that Panel members supported the proposal to convert Yau Ma Tei Theatre (YMTT) and Red Brick Building (RBB) into a Xiqu Activity Centre (XAC) and urged its early implementation. Some

members considered that in addition to Cantonese opera, the proposed XAC should also be open to other xiqu and cultural performing arts and for the use of primary and secondary schools in conducting xiqu activities. Panel members also urged the Administration to re-provision the public toilet and refuse collection point beside YMTT, and turn the area into a tourist attraction. Some other members expressed concern about the limited seating capacity, the changing room facility and the future management of the proposed XAC.

Re-location of public toilet, refuse collection point and street sleepers' shelter

51. Prof Patrick LAU said that he was then a member of the Antiquities Advisor Board (AAB) when the Administration consulted AAB on the proposal on 26 November 2008. He recalled that members of AAB had strongly requested the Administration to re-locate the three public facilities i.e. the public toilet, refuse collection point and street sleepers' shelter with a view to creating a better cultural atmosphere in the area of the proposed XAC.

52. Deputy Secretary for Home Affairs (DSHA) said that members of the Yau Tsim Mong District Council (YTMDC) had expressed similar view. However, it would take time to identify suitable sites for re-provisioning the three public facilities. To avoid causing delay to the proposed project, the Administration would proceed with the project while finding sites for re-locating the public facilities in question.

53. Ms Miriam LAU considered it more desirable to include the site to be vacated by the three public facilities in the overall planning of the proposed XAC. She said that the three existing public facilities were incompatible with the proposed XAC, and reduce the appeal of the two historic buildings to tourists.

54. Agreeing that the three public facilities did not blend well with the converted YMTT and RBB, DSHA said that the Administration would consider incorporating the vacated area into the proposed XAC upon the re-provisioning of the public facilities.

55. Mr LEE Wing-tat urged the Administration to consider proactively the re-location of the three public facilities in order to enhance the overall setting of the area. He requested the Administration to report to the Panel on Home Affairs on a quarterly basis the progress of the re-provisioning arrangements. The Administration agreed.

Admin

56. Mr KAM Nai-wai requested the Administration to undertake in writing that it would include the vacated site in the Stage II development of the proposed XAC, and provide the timetable for Stage II development.

57. Miss Tanya CHAN also urged the early re-location of the three public facilities to facilitate the conversion of YMTT which had ceased operation since 1998. Ms Starry LEE asked which department would be responsible for undertaking the re-provisioning arrangements.

58. DSHA responded that it was the Administration's intention to use the vacated site for the Stage II development of the proposed XAC. The Yau Tsim Mong District Office (YTMDO) of the Home Affairs Department was coordinating the efforts of relevant departments proactively to pursue the re-location proposal. However, there was no concrete timetable at the moment as suitable sites for the re-provisioning were still being identified. Planning of the vacated site would start after the re-location was completed, and would take into account compatibility with the adjacent buildings such as YMTT and RBB.

59. Mr KAM Nai-wai considered that the planning of Stage II development should be undertaken right away to lend support to the re-provisioning arrangements.

60. Mr Albert CHAN considered the proposed XAC worth pursuing but the presence of the three public facilities would spoil the cultural characteristics of the proposed XAC. He expressed concern about the co-ordination among different bureaux/departments for the reprovisioning of these public facilities.

61. DSHA advised that the Home Affairs Bureau, Home Affairs Department and YMTDO supported re-locating the three public facilities. He assured members that the Administration would spare no effort in co-ordinating efforts of different departments in identifying suitable sites for re-provisioning the facilities, although some proposed sites had met with local objection.

Admin 62. Mr Albert CHAN requested the Administration to provide a written response on the way forward for the three public facilities, together with a work schedule for members' consideration, before the relevant meeting of FC.

(post-meeting note: The information provided by the Administration was circulated on 10 February 2009 vide LC Paper No. PWSC45/08-09.)

63. Mr IP Kwok-him said that the Panel on Home Affairs would follow up on the re-provisioning arrangements.

Admin 64. The Chairman said that he was disappointed that the lack of coordination among various bureaux/departments had resulted in the delay of projects, including the one under discussion. He requested the Administration to take note of members' concerns and make necessary improvements in future projects.

Seating capacity of the converted Yau Ma Tei Theatre

65. Ms Miriam LAU considered that there was insufficient seating capacity (only 300 seats) in the converted YMTT and this would not bring about any notable effect in the promotion of Cantonese opera. She suggested extending the proposed Centre to the site currently occupied by the three public facilities and also re-locating some of the existing facilities in the backstage and foyer to the extended area, in order to provide for a larger audience.

66. DSHA advised that YMTT was a Grade II historic building and its building structure could not be altered. The proposed design with some 300 seats was already the maximum that could be achieved under the current building constraints.

67. Referring to Enclosure 4 to PWSC(2008-09)60, the Director of Architectural Services (D Arch S) said that the requirements for the stage and the orchestral pit had posed constraints on the number of seats in the auditorium. In addition, there was a basement holding the fire services facilities. It would be very difficult to provide space for more seats by relocating some of the proposed rooms and facilities in YMTT to the adjacent site after completion of the construction works.

Traffic management and crowd control

68. Mr LEE Wing-tat expressed concern that the activities at the Yaumatei Wholesale Fruit Market (YWFM) which usually started in dusk would have adverse impact on the traffic and pedestrian flow near the proposed XAC. Miss Tanya CHAN pointed out that the operation of YWFM in the afternoons was already very active. She was worried that this might pose safety risk to the patrons of the proposed XAC and the tourists.

69. Ms Cyd HO expressed similar concerns. She said that the lack of waiting area at the entrance of YMTT would be very inconvenient to the audience, in particular elderly fans of Cantonese opera. She considered that the Administration should work together with the operators of YWFM to improve the street management measures to ensure the safety of pedestrians and patrons to XAC.

70. DSHA advised that the operators at YWFM had been consulted on the proposed XAC and they were supportive of the project. The Administration would continue to discuss with the operators and the enforcement agencies the traffic management in the area. Mr LEE Wing-tat requested the Administration to provide, before the relevant FC meeting, information on the street management measures to be taken at the proposed XAC, in particular after the end of each show.

Admin

(post-meeting note: The information provided by the Administration was circulated on 10 February 2009 vide LC Paper No. PWSC45/08-09.)

71. The Deputy Director (Culture), LCSD (DD(C), LCSD) advised that unlike concerts or other performances, admission arrangements for Cantonese opera shows were more flexible in that audience could enter the auditorium early and any time even after the shows started and they did not have to wait outside for long. After the shows, the audience could leave the auditorium via the entrance lobby or the exits on the two sides of the auditorium.

72. Ms Cyd HO remained concerned that the small area of the entrance lobby would not be adequate to house all the audience before they entered the

auditorium.

Admin

73. DD(C), LCSD advised that audience of Cantonese opera shows would usually enter the performance venue at different times and they needed not gather at the entrance. Due to the inherent limitation of the historic building, the entrance lobby would not be able to accommodate all 300 viewers. He further advised that the Administration had made reference to overseas practice and the present design of the proposed XAC was the best that could be achieved under the current building constraints. At the request of Ms Cyd HO, the Administration agreed to provide, before the relevant FC meeting, information on the street management measures and the maximum number of persons that could be accommodated at the entrance lobby of the proposed XAC.

74. Miss Tanya CHAN asked about the impact of backstage logistics and operation on the traffic at Shek Lung Street and Reclamation Street. DD(C), LCSD advised that the loading area of the Reclamation Street led directly to the backstage of YTTM and would provide much convenience for the transportation of relevant props and costume.

Other issues

75. In reply to Mr KAM Nai-wai, DSHA said that repair and maintenance of the two historic buildings would be undertaken by the Architectural Services Department.

Admin

76. Ms Cyd HO enquired about the nature and financial implication of the employment of a Theatre consultant. D Arch S responded that a Theatre consultant was engaged at a cost of about \$0.3 million to carry out the consultancy services for the stage lighting, stage engineering, stage sound system and audio-visual installation, etc. The theatre consultancy would be conducted throughout the design development, construction and maintenance period. At the request of Ms Cyd HO, the Administration agreed to provide, before the relevant FC meeting, information on the qualifications of the Theatre consultant engaged for the proposed project.

(post-meeting note: The information provided by the Administration was circulated on 10 February 2009 vide LC Paper No. PWSC45/08-09.)

Admin

77. Ms Starry LEE expressed concern about the revitalization of the local culture of Yaumatei, particularly Temple Street and Yung Shu Tau. She requested the Administration to report regularly to the Panel on Home Affairs its efforts made in this regard. The Administration took note of the request.

78. The item was voted on and endorsed. Prof Patrick LAU requested this item be separately voted on at the relevant FC meeting.

PWSC(2008-09)61 13NB Re-provisioning of Wo Hop Shek Crematorium

79. The Chairman advised members that the Administration had consulted the Panel on Food Safety and Environmental Hygiene on 11 November 2008. Panel members were supportive of the proposed project to re-provision Wo Hop Shek Crematorium (WHSC). Panel members had requested for information on how the Administration could ensure its cremation service would not be affected during the re-provisioning of WHSC in the papers for PWSC and FC. Some Panel members requested the Administration to include more greenery in the re-provisioning of WHSC and to introduce measures to prevent crematorium staff from stealing things from the deceased.

80. Ms Cyd HO considered that the Administration should shorten its performance pledge of arranging a cremation session from within 15 days of application to within ten days after death. She urged the Administration to provide more cremators in order to shorten the waiting time.

81. Under Secretary for Food and Health (USFH) highlighted that the Administration had made strenuous efforts to meet the pledge of providing an available session within 15 days from the date of booking. He envisaged that with the provision of new cremators at the re-provisioned WHSC and other existing facilities and proposed facilities for the first phase of the re-provisioning of the Cape Collinson Crematorium, the cremation capacity would be increased, and might help shorten the waiting time by one or two days. To meet the increasing demand of an expanding and ageing population for cremator service, the Administration had made the best endeavours to identify additional sites for crematorium development. However, it was difficult to find new suitable sites for the purpose as Hong Kong was densely populated.

82. Mr WONG Sing-chi expressed concern about the possible adverse impact on air quality in the vicinity of WHSC following the operation of two additional cremators in WHSC.

83. USFH assured members that all new cremators at the re-provisioned WHSC would adopt the latest cremation and air pollution control technology aimed at meeting prevailing environmental protection criteria and standards. The same design adopted for new cremators installed in the recently re-provisioned Diamond Hill Crematorium had proven effective in reducing emission of particles/waste gases and dark smoke. Moreover, the EIA report of the proposed project had concluded that the environmental impact arising from the project could be controlled to within the criteria under the EIA Ordinance and the Technical Memorandum on EIA Process. Furthermore, with the change of cremator fuel from ultra-low sulphur diesel to town gas, it was envisaged that air emissions from the six new cremators would be fewer than the emissions discharged by the existing four cremators. USFH said that if only four new cremators would be built to replace the old ones without providing additional ones, it would not be able to meet the rising demand, and there would be an immediate shortfall of about 3 000

cremation sessions upon commissioning of the new WHSC by 2011/2012. USFH added that the Administration would consult the North District Council and local residents should there be a need to provide more cremators at WHSC.

84. Referring to the increase in recurrent costs for the re-provisional WHSC, Ms Cyd HO expressed concern that this should not lead to an increase in the cremation charge. USFH said that the increase in recurrent expenditure was mainly due to the increase in number of cremators, change of cremator fuel from ultra-low sulphur diesel to town gas, and costs for other supporting services such as computer system service. Despite the increase in cost, the Administration had no plan to increase the charges of cremation service after the re-provisioned WHSC came into operation.

85. Prof Patrick LAU asked about the measures to prevent mixing up the ashes of the cremated deceased bodies. He was keen to ensure that the bereaved families would obtain the genuine ashes of their deceased family members.

86. USFH remarked that the whole cremation process would be computerized and the bereaved families could observe the entire cremation procedure through the closed-circuit television system on request.

87. The item was voted on and endorsed.

Head 705 - Civil Engineering

PWSC(2008-09)65 729CL Disposal of contaminated sediment-dredging, management and capping of sediment disposal facility at Sha Chau

88. The Chairman advised that the Panel on Development had been consulted on the proposal at the meeting on 19 December 2008. The proposal was to upgrade 729CL to Category A at an estimated cost of \$770.9 million in MOD prices for the dredging, management and capping of a new sediment disposal facility at Sha Chau.

89. Mr LAU Wong-fat, Chairman of the Panel on Development, reported that some Panel members expressed conditional support for the proposal and requested the Administration to provide more detailed information, such as diagrams showing the method of disposal and operation, water quality monitoring data, possible impact on marine ecology, environmental monitoring measures, and outcome of consultation with relevant organizations. The information provided by the Administration was circulated to Panel members on 14 January 2009. The Panel had also written to district councils and organizations concerned to enquire whether they had opposing views on the project. Four submissions were subsequently received and circulated together with the Administration's written response to Panel members on 13 and 16 January 2009. Mr LAU supplemented

that the Civil Engineering and Development Department (CEDD) had further consulted the Tuen Mun District Council (TMDC) on 6 January 2009 and updated TMDC members on the latest information about the proposed works. The proposal was subsequently endorsed by TMDC.

90. Mr LEE Wing-tat said that Members belonging to DP objected to the funding proposal. He said that although TMDC did not raise further objection to the proposed works after the second consultation, DP members in TMDC were not convinced that the proposed works would not cause long-term environmental impacts, as concluded by the EIA for the project. As these issues had not been addressed, Mr LEE said that Members belonging to DP would vote against the proposal.

91. Mr Albert CHAN considered it crucial for the Administration to monitor the transportation of contaminated sediment effectively to curb unlawful dumping which remained a nuisance to the fishing community. With reference to the methodology used in the reclamation for the Hong Kong Disneyland project at Penny's Bay, he requested the Administration to put in place measures to avoid leakage of contaminated mud during disposal, by means such as installing framed-type silt curtain around the pit.

92. Head of Civil Engineering Office, CEDD (H of CEO, CEDD) highlighted the effectiveness of the existing marine monitoring measures employing global positioning system technology, in detecting the routings of vessels as well as changes in their weight to prevent illegal disposal of contaminated mud. Unlike the case of the reclamation at Penny's Bay where the work site was near coastal waters, it was not appropriate to install silt curtains for the sediment disposal facility at Sha Chau in order not to obstruct the ships and vessels travelling in the open sea. H of CEO, CEDD suggested that the Administration could arrange a briefing session or site visit, if necessary, to further apprise members of the proposed works.

(post-meeting note: The Administration had conducted briefing session with Mr Albert CHAN on 5 February 2009 and arranged a site visit with Mr Albert CHAN and Prof Patrick LAU on 10 February 2009.)

93. Mr KAM Nai-wai relayed the concerns of TMDC and local residents of Tuen Mun that a large share of obnoxious facilities in Hong Kong, such as incinerators and crematoria, were located at Tuen Mun. He was worried about the cumulative environmental impact of these facilities and the development of its waterfront areas on the district. Mr KAM urged the Administration to put in place long-term sustainable measures for disposal of contaminated sediments, and to consider providing new sediment disposal facilities in other districts after the existing and proposed disposal pits at Sha Chau were filled up. He also drew the Administration's attention to the submission from Green Sense which had expressed objection to the proposal mainly due to the adverse impact on the habitat of Chinese White Dolphins.

94. H of CEO, CEDD said that it would not be appropriate to discuss at this meeting issues related to land use in Tuen Mun, and planning for future disposal pits, as they were outside the scope of the current proposal.

95. The item was voted on and endorsed. Mr Albert CHAN requested this item be separately voted on at the relevant FC meeting.

(post-meeting note: The Secretariat had subsequently been informed by Mr Albert CHAN that his request for separate voting on this item was withdrawn.)

96. The meeting ended at 10:50 am.

Council Business Division 1
Legislative Council Secretariat
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