

立法會 *Legislative Council*

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Panel on Home Affairs
Background brief prepared by the Legislative Council Secretariat
for the meeting on 11 February 2011

Outstanding leisure and cultural services projects of the
former Municipal Councils

Purpose

This paper provides background information on the outstanding leisure and cultural services projects ("LCS projects") of the two former Municipal Councils ("ex-MCs"), and highlights the work of the Legislative Council ("LegCo") to follow up the progress of these projects.

Background

2. Since the dissolution of the two ex-MCs on 1 January 2000, the Government has taken over the responsibility for the provision of municipal services including the capital works projects committed by the ex-MCs. On 17 December 1999, the Finance Committee approved the following arrangements for these projects –

- (a) the 149 projects contractually committed by the ex-MCs should be included into Category A of the Public Works Programme ("PWP") and proceeded with;
- (b) the 12 projects which had obtained funding approval from the ex-MCs but had not yet contractually committed would be fast-tracked for direct inclusion into PWP as Category A items, subject to the views of the relevant LegCo Panels and the Administration's advice; and
- (c) the remaining 169 projects which had not received the

necessary approval from the ex-MCs and were at various stages of planning would be reviewed by the Administration in consultation with the relevant LegCo Panels for inclusion into PWP as Category C items.

Follow-up work by LegCo

3. A subcommittee was set up under the House Committee ("HC") in December 1999 to follow up the outstanding ex-MCs projects. The subcommittee was dissolved at the end of the First LegCo after reporting on its work to HC in June 2000. At the beginning of the Second LegCo in October 2000, HC decided to set up another subcommittee to continue to follow up the outstanding ex-MCs projects. The subcommittee concluded its work and reported to HC in June 2003. Members of these two subcommittees expressed particular concern about the arrangements for the 169 projects mentioned in paragraph 2(c) above, which included 139 LCS projects under the responsibility of the Leisure and Cultural Services Department. Members were worried that these projects might eventually be shelved by the Administration.

4. In October 2005, the Chief Executive announced in his Policy Address that the Government had initially identified 25 LCS projects for priority treatment after having reviewed the outstanding ex-MCs projects. The Panel on Home Affairs ("the Panel") discussed the progress of the ex-MCs projects at its meeting on 21 March 2005. Members were disappointed about the Administration's failure to prioritize the implementation of the outstanding LCS projects in accordance with the pressing needs of various districts. The Panel decided to set up in May 2005 the Subcommittee to Follow Up the Outstanding Leisure and Cultural Services Projects of the Former Municipal Councils ("the Subcommittee") to monitor the Administration's work, with a view to expediting the implementation of the outstanding LCS projects.

5. Given the importance of District Councils ("DCs")' views in this regard, the Subcommittee had requested LegCo Secretariat to arrange, subject to the views of the DC concerned, to include the matter for discussion at LegCo Members' regular meetings-cum-luncheons with DC members. The relevant views expressed by DC members at these meetings had been referred to the Subcommittee for consideration. At the Subcommittee's request, the Administration also undertook to conduct annual reviews with DCs to examine the priorities of the outstanding LCS projects.

6. The Subcommittee submitted a report on its work to the Panel for consideration in December 2007. The Subcommittee's major concerns

about the LCS projects were summarized in its report at **Annex I**. The Panel decided to dissolve the Subcommittee but requested the Administration to submit regular bi-annual progress reports on the implementation of the outstanding LCS projects to the Panel.

7. Since dissolution of the Subcommittee, the Administration had submitted five regular reports on the progress of the LCS projects to the Panel. The most recent progress report submitted on 23 August 2010 provided a breakdown of the position of the 139 LCS projects in **Annex II**.

Latest development

8. On 10 June 2010, the Panel received a referral from LegCo Members meeting with Sha Tin DC members concerning the slow progress in the implementation of the outstanding LCS projects in Sha Tin. The Panel will revisit the subject at its meeting on 11 February 2011.

Relevant papers

9. A list of relevant papers with their hyperlinks at the LegCo's website is in **Annex III**.

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Legislative Council Secretariat
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Panel on Home Affairs

**Report of the Subcommittee to Follow Up the Outstanding Leisure
and
Cultural Services Projects of the Former Municipal Councils**

Purpose

This paper reports on the deliberations of the Subcommittee to Follow Up the Outstanding Leisure and Cultural Services Projects of the Former Municipal Councils (the Subcommittee).

Background

2. In anticipation of the dissolution of the two Municipal Councils (MCs) on 1 January 2000, the House Committee of the first Legislative Council (LegCo) set up a subcommittee to follow up the outstanding ex-MC projects. At the beginning of the second term, the House Committee decided to set up a subcommittee to continue to follow up the outstanding ex-MC projects. When concluding its work in June 2003, the subcommittee recommended that the relevant Panels should continue to follow up the outstanding projects and receive periodic progress reports by the Administration.

3. In his 2005 Policy Address, the Chief Executive announced that the Government had initially identified 25 leisure and cultural services (LCS) projects for priority treatment after having reviewed outstanding projects of ex-MCs. The Administration informed the Panel on Home Affairs at its meeting on 21 March 2005 that 21 ex-MC projects had been shortlisted for priority treatment. The Administration would also implement another four major LCS projects.

4. At the Panel meeting on 21 March 2005, members expressed disappointment at the delay in the implementation schedule in respect of 139 LCS projects of ex-MCs. The breakdown of these 139 projects is in **Appendix I**. Members noted with concern that, even for the 25 LCS projects identified for priority treatment, most were not scheduled for commencement until the years between 2008 and 2011. Some members also criticised the Administration for failing to prioritise the implementation of the LCS projects in accordance with the pressing needs of the local community. The Panel decided to set up a subcommittee to monitor the Administration's work with a view to expediting the implementation schedule of the outstanding LCS projects of ex-MCs.

The Subcommittee

5. The Terms of Reference of the Subcommittee are "To monitor the Government in following up the outstanding leisure and cultural services projects of the former municipal councils and implementing other relevant projects." The Terms of Reference were endorsed by the Panel at its meeting on 13 May 2005. The current membership list of the Subcommittee is in **Appendix II**.

6. Since its appointment in May 2005, the Subcommittee has held nine meetings to discuss with the Administration the implementation schedule of the outstanding LCS projects of ex-MCs. The Subcommittee has met with representatives of District Councils (DCs) at two of these meetings. In order to take DC's views into consideration during its ongoing discussions with the Administration, the Subcommittee has requested the LegCo Secretariat to arrange, subject to the views of the DC concerned, to include this topic for discussion at LegCo Members' regular meetings-cum-luncheons with DC members. Relevant views expressed by DC members at these meetings have been referred to the Subcommittee for consideration. The Subcommittee has also held a discussion with representatives of professional bodies in the construction sector on possible measures to rationalise the procedures and shorten the lead time for implementing these LCS projects.

7. A list of DCs, DC members and professional bodies which have submitted views to the Subcommittee is in **Appendix III**.

Deliberations of the Subcommittee

Overall provision of LCS facilities

8. To ensure that LCS facilities are adequately provided at the district level, the overall position of the implementation of LCS projects has been subject to continuous review by the Subcommittee. To facilitate the consideration of whether any districts have a more urgent need for particular types of LCS facilities, the Subcommittee has examined the existing and anticipated provision of the major LCS facilities in the 18 districts as compared to the standards and guidelines stated in the Hong Kong Planning Standards and Guidelines (HKPSG), as well as the provision of open space by the Leisure and Cultural Services Department (LCSD) and the Housing Department (HD) in individual districts.

9. The Administration has explained that the planning guidelines have been formulated to provide an equitable basis for the reservation of land for recreation facilities and open space. They are by no means mandatory and should be applied with reference to the relevant situation. In considering whether to proceed with any new LCS projects, the level of the existing provision of LCS facilities in the respective districts is only one of the many factors that the Administration would take into account. Reference would also be made to a host of other relevant factors including the views of DCs, the movement of population, the changing needs of the community, the utilisation rates of the existing LCS facilities and the availability of resources.

10. The Subcommittee notes that, taking into account the open space provided by LCSD and HD, the open space provision in the 18 districts is adequate to meet HKPSG except in two districts, namely Yau Tsim Mong and Yuen Long. The Administration has explained that, for the Yau Tsim Mong district, open space to be provided within the West Kowloon Cultural District should be able to relieve the shortfall in open space to a large extent in the future. As for the Yuen Long district, a number of open space projects in Tin Shui Wai are currently under active planning.

11. The Subcommittee is of the view that the accessibility of open space is important in considering whether there is adequate open space for the enjoyment of local communities. Members have pointed out that some open space is not frequented by local residents because they are inconveniently located, such as the Sun Yat Sen Memorial Park in the Central and Western District. The Subcommittee has urged the Administration to step up its communication with DCs, so that local

needs and characteristics could be incorporated into the design and planning of LCS facilities.

12. The Administration has assured the Subcommittee that it would make every effort to ensure the accessibility of LCS facilities in future planning of projects. The Administration considers that, with the Government's plan to expand the role of DCs, the participation of DCs and local communities in the planning and design of district facilities would be further enhanced.

13. The Subcommittee has also expressed concern about the shortfall in LCS facilities in Tung Chung to meet urgent needs arising from rapid growth in population. The Administration has pointed out that the Administration is fully aware of Tung Chung residents' needs for LCS facilities and has planned to provide swimming pool facilities for residents in Tung Chung as soon as possible even though the estimated future population size of Tung Chung does not meet the criterion for the provision of a swimming pool complex. After having reviewed the scope of the swimming pool complex project for Tung Chung, the Administration has proposed that the project be implemented in two phases so that works would be completed in mid 2010.

14. The Subcommittee notes that a steering committee co-chaired by the Permanent Secretary for Home Affairs and the Permanent Secretary for Environment, Transport and Works (Works) (renamed as the Permanent Secretary for Development (Works) after the re-organisation of Government Secretariat) has been established to oversee the implementation of LCS projects, and to explore ways to expedite their implementation. The Administration has explained that a major obstacle impeding the progress is the requirement to maximise the plot ratio set for building projects. As LCSD could only include LCS facilities and the need for office space in a project design, if the plot ratio requirement still could not be met, other Government departments would need to be consulted on whether their needs for space could fit into the design. The consultation process is time-consuming and often hinders the expeditious implementation of LCS projects. The steering committee would strive to strike a balance between the need to optimise land use and the needs of the community for LCS facilities to be delivered quickly in deciding when a project could be proceeded with, without further going through the prescribed procedures again for meeting the plot ratio requirement.

15. The Subcommittee welcomes the establishment of the steering committee and expects that it will expedite the implementation of ex-MC and new LCS projects.

Implementation schedule of the 25 priority projects

16. The Subcommittee has closely monitored the implementation schedule of the 25 priority projects. When the Administration briefed the Subcommittee on its initial implementation schedule of the 25 priority projects, members considered it unacceptable that the 25 projects which were recommended for priority implementation, especially for those "open-space" projects which did not involve construction of buildings, would only commence work in the years between 2008 and 2012. They considered a need for rationalising the procedures and shortening the lead time required for implementing these priority projects, which were long awaited by residents ever since the abolition of the two MCs.

17. At the Subcommittee's request, the Administration had reviewed the administrative and planning procedures for implementing the 25 priority projects. The Administration has agreed to adopt a fast-tracked programme (as set out in **Appendix IV**) for completing the pre-construction processes for three typical project types amongst the 25 priority projects, i.e. "open space", "library-cum-indoor recreation centre complex" and "swimming pool complex". The Administration stresses that the fast-tracked programme under which the lead time required for completing the pre-construction processes for these three typical project types would be shortened by about five to six months is achievable by special resources arrangement and coordination among the relevant parties involved in each pre-construction process.

18. The Subcommittee, however, maintained that there was room for further improvement. The Subcommittee held a detailed discussion with the Administration and representatives of professional bodies in the construction sector on possible measures to rationalise the procedures and shorten the lead time for implementing these LCS projects. After taking into consideration of the views of the professional bodies, the Administration has further advanced the implementation schedules for 10 priority projects.

19. The Subcommittee has further suggested that the Architectural Services Department (ASD) should review the adoption of combined or separate contract strategy for piling and superstructure works in

connection with the implementation of the 25 priority projects with a view to expediting the implementation schedule. After conducting the review, ASD has advised the Subcommittee that the choice of the most appropriate contract strategy would depend on the project design and complexity, as well as the special characteristics of a project site. It recommends that a project-by-project review be conducted to determine the choice of strategy upon the completion of the preliminary design.

20. The Subcommittee has also expressed concern about the slow progress made by the Administration in seeking funding approval from LegCo for the implementation of the 25 priority projects. The Subcommittee has requested the Administration to expedite the process of funding application as far as practicable.

21. The Administration has explained that it is necessary for the Administration to complete firstly the preparation of project definition statements and the conduct of technical feasibility study, as well as consultation with the DCs concerned on the scope and detailed design of each project, before the Administration could submit applications to bid for funds under the annual Resource Allocation Exercise (RAE). Funding applications for some of the priority projects had been submitted before completion of the technical feasibility studies in order to expedite the process.

22. Under the constant monitoring by the Subcommittee over the status of each individual project, the Administration has advanced the implementation schedule of 23 out of the 25 priority projects. Details of these priority projects, their estimated project costs and the anticipated works start and completion dates at the time of : (a) the dissolution of the two MCs (where available), (b) the initial appointment of the Subcommittee in May 2005 and (c) 30 September 2007 are set out in **Appendix V**. The two projects which have not been advanced are "Improvement works to Victoria Park Tennis Centre" project and the "Development of a bathing beach at Lung Mei, Tai Po" project. According to the Administration, a slight delay for the former project has been attributed to the international tournaments scheduled to be held at the venue, while environmental impact assessment, traffic impact assessment and land resumption are required for implementing the latter project. In addition, the implementation programme for the latter project is also dependent upon the timely completion of the sewerage improvement project at Lung Mei.

23. The Administration has pointed out that the revised implementation schedules are made possible with the concerted efforts of relevant bureaux/departments. The Home Affairs Bureau and LCSD, as proponents of LCS projects, would continue to endeavour to enhance the co-ordination of various government departments in the implementation process.

Review of the remaining LCS projects

24. The Administration informed the Subcommittee in 2005 that it would review the outstanding LCS projects of ex-MCs on a regular basis in consultation with the respective DCs. The Subcommittee notes that 12 LCS projects of ex-MCs have been deferred or deleted after consultation with DCs, the details of which are in **Appendix VI**. To facilitate the Administration's review, the Subcommittee has invited views from all DCs on the implementation of these outstanding projects and met with representatives of 10 DCs and some individual DC members at a meeting. After completion of the review in 2006, the Administration has agreed to proceed with the planning work for 19 of these projects and two new projects, and adopt the fast-tracked programme for these 21 LCS projects.

25. The Subcommittee has held another meeting to receive views from Tai Po DC, North DC, Yuen Long DC, Sha Tin DC and Kwun Tong DC on the review results and requested the Administration to follow up the concerns expressed by these DCs over the implementation schedule of the LCS projects in the respective districts.

26. The Subcommittee has queried the reason as to why the Administration could not take forward the 55 LCS projects which have remained outstanding after the review, especially those which have been accorded top priority by the respective DCs or are small in scale. The Administration has explained that the priorities set by DCs have to be considered alongside with policy considerations, the existing usage of similar LCS facilities in the districts, the distribution of resources among the 18 districts, as well as the technical feasibility and complexity of the relevant projects. The remaining 55 projects have been put under further review for various reasons. For example, sites originally planned for some of the projects are not available, while some projects no longer meet the needs of the local community or have to be withheld to tie in with infrastructural developments in the vicinity. The Administration has also pointed out that, with the devolution of responsibility of district facilities management to DCs, a dedicated capital works block vote with

an annual provision of \$300 million would be provided for DCs to initiate and implement minor works and carry out capital works improvement to district facilities. The cost ceiling of each project initiated or endorsed by DCs would remain at \$15 million. The arrangement should help expedite the implementation of small projects in districts.

27. In addition to the above, the Subcommittee has actively followed up the concerns expressed by relevant DCs on the review results. On the "Civic Centre for North District" project, the Subcommittee considers that the Administration should not defer the project simply on the ground that the usage rates for existing cultural and performance facilities in the North District is only about 60%, given that users may be forced to make use of the facilities in other districts owing to constraints in the existing facilities in the North District Town Hall. The Subcommittee has expressed support for the early implementation of the "Civic Centre for North District" project in order to address the shortfall in the provision of cultural and performance facilities in the North District, Tai Po and Sai Kung.

28. In view of the Subcommittee's support and the strong request of the North DC, the Administration has agreed to study the feasibility of developing a cross-district community cultural centre on an appropriate site in the relevant district areas in order to address the shortage of large-scale purpose-built performing arts venues in the northern part of the New Territories. The Administration will consult the relevant DCs when the proposal has been drawn up.

29. On the provision of LCS facilities in Kwun Tong and Tseung Kwan O, the Administration has informed the Subcommittee that, with the support of the Panel on Home Affairs, it has decided to implement the two pilot projects in Kwun Tong and Tseung Kwan O under the Public Works Programme (PWP) instead of the Private Sector Finance approach. The two projects have been realigned and replaced by three PWP projects: Redevelopment of Kwun Tong Swimming Pool Complex and Kwun Tong Recreation Ground; Cross District Community Cultural Centre in Kwun Tong; and Town Park, Indoor Velodrome cum Sports Centre in Area 45, Tseung Kwan O. The Administration has undertaken to proceed with the planning and delivery of the projects in full speed.

30. In the light of the concerns expressed by relevant DCs on the review results, the Subcommittee urges the Administration to liaise closely with DCs and expedite the implementation of outstanding projects to meet the needs of districts. At the Subcommittee's request, the

Administration has undertaken to conduct annual reviews with DCs to examine the priorities of the remaining projects. The position of the 55 outstanding LCS projects of ex-MCs as at 30 September 2007 is in **Appendix VII**.

Planning work and implementation schedule of the 21 LCS projects

31. The Subcommittee has monitored closely the planning work for the 21 LCS projects which have been further selected for implementation to ensure their timely delivery to meet the needs of the community. The Administration has explained that the majority of these projects are at their preliminary planning stage and most of their scopes, technical feasibility studies or site issues have yet to be finalised or resolved. The Administration has assured the Subcommittee that it would explore actively whether there is room to advance their delivery schedule.

32. As at September 2007, the Administration has advanced seven of these 21 projects. Details of the 21 projects, their estimated project costs and the anticipated works start and completion dates at the time of the dissolution of the two ex-MCs and as at September 2007 are in **Appendix VIII**.

Position of 36 LCS projects of ex-MCs which have been completed/under construction/with implementation programme

33. The Subcommittee has received progress reports by the Administration on the implementation of the LCS projects of ex-MCs which have been under construction or with funding earmarked. The Subcommittee notes that 36 of these projects have either been completed, under construction or with implementation programme. The position of these 36 projects together with one non ex-MC project as at September 2007 is in **Appendix IX**.

Advice sought

34. Members are invited to note the deliberations of the Subcommittee.

Council Business Division 2
Legislative Council Secretariat
6 December 2007

(Note: The Appendices which are voluminous have not been attached.)

**Breakdown of 139 outstanding Leisure and Cultural Services
Projects of the former Municipal Councils ("ex-MCs")**

(as at June 2010)

(1) Completed / Under construction / With implementation programme	36
(2) 25 projects selected for priority treatment ^{Note 1}	21
(3) 21 projects selected for further planning ^{Note 2}	17
(4) Deferred / Deleted	16
(5) Under further processing	49
	139

(Source: LC Paper No. CB(2)2211/09-10(01).)

^{Note 1} Including four non ex-MCs projects.

^{Note 2} Including two non ex-MCs projects and two projects reactivated at District Councils' request.

**Relevant documents on
Outstanding leisure and cultural services projects of the
former Municipal Councils**

Committee	Date of meeting	Documents/Papers	LC Paper No.
House Committee	23.6.2000	Report of the Subcommittee to follow up on the outstanding capital works projects of the two Provisional Municipal Councils for inclusion into the Government's Public Works Programme	CB(2)2421/99-00 http://www.legco.gov.hk/yr99-00/english/hc/papers/cb2-2421.pdf
	20.6.2003	Report of the Subcommittee to follow up the outstanding capital works projects of the former municipal councils	CB(2)2523/02-03 http://www.legco.gov.hk/yr02-03/english/hc/papers/hc0620cb2-2523.pdf
Panel on Home Affairs	---	Report of the Subcommittee to Follow Up the Outstanding Leisure and Cultural Services Projects of the Former Municipal Councils	CB(2)535/07-08 http://www.legco.gov.hk/yr07-08/english/panels/ha/ha_olcs/reports/ha_olcs/cb2-535-e.pdf
	---	Letter dated 14 July 2008 from the Administration providing the progress report on outstanding leisure and cultural services projects of the former municipal councils	CB(2)2610/07-08(01) http://www.legco.gov.hk/yr07-08/english/panels/ha/papers/hacb2-2610-1-e.pdf
	---	Letter dated 10 February 2009 from the Administration providing the progress report on outstanding leisure and cultural services projects of the former municipal councils	CB(2)839/08-09(01) http://www.legco.gov.hk/yr08-09/english/panels/ha/papers/hacb2-839-1-e.pdf

Committee	Date of meeting	Documents/Papers	LC Paper No.
Panel on Home Affairs	---	Letter dated 31 August 2009 from the Administration providing the progress reports on the outstanding leisure and cultural services projects of the former municipal councils at an interval of six months to the Panel	CB(2)2425/08-09(01) http://www.legco.gov.hk/yr08-09/english/panels/ha/papers/hacb2-2425-1-e.pdf
	---	Letter dated 26 April 2010 from the Administration providing the progress reports on the outstanding leisure and cultural services projects of the former municipal councils at an interval of six months to the Panel	CB(2)1395/09-10(01) http://www.legco.gov.hk/yr09-10/english/panels/ha/papers/hacb2-1395-1-e.pdf
	---	Letter dated 23 August 2010 from the Administration providing the progress reports on the outstanding leisure and cultural services projects of the former municipal councils at an interval of six months to the Panel	CB(2)2211/09-10(01) http://www.legco.gov.hk/yr09-10/english/panels/ha/papers/hacb2-2211-1-e.pdf

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