

立法會
Legislative Council

LC Paper No. CB(1)289/16-17
(These minutes have been
seen by the Administration)

Ref : CB1/PL/DEV

Panel on Development

Minutes of meeting
held on Tuesday, 8 November 2016, at 9:00 am
in Conference Room 1 of the Legislative Council Complex

Members present : Hon Tommy CHEUNG Yu-yan, GBS, JP (Chairman)
Hon Kenneth LAU Ip-keung, MH, JP (Deputy Chairman)
Hon James TO Kun-sun
Hon Abraham SHEK Lai-him, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon CHAN Kin-por, BBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, BBS, JP
Hon KWOK Wai-keung

Hon Dennis KWOK Wing-hang
Dr Hon Fernando CHEUNG Chiu-hung
Hon IP Kin-yuen
Hon Martin LIAO Cheung-kong, SBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon Jimmy NG Wing-ka, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon HO Kai-ming
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Hon CHAN Chun-ying
Hon Tanya CHAN
Hon CHEUNG Kwok-kwan, JP
Hon HUI Chi-fung
Hon LUK Chung-hung
Hon LAU Kwok-fan, MH
Dr Hon CHENG Chung-tai
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Dr Hon YIU Chung-yim
Dr Hon LAU Siu-lai

Members absent : Hon LEUNG Yiu-chung
Hon Kenneth LEUNG
Dr Hon KWOK Ka-ki
Dr Hon Helena WONG Pik-wan
Dr Hon Elizabeth QUAT, JP
Dr Hon CHIANG Lai-wan, JP
Hon Nathan LAW Kwun-chung

Public officers attending : **Agenda item VII**
Mr Vincent MAK Shing-cheung
Deputy Secretary for Development (Works)2

Mr Dominic CHOW Wing-hang
Principal Assistant Secretary (Works)1
Development Bureau

Mr Jacky WU Kwok-yuen
Chief Assistant Secretary (Works)6
Development Bureau

Agenda item VIII

Mr Paul CHAN Mo-po, GBS, MH, JP
Secretary for Development

Mr Thomas CHAN Chung-ching, JP
Deputy Secretary for Development (Planning and
Lands)1

Mr Ivan CHUNG Man-kit
Principal Assistant Secretary (Planning and Lands)5
Development Bureau

Ms Phyllis LI Chi-miu, JP
Deputy Director of Planning/Territorial

Ms April KUN Ka-Yin
Chief Town Planner/Studies and Research
Planning Department

Mr LIU Chun-san, JP
Project Manager (New Territories West)
Civil Engineering and Development Department

Mr Tony CHEUNG Ka-leung
Chief Engineer/New Territories West 3
Civil Engineering and Development Department

**Attendance by
invitation**

: Agenda item VII

Mr Paul CHONG Kin-lit, MH
Chairman
Construction Workers Registration Board

Clerk in attendance : Ms Sharon CHUNG
Chief Council Secretary (1)2

Staff in attendance : Miss Rita YUNG
Senior Council Secretary (1)2

Mr Raymond CHOW
Senior Council Secretary (1)6

Ms Mandy LI
Council Secretary (1)2

Ms Christina SHIU
Legislative Assistant (1)2

Action

I Confirmation of minutes
(LC Paper No. CB(1)52/16-17 — Minutes of meeting on
18 October 2016)

The minutes of the meeting on 18 October 2016 were confirmed.

II Information papers issued since the last meeting
(LC Paper No. CB(1)50/16-17(01) — Letter dated 28 October
2016 from Hon Kenneth
LAU Ip-keung proposing
items for discussion by the
Panel)

2. Members noted that the above information paper had been issued since the last meeting.

III Items for discussion at the next meeting
(LC Paper No. CB(1)51/16-17(01) — List of outstanding items
for discussion)

3. Members agreed that the next regular meeting would be held on Tuesday, 22 November 2016, at 2:30 pm to discuss the following items proposed by the Administration:

- (a) Capital Works Reserve Fund Block Allocations for 2017-2018; and
- (b) Extending the operation of the Energizing Kowloon East Office.

(Post-meeting note: As requested by the Administration and with the concurrence of the Chairman, an item "staffing proposal on establishment of the Sustainable Lantau Office and re-organization of the existing Development Offices of the Civil Engineering and Development Department" has been included for discussion at the above meeting. The meeting will be extended to end at 5:30 pm. Members were informed of the arrangement on 14 November 2016 vide LC Paper No. CB(1)111/16-17.)

IV Matters arising from the meeting on 18 October 2016

Proposed visit to Dongjiang

- (LC Paper No. CB(1)51/16-17(02) — Letter dated 25 February 2016 from the former Chairman to the Secretary for Development on the proposed visit
- LC Paper No. CB(1)798/15-16(01) — Administration's letter dated 12 April 2016 to the former Chairman on the proposed visit
- LC Paper No. CB(1)51/16-17(03) — Letter dated 5 May 2016 from the Clerk to Panel to the Administration on the proposed visit
- LC Paper No. CB(1)1004/15-16(01) — Letter dated 31 May 2016 from the Administration on the proposed visit)

4. The Chairman advised that the Panel had proposed in February 2016 to conduct a visit to Dongjiang to obtain information on the quality of the water supplied to Hong Kong. The Administration had replied in May 2016 that the Guangdong authorities considered the period after the tide season a better timing for conducting the visit. At the previous

Panel meeting on 18 October 2016, Dr Helena WONG suggested that the Panel should follow up the proposed visit in the current legislative session. The Chairman invited members to give views on Dr WONG's suggestion.

5. Mr LAM Cheuk-ting said that Dongjiang was the major source of drinking water for Hong Kong, and the public was concerned about the safety of Dongjiang water supplied to Hong Kong. Mr LAM supported conducting a visit to Dongjiang.

6. The Chairman concluded that members had no objection in principle to the suggestion of arranging a visit of the Panel to Dongjiang. He further invited members to give views on the scope of the visit as proposed by the former Panel Chairman in his letter to the Secretary for Development in February 2016, namely the operation of the Dongjiang water supply system, the measures taken to safeguard the quality of Dongjiang water supplied to Hong Kong, and the progress of the remediation project for the water environment of the Shawan River (沙灣河流域"水環境綜合整治工程"的進展). Members agreed to the proposed scope of visit. The Chairman instructed the Clerk to follow up the proposed visit with the Development Bureau.

Clerk

V Proposal for setting up a joint subcommittee under the Panel on Development and the Panel on Home Affairs to monitor the implementation of the West Kowloon Cultural District Project
(LC Paper No. CB(1)31/16-17(01) — Letter dated 24 October 2016 from Hon Tanya CHAN)

7. The Chairman referred to the letter dated 24 October 2016 from Ms Tanya CHAN (LC Paper No. CB(1)31/16-17(01)) suggesting the setting up of a joint subcommittee under the Panel on Development and the Panel on Home Affairs to monitor the implementation of the West Kowloon Cultural District project ("the Joint Subcommittee"). He said that the terms of reference and work plan of the Joint Subcommittee as proposed by Ms CHAN in her letter were substantially the same as those of the former Joint Subcommittee which had been set up under the two Panels during the 2012-2013 legislative session. In fact such a joint subcommittee had been in operation since the 2008-2009 legislative session. The Chairman advised that the House Committee had agreed at its meeting on 28 October 2016 to give priority to the activation of the Joint Subcommittee, if both the Panel on Development and the Panel on

Home Affairs ("the two Panels") supported the appointment of the Joint Subcommittee. The Chairman invited members to give views on Ms CHAN's suggestion.

8. Ms Tanya CHAN said that as the West Kowloon Cultural District ("WKCD") project was still in progress, it was necessary for the two Panels to monitor the implementation of the project. She called for members' support for her proposal.

9. Members agreed to appointing a joint subcommittee under the two Panels to monitor the implementation of the WKCD project and endorsed the terms of reference and work plan as proposed by Ms Tanya CHAN. The Chairman instructed the Clerk to convey the Panel's decision to the Panel on Home Affairs.

(Post-meeting note: At its meeting on 11 November 2016, the Panel on Home Affairs agreed to setting up the Joint Subcommittee, and endorsed the terms of reference and work plan as proposed by Ms Tanya CHAN.)

VI Proposal for setting up a subcommittee to follow up the issues related to the Wang Chau development project

(LC Paper No. CB(1)49/16-17(01) — Letter dated 26 October 2016 from Dr Hon YIU Chung-yim)

10. The Chairman referred to the letter dated 26 October 2016 from Dr YIU Chung-yim (LC Paper No. CB(1)49/16-17(01)) proposing the setting up of a subcommittee under the Panel to follow up the issues related to the Wang Chau development project ("the Wang Chau subcommittee"). The Chairman opined that, as the Wang Chau development project was a public housing development project, which was under the purview of the Transport and Housing Bureau, it would be more appropriate to set up the Wang Chau subcommittee under the Panel on Housing. Mr LAU Kwok-fan shared the Chairman's view.

11. Dr YIU Chung-yim said that there were many brownfield sites in the Wang Chau area, and the handling of brownfield sites and legally occupied government land was of crucial importance to the implementation of the Wang Chau development project. Since the Development Bureau and the relevant departments under its purview were

responsible for the handling of brownfield sites, it was appropriate to set up the Wang Chau subcommittee under the Panel.

12. Mr WU Chi-wai, Mr Alvin YEUNG, Mr CHU Hoi-dick, Mr HUI Chi-fung, Mr LEUNG Kwok-hung, Mr KWONG Chun-yu and Dr Fernando CHEUNG spoke in support of the establishment of the Wang Chau subcommittee. They said that there were many queries among the public on the Administration's consultation work related to the Wang Chau development project, in particular whether the Administration had favoured the property developers and rural organizations in taking forward the project. In addition, it was unusual for a task force chaired by the Chief Executive to have been formed to coordinate the work for implementing the Wang Chau development project. Mr WU Chi-wai opined that it was an opportune time to take the Wang Chau development project as a subject for a case study for examining the Administration's policies and approach for dealing with the issues related to the implementation of development projects in the New Territories, such as utilization of land, handling of brownfield sites, compensation to affected parties, etc.

13. The Deputy Chairman and Ir Dr LO Wai-kwok spoke against the proposed establishment of the Wang Chau subcommittee. The Deputy Chairman said that the terms of reference and work plan for the proposed subcommittee as suggested by Dr YIU Chung-yim were not in line with the powers and functions of the Legislative Council ("LegCo") set out under Article 73 of the Basic Law. In his view, it was more appropriate for the relevant Panels to monitor the work of the Administration on the Wang Chau development project by raising questions in meetings and requesting relevant information and there was no need to set up a subcommittee. Ir Dr LO Wai-kwok remarked that a subcommittee dedicated to studying the issues related to the Wang Chau development project was not warranted since the project was a relatively small one, and members should put their efforts on deliberating the wider issues related to land development.

14. Mr LEUNG Che-cheung said that the Yuen Long District Council was very concerned about the Administration's plan for developing public housing at Wang Chau. He remarked that a joint meeting of the Panel on Development and the Panel on Housing had been scheduled for 15 November 2016 to discuss the subject of "public housing development plan at Wang Chau, Yuen Long". He suggested that the proposal for setting up the Wang Chau subcommittee be considered after the discussion of the joint meeting.

15. The Chairman enquired whether members supported Dr YIU Chung-yim's proposal for setting up a subcommittee under the Panel to follow up the issues related to the Wang Chau development project. He put the question to vote. At Mr HO Kai-ming's request, the Chairman ordered a division. The voting bell was rung for five minutes. Fourteen members voted for the question, 17 members voted against it, and 7 members abstained. The votes of individual members were as follows:

For:

Mr James TO	Mr LEUNG Kwok-hung
Mr WU Chi-wai	Mr Charles MOK
Mr CHAN Chi-chuen	Mr Dennis KWOK
Dr Fernando CHEUNG	Mr Alvin YEUNG
Mr CHU Hoi-dick	Ms Tanya CHAN
Dr CHENG Chung-tai	Mr KWONG Chun-yu
Mr Jeremy TAM	Dr YIU Chung-yim
(14 members)	

Against:

Mr Kenneth LAU (Deputy Chairman)	Mr Abraham SHEK
Mr CHAN Kin-por	Mr WONG Kwok-kin
Mr Frankie YICK	Mr YIU Si-wing
Mr MA Fung-kwok	Mr CHAN Han-pan
Ms Alice MAK	Mr KWOK Wai-keung
Mr Martin LIAO	Ir Dr LO Wai-kwok
Mr Jimmy NG	Dr Junius HO
Mr HO Kai-ming	Ms YUNG Hoi-yan
Mr LUK Chung-hung	
(17 members)	

Abstain:

Mr WONG Ting-kwong	Ms Starry LEE
Mr CHAN Hak-kan	Mr Paul TSE
Mr Holden CHOW	Mr Wilson OR
Mr CHEUNG Kwok-kwan	
(7 members)	

16. The Chairman concluded that the Panel did not support the proposal for setting up a subcommittee under the Panel to follow up the issues related to the Wang Chau development project.

VII Proposed enactment of an Exemption Regulation and addition of three new trade divisions under the Construction Workers Registration Ordinance (Cap. 583)

(LC Paper No. CB(1)51/16-17(04) — Administration's paper on enactment of Exemption Regulation and addition of three new trade divisions under Construction Workers Registration Ordinance)

17. With the aid of a powerpoint presentation, Chief Assistant Secretary (Works)6, Development Bureau, briefed members on the Administration's proposal to enact the Exemption Regulation and add three new trade divisions under the Construction Workers Registration Ordinance (Cap. 583) ("CWRO") (collectively referred to as "the Administration's proposal"). The Administration planned to table the Exemption Regulation and the notice for addition of the three new trade divisions at the Legislative Council by December 2016 for negative vetting with a view to effecting the provisions of the Exemption Regulation and the notice on 1 April 2017. Details of the proposal were set out in the Administration's paper (LC Paper No. CB(1)51/16-17(04)).

(Post-meeting note: A soft copy of the powerpoint presentation materials was circulated to members vide LC Paper No. CB(1)81/16-17(01) by email on 8 November 2016.)

Implementation of the Administration's proposal

18. Ir Dr LO Wai-kwok expressed support for the Administration's proposal and said that the construction industry welcomed the implementation of the "designated workers for designated skills" requirement ("DWDS requirement"), i.e. forbidding any registered worker from carrying out skill work unless the worker was a registered skilled/semi-skilled worker of the relevant trade divisions or under instruction and supervision of another person who was a registered skilled/semi-skilled worker of the relevant trade divisions.

19. As regards the proposed Exemption Regulation to provide exemption from the DWDS requirement in three aspects, namely emergency construction work, small-scale construction work and persons who had been exempted under other specified ordinances, Ir Dr LO considered the exemption reasonable. He also considered the proposed addition of three new trade divisions (i.e. false ceiling installer, partition

(metal frame) installer and cable jointer (dead cable)) under CWRO an act responsive to the requests of the construction industry.

20. Mr LEUNG Kwok-hung sought details about the publicity and promotional activities (including the work plan for such activities and the itemized expenditures incurred) to be launched by the Construction Industry Council ("CIC") for implementing the requirements under CWRO to be effective from 1 April 2017.

21. Principal Assistant Secretary (Works)1, Development Bureau, explained that the Administration and CIC had already implemented a series of publicity and promotional activities (e.g. launching media advertisements, conducting briefing sessions for industry stakeholders and issuing relevant guidelines) to foster a better understanding of the DWDS requirement under CWRO among construction workers. A task force had also been formed under CIC to oversee promotional matters related to the implementation of the DWDS requirement. He undertook to provide the information requested by Mr LEUNG after the meeting.

(Post-meeting note: The Administration's supplementary information was circulated to members vide LC Paper No. CB(1)163/16-17(01) on 22 November 2016.)

Exemption for emergency construction work

22. Given the significance of emergency construction work, Dr CHENG Chung-tai considered that skilled workers should be deployed to carry out such work. In his view, the exemption went against the principal objective of CWRO, i.e. enhancement of the quality of construction work. Dr Fernando CHEUNG echoed Dr CHENG's views. Dr CHENG queried the rationale for exempting emergency construction work from the DWDS requirement under the proposed Exemption Regulation. He also enquired about the party/parties (i.e. the contractor, the sub-contractor, etc.) to be responsible for industrial casualties related to emergency construction work, and whether the proposed Exemption Regulation or CWRO would clearly stipulate the details about such responsibilities; if yes, the details.

23. Deputy Secretary for Development (Works)2 ("DS(W)2") advised that in view of the urgency of emergency construction work and for the interests of the public, the industry practice was to carry out the work immediately based on the manpower resources available to the contractors concerned at that time. After consultation with industry stakeholders, the

Administration decided to follow the current practice and propose exempting emergency construction work from the DWDS requirement. However, the proposed Exemption Regulation would only exempt specified emergency construction work from the DWDS requirement for a period of 72 hours counting from the time at which the responsible contractor became aware of the emergency, and also provided that the contractors shall notify CIC the commencement of emergency construction work within 48 hours and submit a record of the work to CIC within 96 hours. DS(W)2 undertook to provide the information requested by Dr CHENG after the meeting.

(Post-meeting note: The Administration's supplementary information was circulated to members vide LC Paper No. CB(1)163/16-17(01) on 22 November 2016.)

24. Expressing support for the Administration's proposal, Mr CHAN Han-pan opined that to enable contractors to take immediate action under emergency situations, it was acceptable to exempt specified emergency construction work from the DWDS requirement. He opined that, apart from requiring the contractor concerned to submit a record of emergency work to CIC afterwards, the completed emergency work should be reviewed by a registered worker of the relevant trade division to ensure that the work achieved the required standard.

25. DS(W)2 advised that the proposed Exemption Regulation would exempt specified emergency construction work from the DWDS requirement for a period of 72 hours counting from the time at which the responsible contractor became aware of the emergency. Yet, construction work beyond the first 72 hours (including any necessary remedial work to the completed emergency construction work) would be subject to the DWDS requirement.

Exemption for small-scale construction work

26. Expressing in-principle support for the implementation of the DWDS requirement, Dr Fernando CHEUNG relayed the concern of some construction workers about the proposed exemption of small-scale construction work from the DWDS requirement. These construction workers were worried that the wage levels of skilled workers engaged in small-scale construction work might be brought down as general workers were allowed to carry out the exempted work under the Administration's proposal.

27. DS(W)2 explained that the Administration had adopted a phase-by-phase approach to implementing the DWDS requirement. With effect from 1 April 2017, the DWDS requirement would come into operation. To facilitate a gradual adaptation of the industry, the DWDS requirement would not apply to specified maintenance work and minor construction work on 1 April 2017. The Administration would monitor the implementation of the DWDS requirement and take steps to extend the requirement to all construction work. DS(W)2 advised that only small-scale construction work satisfying the exemption thresholds was to be exempted from the DWDS requirement. The work was mainly minor remedial work requiring relatively low skill level. The proposed exemption was in line with the well-adopted current industry practice where general workers were employed to carry out the work.

Other concerns

28. Noting that workers currently engaged in landscape work could only be registered as general workers instead of skilled workers for designated trade divisions, Mr CHAN Han-pan asked if the Construction Workers Registration Board ("CWRB") under CIC would consider adding landscape worker to Schedule 1 to CWRO as a new trade division.

29. Mr Paul CHONG Kin-lit, Chairman, Construction Workers Registration Board, replied that to address the needs of the construction industry, CWRB had established a mechanism for adding new trade divisions. The proposal of adding landscape worker as a new trade division was under the consideration of CWRB.

30. Regarding the trade tests to evaluate the level of trade skills of construction workers, Dr CHENG Chung-tai asked about whether CIC would consider combining the tests for trade divisions of similar nature, instead of requiring construction workers to take these tests one by one. The Chairman requested that, due to time constraints, the Administration should provide a written response after the meeting.

(Post-meeting note: The Administration's written response was circulated to members vide LC Paper No. CB(1)163/16-17(01) on 22 November 2016.)

VIII Hung Shui Kiu New Development Area Planning and Engineering Study — Revised Recommended Outline Development Plan

(LC Paper No. CB(1)51/16-17(05) — Administration's paper on Hung Shui Kiu New Development Area Planning and Engineering Study — Revised Recommended Outline Development Plan

LC Paper No. CB(1)51/16-17(06) — Paper on the planning and engineering study for the Hung Shui Kiu New Development Area prepared by the Legislative Council Secretariat (Updated background brief))

Other relevant paper

(LC Paper No. CB(1)82/16-17(01) — Submission from a concern group (洪水橋新發展區聯村 (亦園村、田心新村、石埔路尾村、蒲瓜嶺) 關注組) dated 3 November 2016 (Chinese version only))

31. At the invitation of the Chairman, Secretary for Development ("SDEV") highlighted the background of the Hung Shui Kiu ("HSK") New Development Area ("NDA") Planning and Engineering Study ("the Study") and the salient features of the NDA.

32. SDEV stated that:

(Translation)

"Following the pronouncement of the interpretation of Article 104 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China by the Standing Committee of the National People's Congress ("NPC") ("the Interpretation")

yesterday (at the 24th session of the Standing Committee of the 12th NPC on 7 November 2016), we noticed that there had been queries in the community and among some LegCo Members about the validity of the oaths taken by individual Members. The Government was examining the issue. That I answered Members' questions at the meeting today did not mean that the Government had accepted these Members' oaths to be valid. The Government reserved its legal rights concerning all matters relating thereto."

33. Dr Fernando CHEUNG and Mr Jeremy TAM requested SDEV to specify the names of the 'individual' Members he had referred to and asked whether SDEV's remarks represented his own position or the Administration's position. Dr CHEUNG and Mr CHAN Chi-chuen sought clarification on the legal rights that the Administration would like to reserve. Mr KWONG Chun-yu and Mr LEUNG Kwok-hung expressed strong dissatisfaction about the statement made by SDEV. Dr CHENG Chung-tai requested SDEV to apologize and withdraw his statement on the validity of LegCo Members' oaths.

34. The Chairman invited SDEV to clarify the meaning of his statement. SDEV reiterated the Government's position to reserve its rights concerning all matters relating to the Interpretation and the concerns on individual Members' oaths taken. While he would respond to members' questions at the meeting, it did not mean that the Government had accepted the oaths taken by them to be valid. At the request of the Chairman, SDEV tabled copies of his statement on Members' oaths at the meeting for member's reference.

(Post-meeting note: A soft copy of SDEV's statement on Members' oaths was circulated to members vide LC Paper No. CB(1)87/16-17(02) by email on 9 November 2016.)

35. The Chairman reminded members that the Panel should focus on the discussion of the proposed HSK NDA project. Mr CHU Hoi-dick referred to Rule 83A of the LegCo Rules of Procedure ("RoP") regarding disclosure of personal pecuniary interest and asked whether there would be an arrangement for members to disclose their pecuniary interest, if any, in the subject to be discussed before they spoke. The Chairman said that it was up to individual members to decide whether they had pecuniary interest in the discussion item and to make the necessary declaration in accordance with RoP.

36. With the aid of a powerpoint presentation, Deputy Director of Planning/Territorial ("DD/Planning/Territorial") and Project Manager (New Territories West), Civil Engineering and Development Department ("PM(NTW)/CEDD"), briefed members on the Revised Recommended Outline Development Plan ("Revised RODP") formulated for the NDA and related issues of the Study, including the approach for handling the brownfield sites within the NDA.

(Post-meeting note: A soft copy of the powerpoint presentation materials was circulated to members vide LC Paper No. CB(1)81/16-17(02) by email on 8 November 2016.)

Handling of brownfield operations

37. Noting that the existing brownfield operations made up an integral part of the logistics industry and were serving support functions for various economic sectors or industries, Mr Frankie YICK, Dr Junius HO and Ir Dr LO Wai-kwok expressed concern over the issues associated with relocation of brownfield operations in the process of developing HSK NDA. Ir Dr LO enquired how the 24 hectares ("ha") of land reserved in the proposed NDA would be sufficient to accommodate the existing 190 ha of affected brownfield operations in the area; if not sufficient, how the Administration would solve the problem.

38. The Chairman advised that, as the time allocated for each member to ask questions and for the Administration to reply to his/her questions at the meeting was limited, the Administration should provide written responses to unanswered questions, and supplementary information on incomplete replies to the Panel after the meeting. He requested the Administration to provide a written response to Ir Dr LO's question after the meeting.

Admin

39. Mr Frankie YICK remarked that the average rent for some existing brownfield sites in the development area ranged from \$2/square feet ("ft²") to \$4/ft² per month but the monthly rent might be increased to at least \$20/ft² for the proposed multi-storey buildings for logistics/storage use in the proposed NDA. He was worried that most of the affected brownfield operations would be driven out of the area upon the implementation of the NDA project. Given that according to the Administration's survey, most brownfield operators in the area had indicated that they chose to operate at the current locations because the rent was affordable, Mr CHU Hoi-dick queried why the Administration considered that it was feasible to relocate these operators to the proposed

Admin

multi-storey buildings. At the request of the Chairman, the Administration would provide a written response to Mr CHU's question after the meeting.

40. Mr Frankie YICK said it was proposed in "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" ("Hong Kong 2030+") that land for logistics use would be reserved in New Territories ("NT") North, given its proximity to the Liantang/Heung Yuen Wai Boundary Control Point. He suggested that the Administration should study the feasibility of this proposal early, such that some of the existing brownfield operations in HSK and Yuen Long South could be relocated to NT North.

41. Mr CHAN Chi-chuen considered the implementation period of the HSK NDA project too long, i.e. construction works to commence in 2019 and whole project to be completed in 2038. He criticized the Administration's plan that only non-indigenous villages would be cleared for the HSK NDA project, while all indigenous villages would be retained. Noting that most of the land for residential development could only be made available as late as Stage 4 of the project, Mr CHAN sought explanation from the Administration for not taking forward the land clearance exercise for brownfield sites early to expedite residential development.

42. PM(NTW)/CEDD explained that the area to be developed under Stage 4 of the project was near Lau Fau Shan, which covered Tin Ying Road. Development of the area could only start after completing the diversion of Tin Ying Road. While it was planned that Stage 4 of the project could accommodate about 37 000 population, the Advance Works, Stage 2 and Stage 3, which would be completed earlier, could accommodate a total of about 139 000 population.

43. Referring to the proposals under the Revised RODP that about 37 ha and 24 ha of land would be respectively reserved for modern logistics facilities, and port back-up, storage and workshop uses, Dr YIU Chung-yim sought information on (i) the time-table for releasing such land for the aforesaid purposes; (ii) the locations of the sites under (i) to be released at different times; (iii) the schedule for brownfield/logistics operators to move into the sites under (ii); and (iv) whether any space in the proposed NDA would be available for relocating some of the brownfield operations from Wang Chau, Yuen Long. At the request of the Chairman, the Administration would provide a written response to Dr YIU's questions after the meeting.

Admin

Admin

44. Mr Jeremy TAM enquired about the area of unlawfully occupied land among the 202 ha of brownfield sites identified within the HSK NDA boundary. Deputy Secretary for Development (Planning and Lands)1 ("DS/DEV(P&L)1") said that the brownfield survey which had been carried out as part of the Study primarily aimed at gathering information on the operations of the affected brownfield sites, to serve as inputs for formulating the planning and implementation of the NDA. Whether the affected brownfield sites involved unlawful occupation of government land was not a material consideration in the preparation of RODP. Meanwhile, the Administration would continue its land control and enforcement actions. In particular, if unlawful occupation of government land was found, the Lands Department would take land control action pursuant to the Land (Miscellaneous Provisions) Ordinance (Cap. 28). Mr TAM requested the Administration to provide a written response to his question after the meeting.

Transport infrastructure and connectivity

Road network and railway service

45. Mr LEUNG Che-cheung cast doubt on whether the existing road network in North West NT ("NWNT") could cater for an additional population of some 176 000 arising from the HSK NDA project. Mr CHAN Han-pan and Mr KWONG Chun-yu enquired whether the enhancement of the signaling system could effectively increase the carrying capacity of the West Rail Line ("WRL") during the peak hours.

46. Dr CHENG Chung-tai referred to the Administration's paper, LC Paper No. CB(4)854/15-16(07), submitted in 2016 to the Subcommittee on Matters Related to Railways under the Panel on Transport, and pointed out that the loading during morning peak hours on critical links of WRL and the Tsuen Wan Line ("TWL") in 2015 had reached 104% and 102% respectively. He queried how the overloading problem on WRL could be solved, while the loading of the signaling systems of WRL and TWL had reached their maximum capacities.

47. While expressing support for the HSK NDA project, Mr LUK Chung-hung said he was concerned about the accessibility of the proposed NDA. He asked whether the enhancement of the signaling system of WRL could solve the problem that only one train would be allowed inside the tunnel from Kam Sheung Road Station to Tsuen Wan Station at any one time. He further enquired if the Administration would

review the existing railway service between Tsuen Wan and Tuen Mun so as to facilitate traffic diversion in NT West.

Admin 48. PM(NTW)/CEDD said it was envisaged that the carrying capacity of WRL would increase by 60% upon the commissioning of the "East-West Corridor". At the request of the Chairman, the Administration would provide a written response to members' questions about the carrying capacity of WRL after the meeting.

Tin Ying Road

49. Mr LEUNG Che-cheung noted that under the Revised RODP, there would be additional pedestrian footbridges in the area currently occupied by Tin Ying Road. However, it was also proposed that Tin Ying Road would be replaced by the widened Ping Ha Road. He asked about the purpose of providing the additional footbridges. DD/Planning/Territorial replied that the two additional footbridges would enhance pedestrian connectivity with Tin Shui Wai ("TSW") New Town and access of the residents to the new facilities in the NDA, which would serve as the Regional and Economic Civic Hub for NWNT.

50. Ms Alice MAK relayed the concerns of residents of TSW about the replacement of Tin Ying Road and said that members of the Yuen Long District Council had strong objection to the replacement. She asked whether the Administration would consider retaining Tin Ying Road to address public concerns; if not, the measures to minimize the inconvenience arising from the replacement of Tin Ying Road.

51. Mr LUK Chung-hung was worried that the replacement of Tin Ying Road would affect the existing bus routes connecting TSW North and TSW Station of WRL. Though the residents of TSW North might use Ping Ha Road to go to the railway station in future, they would have to spend a longer travelling time. Pointing out that the removal of Tin Ying Road would have a detrimental effect on the accessibility of TSW Hospital, Mr KWONG Chun-yu asked if any measures would be taken to enhance the accessibility of the hospital.

52. DD/Planning/Territorial and PM(NTW)/CEDD advised that under the Revised RODP, the transport function of Tin Ying Road would be replaced by the widened Ping Ha Road and other new roads to be constructed. The replacement of Tin Ying Road would eliminate the environmental nuisances caused by the vehicular traffic on the road and

also release land along the TSW River Channel for creating a riverside promenade as well as allowing better pedestrian connectivity between TSW New Town and the NDA.

Environmentally Friendly Transport Services

53. Mr LUK Chung-hung and Mr Jeremy TAM sought details of the proposed Environmentally Friendly Transport Services ("EFTS") for HSK NDA. Mr LUK asked whether the system would share the road surface with other vehicles. Mr CHAN Han-pan further enquired about the measures to avoid the situation that pedestrians and vehicles would compete for the same road space.

54. DD/Planning/Territorial advised that land for a dedicated Green Transit Corridor ("GTC") had been reserved in the NDA under the Revised RODP to provide rapid intra-district transport service. Subject to further studies, GTC would include highly efficient EFTS, pedestrian walkways and cycle tracks to support the internal movement amongst different development clusters.

The proposed Hong Kong-Shenzhen Western Express Line

55. Mr CHU Hoi-dick enquired whether land had been reserved for constructing a railway station under the proposed Hong Kong-Shenzhen Western Express Line ("WEL") connecting NWNT and Qianhai. DD/Planning/Territorial advised that, according to the Railway Development Strategy 2014, the overall financial viability of the proposed railway was in doubt. Therefore, under the Revised RODP, land had not been specifically reserved for the WEL project. Notwithstanding this, given the development of the Qianhai area, the Administration would be closely monitoring the social and economic benefits of building a cross-boundary express rail link. In addition, in "Hong Kong 2030+", it was proposed that a new strategic transport corridor be formed between NWNT and the Metro Area via Lantau and the proposed East Lantau Metropolis.

Impact of the proposed development project on existing residents and farmers

56. The Deputy Chairman said that indigenous villagers in HSK were worried that the proposed high-rise developments in the NDA would adversely affect the village environment and layout, and requested the

Administration to provide more buffer zones to separate the villages and the new developments. Moreover, indigenous villagers had expressed concern on the lack of land reserved for "Village Type Development" ("V") on the Revised RODP. He also called on the Administration to make clear the arrangements for land resumption for the NDA project.

57. DD/Planning/Territorial advised that in formulating the planning proposals for the NDA, all existing "V" zones on the Outline Zoning Plan would be retained in-situ on the Revised RODP. These "V" zones generally encompassed their respective village environs. Additional amenity strips had been incorporated in the Revised RODP to serve as buffer zones between areas of different uses.

58. Mr Steven HO said that, with reference to past experience, once the Administration had proposed a development project, some land owners would force the tenant farmers to move out before the commencement of the land clearance exercise by refusing to continue the tenancy. The affected farmers would then become ineligible for agricultural rehabilitation arrangements and/or compensation. Mr HO asked how the Administration would identify those who were genuinely affected by the project.

59. DD/Planning/Territorial explained that only about 7 ha of active agricultural land would be affected, due to their locations in areas required for land development or infrastructures. The Administration would pursue the special agricultural land rehabilitation scheme by providing priority assistance in matching of affected farmers and agricultural land owners. DS/DEV(P&L)1 supplemented that the Agricultural, Fisheries and Conservation Department would verify whether the applicants under the special agricultural land rehabilitation scheme were genuine farmers.

60. Mr CHU Hoi-dick enquired whether any of the open space in the proposed NDA would be made available for relocation of affected farmland, similar to the arrangement for the development of Yuen Long South; if yes, the details. At the request of the Chairman, the Administration would provide a written response after the meeting.

Admin

Compensation to affectees

61. Mr KWONG Chun-yu enquired about the rehousing arrangements for the affected residents. Dr YIU Chung-yim asked the Administration to provide information about a detailed breakdown of the number of

households and business operators to be affected by the project, by the categories of: indigenous villagers, non-indigenous villagers, land owners, tenants, business operators, cases of unlawful occupation of government/agricultural land; the respective area of land/brownfield sites occupied by each category of occupants within the HSK NDA boundary; and the estimated monetary compensation to be offered by the Government to these occupants for land resumption and clearance. At the request of the Chairman, the Administration would provide a written response after the meeting.

Provision of housing and various facilities

62. Noting that the proposed public-private housing mix in the proposed NDA was currently set at 51:49, Mr Jeremy TAM enquired about the ratio of Public Rental Housing units to Home Ownership Scheme units. DS/DEV(P&L)1 advised that as with the usual implementation arrangements, the Transport and Housing Bureau would only firm up the housing type and mix for individual sites at the detailed planning stage of the public housing projects at these sites.

63. Mr LEUNG Che-cheung noted that, different from previous proposals, under the Revised RODP, the Parking and Operational Facilities for EFTS and the San Wai Sewage Treatment Works would be relocated to the northern extent of the proposed NDA. He asked about the reasons for making such changes. At the request of the Chairman, the Administration would provide a written response to Mr LEUNG's question after the meeting.

64. Mr LEUNG further asked how the Administration would make the proposed NDA the "Regional Economic and Civic Hub" for NWNT. Mr LUK Chung-hung suggested that the Administration should consider establishing a dragon and lion dance cultural centre to realize local cultural characteristics. Ms Alice MAK enquired whether the Development Bureau, or the Food and Health Bureau, would ensure that public markets would be provided within the proposed NDA. DD/Planning/Territorial replied that there would be six markets including three proposed ones in the NDA to cater for the daily needs of the future residents. The Chairman requested the Administration to provide a written response to the above questions after the meeting.

65. Dr Junius HO considered that the Administration should implement measures to facilitate integration between new and existing developments

in the proposed NDA. On the other hand, he suggested that, taking the opportunity of developing the area, the existing overhead high voltage cables should be laid underground in a tunnel.

66. DD/Planning/Territorial advised that the planning of the proposed HSK NDA aimed to minimize the impact on the existing residents by retaining the existing villages within HSK as far as possible. There would be many technical difficulties with the relocation of high voltage pylons to the underground. The Administration had made appropriate planning arrangements to ensure that the planned developments would not be affected by the power lines and land use compatibility had been taken into account. In response to Dr Junius HO's enquiry on whether Lau Fau Shan, which was near the boundary of HSK NDA, would be developed under the HSK NDA project, DD/Planning/Territorial said that under the Revised RODP, the surrounding natural and rural environment near Lau Fau Shan would remain unchanged.

Admin 67. Mr CHAN Han-pan asked about the adequacy of provision of car parking spaces in the proposed NDA. In reply, DD/Planning/Territorial said that the Administration would provide car parking spaces in accordance with the current "Hong Kong Planning Standards and Guidelines", including location factors such as proximity to railway station. Mr CHAN requested the Administration to provide information on (i) details of the planning standard for the provision of such spaces in residential developments in the proposed NDA, including the standard for the areas near the railway station; and (ii) whether the Administration would provide car parking spaces near the railway station, i.e. to adopt the Park and Ride Scheme.

Employment opportunities

Admin 68. Noting that under the Revised RODP, the development of the proposed NDA would create about 150 000 new employment opportunities in NWNT, Mr LUK Chung-hung asked whether the Commerce and Economic Development Bureau would formulate a relevant industry policy to facilitate the realization of such opportunities. At the request of the Chairman, the Administration should provide a written response after the meeting.

69. Mr YIU Si-wing expressed support for the HSK NDA Project. He sought information on the estimated number of rooms to be provided in the hotels in the proposed NDA and how the number of hotel-related job

opportunities had been worked out. Mr YIU also enquired about the locations of exhibition/conference venues in the NDA. DD/Planning/Territorial advised that approximately 2 000 job opportunities in the hotel sector would be created, and about 4 000 hotel rooms would be provided in the NDA. The hub around the proposed HSK Station would be buttressed by two anchor developments for large-scale commercial uses, including one (3.5 ha) for office, hotel and retail uses and the other one (4.3 ha) for commercial/residential uses, and supplemented by less sizable commercial and commercial/residential sites. The proposed commercial and hotel sites would be able to include facilities for exhibition/conference purposes.

[At 11:22 am, the Chairman suggested and members agreed that, in view of time constraints, the discussion on the item "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" would be deferred to the meeting scheduled for 22 November 2016. Subsequently, upon the Administration's request and with the concurrence of the Chairman, the discussion on the aforesaid item was deferred to the meeting to be held in December 2016. Members were informed of the aforementioned arrangement vide LC Paper CB(1)111/16-17 on 14 November 2016.]

Implementation approach

70. Mr WU Chi-wai enquired whether the development of the proposed NDA would be implemented under the Conventional New Town Approach; if yes, when land resumption and clearance would start, and whether, before the commencement of land resumption, the owners of the private land within the development area would be allowed by the Lands Department to change the uses of the land concerned. He also asked if the Administration had conducted any dynamic studies on the future economic/development needs of Hong Kong when planning the uses of the land in HSK NDA.

71. DS/DEV(P&L)1 replied that the Revised RODP was concerned with the land use proposals for the NDA. As to the implementation arrangements for the NDA, the Enhanced Conventional New Town Approach had been proposed as the implementation mode for the NDA during the Stage 3 community engagement, drawing reference from the approach adopted for the Kwu Tung North and Fanling North NDAs. The Administration was still working out the details of the

implementation arrangements for the project in the light of the public views and suggestions collected during the Stage 3 community engagement and would announce them in due course when they were available.

Economic and financial analysis

Admin

72. Dr YIU Chung-yim requested the Administration to provide an analysis on various aspects of the proposed NDA in terms of future economic and dynamic development, potential development, financial studies, comparison of costs and benefits.

Motions proposed by members

73. The Chairman advised that he had received a motion proposed by Mr CHU Hoi-dick and an amendment to Mr CHU's motion proposed by Mr CHAN Han-pan, both of which were directly related to the agenda item under discussion. Members agreed that the motion and the amendment should be dealt with at the meeting.

74. Mr CHU Hoi-dick spoke on the motion, of which the wording was as follows:

(Translation)

"The Government must provide to the Panel the feasibility study and the traffic impact assessment on the Hung Shui Kiu New Development Area, and submit them for the discussion of the Panel."

75. Mr CHAN Han-pan spoke on the amendment to the motion proposed by him. The wording of the motion as amended by Mr CHAN was as follows:

(Translation)

"It has been learnt that a feasibility study and a traffic impact assessment on the Hung Shui Kiu New Development Area are being conducted by the Government and the relevant reports will be made available to the public upon their completion. This Panel urges the SAR Government to complete the aforesaid study

and assessment expeditiously and submit the relevant reports to this Panel for discussion without delay."

76. The Chairman invited the Administration to give a response. SDEV advised that there were established practices to make public the study reports of the Planning and Engineering Studies upon completion. DS/DEV(P&L)1 said that the Revised RODP for the NDA was one of the outcomes of the Study. The Study covered various assessments, such as traffic and transport impact assessments, to ascertain the technical feasibility of the NDA project. According to past practices, relevant executive summaries of technical assessments would be released for public information. The Government would consider making public the contents of the technical assessment reports after removal of sensitive information therein.

77. The Chairman said that the Panel would first vote on the amendment proposed by Mr CHAN Han-pan; if the amendment was not passed, the Panel would vote on the original motion proposed by Mr CHU Hoi-dick.

78. The Chairman reminded members that in accordance with Rule 84(1) of RoP, a Member should not vote on any question in which he/she had a direct pecuniary interest, except where his/her interest was in common with the rest or a sector of the population of Hong Kong, or his/her vote was given on a matter of Government policy.

79. The Deputy Chairman said that his father owned a piece of land in the area of the proposed NDA.

80. The Chairman put Mr CHAN Han-pan's amendment to vote. Mr CHAN Han-pan requested a division and the voting bell was rung for five minutes. Forty members voted for, no member voted against the amendment and no member abstained. The votes of individual members were as follows:

For:

Mr James TO
Ms Starry LEE
Mr CHAN Kin-por
Mr Paul TSE
Mr HO Chun-yin

Mr Abraham SHEK
Mr CHAN Hak-kan
Mr WONG Kwok-kin
Mr LEUNG Kwok-hung
Mr Frankie YICK

Mr WU Chi-wai	Mr YIU Si-wing
Mr MA Fung-kwok	Mr Charles Peter MOK
Mr CHAN Chi-chuen	Mr CHAN Han-pan
Mr LEUNG Che-cheung	Ms Alice MAK
Mr KWOK Wai-keung	Dr Fernando CHEUNG
Mr IP Kin-yuen	Mr Martin LIAO
Ir Dr LO Wai-kwok	Mr Alvin YEUNG
Mr Andrew WAN	Mr CHU Hoi-dick
Dr Junius HO	Mr LAM Cheuk-ting
Mr Holden CHOW	Mr SHIU Ka-chun
Mr CHAN Chun-ying	Ms Tanya CHAN
Mr CHEUNG Kwok-kwan	Mr HUI Chi-fung
Mr LUK Chung-hung	Mr LAU Kwok-fan
Mr KWONG Chun-yu	Mr Jeremy TAM
Dr YIU Chung-yim	Dr LAU Siu-lai
(40 members)	

81. The Chairman declared that the amendment moved by Mr CHAN Han-pan was carried. Members agreed that there was no need to vote on the original motion as amended.

(Post-meeting note: A copy of the wording of the motion (as amended) passed was circulated to members on 9 November 2016 vide LC Paper No. CB(1)88/16-17(01). The Administration's response to the motion was circulated to members on 8 December 2016 vide LC Paper No. CB(1)274/16-17(01).

IX. Any other business

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