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

**Minutes of the 28th meeting
held in Conference Room 1 of the Legislative Council Complex
on Wednesday, 15 June 2016, at 8:30 am**

Members present:

Ir Dr Hon LO Wai-kwok, SBS, MH, JP (Chairman)
Hon Frankie YICK Chi-ming, JP (Deputy Chairman)
Hon LEE Cheuk-yan
Hon CHAN Kam-lam, SBS, JP
Hon LEUNG Yiu-chung
Hon Emily LAU Wai-hing, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon WONG Kwok-hing, BBS, MH
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Cyd HO Sau-lan, JP
Hon Starry LEE Wai-king, JP
Hon CHAN Hak-kan, JP
Hon WONG Kwok-kin, SBS
Hon IP Kwok-him, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS

Hon WU Chi-wai, MH
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Dr Hon KWOK Ka-ki
Hon Christopher CHEUNG Wah-fung, SBS, JP
Dr Hon Fernando CHEUNG Chiu-hung
Hon SIN Chung-kai, SBS, JP
Dr Hon CHIANG Lai-wan, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members absent:

Hon Albert HO Chun-yan
Hon James TO Kun-sun
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN
Dr Hon LEUNG Ka-lau
Hon CHAN Han-pan, JP
Hon KWOK Wai-keung
Hon Dennis KWOK
Dr Hon Helena WONG Pik-wan
Dr Hon Elizabeth QUAT, JP
Hon TANG Ka-piu, JP
Hon Alvin YEUNG Ngok-kiu

Public officers attending:

Mr Raistlin LAU Chun, JP	Deputy Secretary for Financial Services and the Treasury (Treasury) ³
Mr HON Chi-keung, JP	Permanent Secretary for Development (Works)
Mr Maurice LOO Kam-wah	Deputy Secretary for Development (Planning and Lands) ²

Ms Anissa WONG, JP	Permanent Secretary for the Environment
Ms Jasmine CHOI Suet-yung	Principal Assistant Secretary for Financial Services and the Treasury (Treasury)(Works)
Miss Charmaine WONG Hoi-wan, JP	Assistant Director of Home Affairs (2)
Mr Martin KWAN Wai-cheong	Chief Engineer (Works) Home Affairs Department
Mrs Alice YU NG Ka-chun	Project Director (3) Architectural Services Department
Mr LI Ho-kin	Senior Project Co-ordination Manager (1) Architectural Services Department
Ms Eiphie CHAN Pik-ki	District Officer (Kwun Tong)(Acting) Home Affairs Department
Ms Sylvia TANG Man-wah	Chief Leisure Manager (Kowloon) Leisure and Cultural Services Department
Mr Rick CHAN Tin-chu, JP	District Officer (Wan Chai) Home Affairs Department
Mr Simon LIU Wai-shing	Chief Leisure Manager (Hong Kong East) Leisure and Cultural Services Department
Mr Bassanio SO Chek-leung, JP	District Officer (Tai Po) Home Affairs Department

Attendance by invitation:

Dr Bunny CHAN Chung-bun, GBS, JP	Chairman Kwun Tong District Council
Mr Stephen NG Kam-chun, BBS, MH, JP	Chairman Wan Chai District Council
Ms WONG Pik-kiu, MH, JP	Vice Chairman Tai Po District Council

Mr LAM Luk-wing

Director
Tai Po Lam Tsuen Heung Educational
Development Company Limited

Clerk in attendance:

Ms Sharon CHUNG

Chief Council Secretary (1)2

Staff in attendance:

Mr Raymond CHOW

Senior Council Secretary (1)6

Ms Maggie LAU

Council Secretary (1)2

Ms Christina SHIU

Legislative Assistant (1)2

Ms Christy YAU

Legislative Assistant (1)7

Ms Clara LO

Legislative Assistant (1)8

Action

The Chairman advised that during the 2015-2016 legislative session up to the last meeting held on 11 June 2016, the Subcommittee had approved 45 projects, with a total funding of \$71,858.2 million. Together with the two agenda items carried over from the meetings of the Subcommittee on 1 and 11 June 2016 respectively, there were five funding proposals on the agenda for this meeting, involving a total funding of \$952.7 million. He reminded members that in accordance with Rule 83A of the Rules of Procedure ("RoP") of the Legislative Council ("LegCo"), they should disclose the nature of any direct or indirect pecuniary interests relating to the funding proposals under discussion at the meeting before they spoke on the proposals. He also drew members' attention to Rule 84 of RoP on voting in case of direct pecuniary interest.

Head 707 – New Towns and Urban Area Development

PWSC(2016-17)4	458RO	Signature Project Scheme (Kwun Tong District) - Construction of Music Fountains at Kwun Tong Promenade
	68RE	Signature Project Scheme (Wan Chai District) - Construction of Moreton Terrace Activities Centre

459RO Signature Project Scheme (Tai Po District) - Improving the Tourist Facilities at Lam Tsuen Wishing Square

2. The Chairman advised that the proposal, i.e. PWSC(2016-17)4, was to upgrade 458RO, 68RE and 459RO to Category A at an estimated total cost of \$227.8 million in money-of-the-day prices. The Panel on Home Affairs had been consulted on the three proposed projects on 11 May 2015, 17 July 2015 and 18 January 2016 respectively. Panel members had no objection to the Administration's submission of the funding proposals to the Subcommittee for consideration. Pursuant to the Panel's requests, the Administration had provided supplementary information (LC Paper No. CB(2)982/15-16(01)) on the consultation mechanism for the Signature Project Scheme ("SPS") projects of the 18 District Councils ("DCs") (including the number of consultations conducted and the handling of opposing views from the local community) on 26 February 2016. A report on the gist of the Panel's discussion had been tabled at the meeting.

Arrangements for discussing the three projects under PWSC(2016-17)4

3. The Chairman advised that at the meeting on 16 March 2016, the Subcommittee had already started discussing a paper on 11 SPS projects (i.e. PWSC(2015-16)58), which included the three projects covered by the discussion paper for this meeting. Four members had raised questions on PWSC(2015-16)58 at the meeting on 16 March. Subsequently, the Administration had set out the 11 projects in two separate papers, i.e. PWSC(2016-17)2 and PWSC(2016-17)4, for re-submission. The Subcommittee had endorsed the eight projects under PWSC(2016-17)2 at the meeting on 20 April 2016. The Chairman said that members would be allowed to ask questions afresh on PWSC(2016-17)4. In other words, questions asked by all members for the first time at the present meeting on PWSC(2016-17)4 would be deemed first-round questions. Members raised no objection.

4. Given that individual projects set out in PWSC(2016-17)4 might involve greater controversy, Mr CHAN Chi-chuen and Ms Emily LAU requested the Administration to consider splitting the three projects into separate papers for re-submission. Miss CHAN Yuen-han concurred with them. Ms Emily LAU further asked if the Administration followed "the easier issues first" principle in setting the order of priority for submission of projects to the Subcommittee for its consideration, in which projects without much controversy were to be dealt with first, while the more controversial ones would be submitted to the Subcommittee for deliberation only after a consensus was sought from members.

5. Mr CHAN Kam-lam pointed out that the three projects outlined in the paper, which were only district projects, had been thoroughly discussed by DCs and the Panel on Home Affairs. He opined that there was no need to split the three projects in the paper for separate discussion. Mr IP Kwok-him said that since the Chief Executive proposed the implementation of SPS in the 2013 Policy Address, DCs had put forward various SPS projects during their preceding term of 2012-2015, having drawn extensively on the views of the local communities. The Panel on Home Affairs had also thoroughly discussed these projects. However, funding for some projects had not yet been approved. He considered that the progress was not satisfactory. Mr IP said that both he and Members belonging to the Democratic Alliance for the Betterment and Progress of Hong Kong were supportive of the three SPS projects, and believed that the projects could improve the environment of the districts concerned and enhance the quality of life of the residents.

6. Deputy Secretary for Financial Services and the Treasury (Treasury)³ said that the order of priority for submission of projects to the Subcommittee for its consideration was set based on the principle of "dealing with livelihood-related and straightforward issues first". During the remainder of the current LegCo term, one more project was expected to be submitted to the Subcommittee for consideration in addition to those set out in the five papers on the agenda for the meeting. He explained that the three projects, i.e. 458RO, 68RE and 459RO, were all SPS projects, and were therefore submitted collectively under a single paper (i.e. PWSC(2016-17)4) for the Subcommittee's consideration.

7. At the request of Mr CHAN Chi-chuen, the Chairman said that the three projects outlined in PWSC(2016-17)4 would be put to separate voting. Mr CHAN Chi-chuen asked if members could propose a motion to adjourn the proceedings concerning individual projects set out in PWSC(2016-17)4. The Chairman explained that members could move without notice a motion to adjourn discussion on an agenda item, but not a motion to adjourn discussion on one of the projects under an item.

458RO – Signature Project Scheme (Kwun Tong District) – Construction of Music Fountains at Kwun Tong Promenade

Public consultation and project selection process

8. Mr LEUNG Yiu-chung enquired how the Kwun Tong District Council ("KTDC") had conducted consultation on the SPS projects of the district, such as whether it had collected views on pre-determined items or conducted

consultation open-endedly. Miss CHAN Yuen-han noted that some members of KTDC were discontent with KTDC's decision to select the project on "Construction of Music Fountains at Kwun Tong Promenade" ("the Music Fountains project") as an SPS project of the district. She asked how KTDC and the District Office handled such discontent or objections. Dr CHIANG Lai-wan expressed support for the Music Fountains project. Dr CHIANG enquired about the number of objections received by KTDC during its consultation on the project and the total number of DC members who had cast negative votes when a vote was taken on the project at the KTDC meeting.

9. The Chairman, Kwun Tong District Council ("Chairman/KTDC"), said that KTDC had adopted a bottom-up approach in its district-based consultation on the selection of SPS projects, on which KTDC members had collected views from the residents extensively. After thorough discussion by KTDC, the music fountains (i.e. 458RO) and the lift tower at Shung Yan Street in Kwun Tong ("the lift tower project")(i.e. 460RO, which was approved by the Finance Committee earlier) had been selected out of the 16 project proposals received through a progressive screening process. No DC members had raised objection during the DC meeting at which the two projects were endorsed. Moreover, the opinion survey conducted by some local groups on the Music Fountains project had indicated that more than 80% of the respondents supported the project.

10. At the request of Mr Alan LEONG, the Administration would provide supplementary information for the Subcommittee, setting out the content of the 16 SPS project proposals for Kwun Tong that were received by KTDC and how the two projects, i.e. construction of the music fountains and the lift tower, had been selected as the SPS projects of that district.

(Post-meeting note: The supplementary information provided by the Administration was circulated to members vide [LC Paper No. PWSC265/15-16\(01\)](#) on 17 June 2016.)

Project location and design

11. Mr LEUNG Che-cheung asked if consideration had been given to the possible impact caused by the traffic noise from the nearby Kwun Tong Bypass on the musical effect of the music fountains when the project location was selected. Project Director (3), Architectural Services Department ("PD3/ASD"), explained that Kwun Tong Bypass was an elevated flyover on which traffic noise was emitted in an upward direction and no impact would be caused to the musical effect of the music fountains. The music fountains

would also be equipped with sufficient number of amplifiers for music playing.

12. Dr KWOK Ka-ki asked if statistics had been compiled on the visitor flow of the selected location of the music fountains. He pointed out that the vicinity of the selected location was industrial and commercial areas, where the visitor flow as expected to be on the low side at night-time despite the busy scene during daytime. He therefore questioned if the selected location could attract people to visit the music fountains.

13. Chairman/KTDC said that the music fountains were located at a conveniently accessible location (i.e. the Kwun Tong Promenade), which was just a few minutes' walk from Ngau Tau Kok MTR Station. He pointed out that ever since the opening of Stage 1, the Kwun Tong Promenade was popular among leisure seekers. A full view of the night-time scenery of Victoria Harbour also added to its attraction, which had drawn quite a number of visitors at night-time. The monthly number of visitors to the Kwun Tong Promenade had increased from around 30 000 shortly after its opening to the current number of around 80 000.

14. Mr WU Chi-wai was of the view that the current design of the music fountains took up the open space of waterfront greenery. He asked if the Administration would re-examine the current design and consider modeling on the design of the music fountains outside the entrance of Citygate, in which the fountain nozzles were hidden under the ground so that the place could be used for other activities when the fountains were turned off. Consideration could also be given to expanding the wet play area under the current design or redesigning the portion of jumping jets into a wet play area so as to better serve the purpose of promoting a water-friendly culture.

15. Chairman/KTDC said that the Music Fountains project as a whole took up just 2% of the total area of the Kwun Tong Promenade and less than 10% of the lawn area. Most of the lawn and open space remained to be reserved for public use. The provision of fountains and a wet play area in the Kwun Tong Promenade was also aimed to making good use of the space in response to the views of the local community. PD3/ASD explained that the Music Fountains project comprised two parts, namely the performance water fountain and the wet play area. She pointed out that during the show time of the music fountains, the public could enjoy the music and laser lighting effects. For the rest of the time, the public could also interact with the fountains by walking back and forth on the pavement cutting through the performance water fountain to trigger jets of water.

68RE – Signature Project Scheme (Wan Chai District) – Construction of Moreton Terrace Activities Centre

Project cost and financing arrangements

16. Noting that a donation from the Hong Kong Jockey Club Charities Trust ("the Trust") would be made to fund the project on "Construction of Moreton Terrace Activities Centre" ("the MTAC project"), Mr IP Kwok-him enquired about the financing details of the project. The Chairman, Wan Chai District Council, advised that the total estimated cost of the MTAC project was \$140 million, of which \$100 million would be funded from the one-off allocation under SPS, while the remaining \$40 million would be funded from the donation of the Trust.

17. Mr SIN Chung-kai pointed out that the cost of the MTAC project far exceeded that of other community activities centres/halls. For example, the cost of Shek Kip Mei Community Services Centre was \$59.58 million and that of Yuen Long District Community Services Building with a construction floor area of approximately 3 900 square metres was \$124 million only. He enquired about the reasons for the high construction cost of the MTAC project.

18. PD3/ASD explained that a slightly higher project cost was required because the narrow and small site of the MTAC project, which covered an area of only 750 square metres, would pose difficulties to the construction work, and a basement had to be built to house related electrical and mechanical installations. She indicated that the construction unit cost of a project with small site area would normally be higher. For example, the construction unit cost of Shek Kip Mei Community Services Centre amounted to \$35,192 per square metre at current prices. In addition, she pointed out that receiver-specific measures must be employed for the MTAC project during the construction period and suspension of works might occasionally be required due to its proximity to the Hong Kong Central Library. This, coupled with factors such as the cost required for protecting the five trees standing next to the construction site, would push up the construction cost of the project to a level higher than those of other similar projects.

Venue booking arrangements after the completion of the project

19. Mr SIN Chung-kai enquired whether the general public would be allowed to make personal bookings for use of the venues upon the completion of the MTAC project. District Officer (Wan Chai) advised that upon completion, MTAC would follow the venue booking arrangements

adopted by Leighton Hill Community Hall, under which only bookings by organizations would be accepted and personal bookings would not be entertained. Allowing bookings for use of the venues by organizations was meant to ensure optimal use of community resources to cater for the needs of more local residents.

459RO – Signature Project Scheme (Tai Po District) – Improving the Tourist Facilities at Lam Tsuen Wishing Square

Public consultation and project selection process

20. Mr CHAN Chi-chuen said that during the discussion on the project on "Improving the Tourist Facilities at Lam Tsuen Wishing Square" ("the Wishing Square project") at the meeting of the Panel on Home Affairs on 18 January 2016, members noted that Tai Po residents had, on their own initiative, collected several thousands of signatures against the project. He had already made clear at the meeting that he did not support the project in view of the intense controversies it had aroused. He asked whether and how the Administration and the Tai Po District Council ("TPDC") had followed up with the local objections after the Panel meeting.

21. The Vice Chairman, Tai Po District Council, said that after the aforesaid Panel meeting, TPDC had collected over 10 000 signatures in support of the Wishing Square project during the first month of the Lunar New Year when views on the project were collected at the Wishing Square from both residents of Tai Po as well as visitors. She further said that TPDC had been reporting on matters relating to the Wishing Square project at every meeting of the Tai Po Rural Committee. District Officer (Tai Po) ("DO(TP)) stressed that the Tai Po District Office ("TPDO") had been assisting TPDC in conducting consultations on the SPS projects, including organizing a district forum on 18 April 2013 to consult the local community. The 168 members of the public attending the forum were basically in support of the Wishing Square project. He further pointed out that TPDO had been updating regularly the information on the two SPS projects (i.e. the Wishing Square project and the project on "Establishment of an Arts Centre by Retrofitting Tai Po Government Secondary School") on the website of TPDC. Relevant publicity leaflets had also been distributed during activities held in the district. Regarding the guidelines on consultation, Assistant Director of Home Affairs (2) ("ADHA(2)) remarked that DCs would select appropriate channels based on the respective situations of local communities for conducting consultations among local residents and organizations.

22. Dr Fernando CHEUNG appreciated DCs' practice of selecting appropriate SPS projects based on respective situations of local communities

and considered that DCs' decisions should be given due respect. He considered, however, holding only one consultation forum was apparently far from enough as the Wishing Square project had aroused such great controversies that thousands of people had been prompted to sign against the project.

23. Dr CHIANG Lai-wan expressed support for the Wishing Square project. In response to Dr CHIANG's enquiry, the Vice Chairman, Tai Po District Council, advised that TPDC had considered a total of eight project proposals for signature projects put forth by DC members of different political parties. She emphasized that the said project had been selected after thorough public consultations and discussions.

24. Mr CHAN Hak-kan noted from the minutes of the relevant TPDC meeting that having participated fully in discussions, DC members belonging to different political parties had selected two of the project proposals to be the SPS projects for Tai Po, including the Wishing Square project. DC members participating in the meetings did not raise strong opposition to the Wishing Square project, and there were DC members belonging to the pan-democratic camp who spoke in favour of the project. Commenting that the relevant consultations and discussions were not non-transparent or unopen, Mr CHAN said that recommendations from DC members should be given due respect.

25. Mr WONG Kwok-hing and Mr LEUNG Che-cheung also agreed that due respect should be given to the projects proposed by DCs after thorough consultations and discussions in the district, and with consensus from the parties concerned. Mr WONG supported the approval of these SPS projects as soon as possible without any further delay. To resolve the existing problem of excessively heavy visitor and vehicular traffic at Lam Tsuen during festivals and holidays, Mr LEUNG considered that the Wishing Square project should be taken forward early for the convenience of local residents and tourists visiting the place.

Declaration of interest by District Council members

26. Citing media reports, Dr Fernando CHEUNG said that TPDC members who had selected and voted in favour of the Wishing Square project, including Mr CHEUNG Hok-ming (Chairman of TPDC), Mr HO Tai-wai (Chairman of Working Group on the Selection of Signature Project Proposals under TPDC ("WGSSPP")), Mr LI Kwok-ying, Mr CHAN Cho-leung, Mr CHAN Chi-chiu and Mr WONG Chau-pak, were allegedly involved in conflict of interest in the deliberation and selection of the Wishing Square project as the SPS project for the district, but they seemed to

have failed to make declaration in full compliance with the requirement. Dr CHEUNG pointed out that Mr CHEUNG Hok-ming, Mr LI Kwok-ying and Mr CHAN Cho-leung, who were directors of Lam Tsuen Wishing Square Development Limited ("LTWSD"), had been appointed to the board of directors of Tai Po Lam Tsuen Heung Educational Development Company Limited ("LTHED") entrusted with managing, operating and maintaining the Wishing Square. All the aforesaid persons were also engaged in business relationships with one another.

27. Dr Fernando CHEUNG, Mr LEUNG Kwok-hung, Mr Albert CHAN, Mr LEE Cheuk-yan and Dr KWOK Ka-ki expressed grave concern about the failure of the aforesaid DC members to make declaration in respect of the potential conflict of interests involved during the course of deliberation and selection of the Wishing Square project, and queried if a transfer of benefits had taken place. They asked whether the Administration had issued any guidelines on declaration of interest by DC members, and whether DC members had followed the relevant guidelines on declaration of interests during the course in which TPDC and its relevant working group discussed the Wishing Square project and selected it as one of the SPS projects for the Tai Po district as well as in the handling of tenders relevant to the project. Moreover, they requested the Administration to state clearly which DC members had declared their pecuniary interests, whether direct or indirect, in the project during the various meetings of TPDC and its relevant subcommittees for discussion of the project, the nature and particulars of the interest involved, and whether there were DC members who had not declared their pecuniary interests at the relevant meetings. Dr KWOK Ka-ki enquired whether the Administration or TPDC had proactively sought the advice of the Independent Commission Against Corruption ("ICAC") or requested ICAC to follow up the matter.

28. Mr CHAN Kam-lam said that the two SPS projects had been selected after detailed discussions by TPDC having taken into account different factors such as the expenditure ceiling and the acceptance from the local community. Also, DC members had already fully expressed different opinions. Mr CHAN held the view that while LegCo had a gatekeeping role in examining funding proposals for ensuring proper use of public money, it should respect the decisions of DCs. As to the question of whether any DC members had interests in the SPS projects, it had been dealt with by the DC.

29. ADHA(2) advised that the Home Affairs Department ("HAD") had, with reference to the guidelines for a two-tier reporting system devised by ICAC, formulated relevant provisions on the operation of DCs. Under the first-tier declaration mechanism, DC members were required to provide respective DC secretaries with particulars of their personal interests for

public inspection. Under the second-tier declaration mechanism, any DC member/member of committees under DCs who had pecuniary or other interests in any matter under consideration by the DC concerned or had connections with the beneficiaries or potential beneficiaries, including matters on tender, quotation and DC funds, must, as soon as practicable, declare such to the DC concerned prior to the discussion of the relevant item. Generally speaking, the DC Chairman would consider if a DC member/member of committees under DCs had potential or genuine conflict of interests in the item being dealt with by the DC concerned based on the interests declared by the member, and decide on such options as whether he should withdraw from the meeting, or might be in attendance while refraining from voting or discussion, might discuss while refraining from voting, might discuss and vote, etc. Such declarations and decisions would be recorded in the minutes of the respective meetings at which the item was discussed.

30. DO(TP) said that apart from adhering to the declaration mechanism put in place by HAD at the series of meetings held to examine the Wishing Square project, TPDC adopted a three-tier reporting arrangement for consideration and selection of a partnering organization for the project, which required that: (a) any DC member who held a position with no substantive duties in the organization concerned might, after declaring an interest, take part in the discussion and decision-making process; (b) any DC member who held a position with substantive duties in the organization concerned must declare an interest and remain silent during the discussion and should refrain from taking part in the decision-making or voting on the relevant funding application, but might answer questions at the request of the Chairman; and (c) any DC member who held a position as project executor in the organization concerned must declare an interest and withdraw from the meeting when the relevant funding application was being discussed. Furthermore, he pointed out that at its meeting on 7 March 2013 when TPDC decided to accept the project proposal recommended by WGSSPP, both Mr CHAN Cho-leung and Mr LI Kwok-ying had declared that they were members of LTWSD, whereas Mr CHEUNG Hok-ming was absent from the meeting on that day.

31. Mr LEUNG Kwok-hung requested DO(TP) to state more clearly whether, when the Wishing Square project was being examined and approved by TPDC, those DC members who allegedly had conflicts of interests in the matter had complied fully with the requirements to declare interests. Emphasizing that it was the responsibility of LegCo to examine and approve funding applications for SPS projects submitted by DCs, he disagreed with the statement about this being a political smear.

32. Mr LEUNG Kwok-hung continued to speak loudly from his seat after the Chairman had invited DO(TP) to respond. The Chairman warned Mr LEUNG that he should not speak loudly from his seat, or he would be deemed to have behaved disorderly. The Chairman also reminded Mr LEUNG to refrain from using offensive language in his speech.

33. DO(TP) reiterated that it was up to DC members to decide whether they should declare interests by making their own judgement on the interests involved or the nature of interests.

34. In response to Mr CHAN Hak-kan's question, Director of LTHED said that TPDC would monitor the implementation of the Wishing Square project in future. All revenue generated from the operation of the Wishing Square would be used for the on-going operation of the Wishing Square and LTHED would not make profit from it.

Tendering arrangement for the operation of the Lam Tsuen Wishing Square

35. Mr LEE Cheuk-yan enquired about how LTHED had been designated as the partnering organization responsible for managing, operating and maintaining the Wishing Square; whether TPDC had conducted an open tender exercise for the selection of a partnering organization; and the total number of tenders received.

36. DO(TP) responded that TPDC had posted advertisements in two local newspapers (in both Chinese and English) as well as on its website to invite proposals for managing, operating and maintaining the Wishing Square from charitable institutions that were exempt from tax under section 88 of the Inland Revenue Ordinance (Cap. 112). One proposal from LTHED was received by the deadline. After assessment, the five-member Partnering Organization Vetting Committee formed under TPDC considered that the proposal had met the assessment criteria and recommended to TPDC that LTHED be accepted as the partnering organization for the Wishing Square project.

Project design

37. Mr LEE Cheuk-yan enquired about the overall objective and significance of the Wishing Square project. He queried how the Square could highlight the characteristics of the Tai Po district, if it was mainly used for holding Poon Choi feasts. He also commented that it was not always necessary for cultural performances to take place on stage and doubted if the spending of \$52 million from public coffer on the construction of a permanent covered performance stage in the Square would create any

additional value. Mr WU Chi-wai also queried the need to construct a permanent performance stage in the Wishing Square, and enquired about the plans of the Administration and TPDC for putting the permanent performance stage to full use.

38. Director of LTHED said that apart from holding Poon Choi feasts, the Wishing Square had all along been used for holding various local and territory-wide cultural and charity events (including the Hong Kong Well-Wishing Festival), performances and exhibitions. Currently, there was no covered performance stage in the Wishing Square and event organizers had to set up temporary performance stages each time for one-off use which was neither environmentally friendly nor cost-effective. The provision of a permanent covered performance stage would help attract more organizations to hold events and performances in the Wishing Square. DO(TP) supplemented that the cost for constructing a permanent covered performance stage constituted only part of the estimated cost of \$52 million for the Wishing Square project. The estimated project cost also included the works cost involved in the provision of 16 permanent stalls, provision of parking spaces and re-pavement of an existing football pitch together with the provision of associated facilities.

39. Mr WU Chi-wai doubted that, except for the heavy visitor flows during the first 15 days of the first lunar month of each year, visitor flows in the Wishing Square during the rest of the year might not be sufficient to support the provision of 16 permanent stalls. In this connection, he asked if the Administration had conducted any assessment.

40. Director of LTHED said that since there was currently no permanent stalls in the Wishing Square, erection of temporary stalls during the Lunar New Year might involve issues such as structural and electrical safety. The provision of permanent stalls would enhance the facilities in the Wishing Square to facilitate the holding of more events (e.g. weekend farmers' markets, flea markets, etc.) which would help boost the visitor flow in turn.

41. Mr CHAN Chi-chuen pointed out that there were views expressing dissatisfaction with the current design option for the Wishing Square project under which the design of the permanent covered performance stage to be constructed in the Wishing Square was considered to be analogous to a "Tai Po Tiananmen Square". At the request of Mr CHAN, the Administration would provide the design drawings (including exterior design) of the stage to the Subcommittee.

(*Post-meeting note:* The supplementary information provided by the Administration was circulated to members vide [LC Paper No. PWSC265/15-16\(01\)](#) on 17 June 2016.)

42. The Chairman said that the Subcommittee would continue the discussion on the item at the next meeting on 20 June 2016.
43. There being no other business, the meeting ended at 10:30 am.

Council Business Division 1
Legislative Council Secretariat
7 July 2016