

## Acceleration of works in the Strategic Sewage Disposal Scheme Stage I

### 加快策略性污水排放計劃第I階段內的工程

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#### 主席：

各位同事早晨，審計署署長第30號報告書第7章關於加快策略性污水排放計劃第I階段內的工程今日繼續進行聆訊。我們邀請了工務局局長鄭漢生先生、渠務署署長郭禮莊先生和渠務署助理署長／污水處理服務科張達焯先生出席。

這是委員會第二次就此議題舉行聆訊，這是由於同事在總結時發覺需要再次邀請局長和署長出席聆訊，以協助我們更深入了解最新的情況和幫助我們作出結論。我們在某些地方仍然存有疑問，希望可與幾位再作研究。我們在開會前曾給局長一封簡短的信件，詢問是否有較新的進度資料可向我們提供。一份資料文件已呈送給大家，這份資料文件集中提及工程進度和現時的狀況，希望局長在開始時能作出補充。

我們覺得這項工程問題已糾纏了相當時間，在94年審計署署長第二十四號報告書提出了相當具體的建議，包括如何處理合約問題和如何訂定充裕的工程期限等，尤其在工程出現問題時，如何避免法律的訴訟或賠償問題。根據現時的資料文件，此工程會有相當長時間的延誤，在96至98年批出合約時，你們是否有作出預防的工作呢？我相信這是大家有興趣知道的。我們亦希望了解在工程進度發生延誤時，你們如何向立法局提供較詳細的資料？關於進行中的工程發生延誤或成本費用有所增加，我們現時仍未知道第一期工程在成本控制方面有否出現偏差，我們現在也沒有進一步的資料。資料文件指出，第一期工程將會在2000年完成，我們亦了解現時你們正對第二期工程作出研究，但第一期工程還有兩年才完成，我們很關注這兩期工程的配合是否有足夠的準備。請局長和Mr Collier在這方面作出補充，先請鄭局長。

#### 工務局局長鄭漢生先生：

我們一向都採納審計署署長第二十四號報告書提出的意見去處理主要的工程，在為工程訂定充裕的時間方面，需視乎以何種尺度計算，工程施工的時間不能任意加長，因這會牽涉費用開支問題。我們會視乎工程的內容和複雜性而作出決定，我們不會因為現時所碰到的困難，而刻意延長施工時間，這並不合理。進行工程的時間表如何才算正確，需視乎我們以往的工作經驗和工程的需要。我們碰到的問題相當複雜，第一期工程除了幾條把該區的污水運送至昂船洲污水處理廠的隧道外，基本上已全部完成。我知道隧道工程在開始時有很多不同意見，但簡單而言，這些隧道只是一種形式，並沒有特別的含意，只是把所有污水收集至污水處理廠，這與平日在馬路下安裝大渠、鹹箱的做法沒有分別。至於將來維修、費用和時間等問題，我們需決定以何種方式處理，以傳統在馬路路線設大桶的方式，抑或以現在的方式，這些都是工程上的考慮問題，基本上並沒有特別的地方。

當時的承建商決定不繼續承辦，當然有它的理由，將來我們可能會與它在法律上有訴訟。因此，我在上次的聆訊已表示，在這個階段不宜對其中很多詳細資料作

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出討論。當時的承建商是否有責任承擔我們多付的費用，需視乎將來的訴訟結果。我們汲取了上次的教訓，上次的教訓主要是有6條隧道，我們把所有隧道交由一間公司承辦，後來我們發覺這是不適當的，情況就如把所有雞蛋放在一籃子內，如果發生問題，無論是技術、合約糾纏甚或其財政的問題等，便會帶來麻煩。所以今次我們把6條隧道，分為3份合約，並在批出合約前，聲明任何一間承建商不能取得多於兩份合約，故我們最少有兩個承建商為我們完成這6條隧道。

我們在文件中已提及一般的進展，據我所知，其中一條隧道在前日已全部爆破貫通，證明了這個方法是可行的，不是人們以往所指的不可行。請各位議員不要忘記，這6條隧道全長約二十多公里，是相當龐大的工程，最困難的是在地下工作會碰到很多不明朗的因素，如泥土岩層的變化等，當時的承建商認為某條隧道的某一位置是不能進行工程的，需要更改合約，於是產生上次的結果，而現時新的承建商卻能貫通那段隧道，證明雖然是有困難，但並非不能克服。現在我們遇到較困難的隧道是一條短的，岩土的性质並不十分理想，如隧道全是硬的花崗岩，以鑽壓機去鑽，問題反而會較小。土力工程學的名詞有很多種，現在碰到的，套用普通人的說法是泥塌石，鑽破了便會有泥土鬆脫和有水滲入，增加鑽挖的困難，這樣進度會較慢，要下很多功夫，才能克服困難，於是便不能維持進度，造成延誤。將來在合約上我們會根據一般的工程去處理。基於上述的原因，這些問題很難事前在合約上作出防範和預備，這些情況在隧道的工程上十分普遍。或者我請其他兩位同事詳細講述現在的情況，然後我們便回答議員的詢問。

**主席：**

謝謝鄭局長。Mr Collier.

**Mr J Collier, Director of Drainage Services (D of DS) :**

Mr Chairman, can I refer Members to the map which is attached to the information note? We have some slides and some photographs to show you in a moment, but first I would just like to recap on what the Secretary for Works has said. The treatment works at Stonecutters Island is complete. It has been working since May '97. It is giving a very good treatment to 25 percent of the sewage flow for the overall scheme, which arises from the area shown in green on the diagram, which gets to Stonecutters through existing pipelines. The outfall, which is shown out into the Western harbour, is complete. That is a five metre diameter tunnel in rock, 100 metres below the sea, and it is 1.7 kilometres long.

The problems, as you know, are with the collector tunnels that are intended to transfer the sewage at a very deep level, between 130 and 150 metres below the sea in hard rock, from the other catchments shown in the other colours.

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Now, unfortunately the original contractor stopped work in mid-'96 and again, as the Secretary has mentioned, we now have three completion contractors. One contractor is dealing with the two eastern tunnels from Tseung Kwan O and Chai Wan. The other is dealing with the two centre tunnels from Kwun Tong through to Stonecutters, and the other contractor is dealing with the two western tunnels from Kwai Chung to Tsing Yi and Tsing Yi to Stonecutters.

The excavation work for the short tunnel, just about a kilometre long across from Tsing Yi to Kwai Chung, is now complete. The excavation was done by drill and blast, and the last blast occurred two days ago. The other five tunnels that have yet to be complete are being excavated by tunnel boring machines. And that is because the tunnel boring machine, given good rock conditions, makes much faster headway than traditional drill and blast, and that is why the methodology was selected in the first place.

Now, the tunnel from Tseung Kwan O to Kwun Tong is making excellent progress at the moment. It is in good rock and there have been rates approaching 100 metres per week. The two centre tunnels are progressing at a slightly slower rate, between 30 and 50 metres per week. It is only the tunnel from Tsing Yi to Stonecutters Island which is giving us real problems due to heavily fractured hard rock with a high water pressure, because we are under the sea there.

So, I would now like to show you a few photographs to give you an indication of the rock conditions we are getting, some good, some bad. That was in fact the completed outfall. Yes, that is the completed outfall tunnel from Stonecutters to the Western Harbour. It is a photograph taken just before completion.

This is part of the tunnel across the harbour from Chai Wan to Kwun Tong. On the photograph itself, it shows the rock is very competent granite and there is very little water flow in the tunnel. That is very good rock conditions in that particular drive. You can see that the side of the tunnel is very good solid granite. This is the tunnel from Tseung Kwan O to Kwun Tong which is making very good progress at the moment.

I think we can possibly circulate these photographs, Chairman, to Members ...

**Chairman:**

Yes, please.

**D of DS:**

... who have a particular interest because you get a much better impression when you are looking at the colour photographs. Again, that is a tunnel with reasonable rock

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conditions. That I believe is Tunnel E from To Kwa Wan to Stonecutters. And we have a few more photographs of the difficult tunnel which, this is Tunnel G, which has just been completed and was completed by drill and blast methods. That is in fact the drilling machine which is used to make the holes in which the explosive charges are placed. You can see it is a more irregular shape because it is done by drill and blast rather than by a boring machine.

This is Tunnel F, and the reason for showing this photograph is you can see the water. In the bottom of the tunnel you can see crane rails. This is for the locomotive that is used to transport the rock out of the tunnel in little rail cars, and the water level is very high. That tunnel is allowing in about 3,000 litres per minute of seawater at the moment through the faults in the rock.

And this is a photograph quite current, which shows the difficulties that the tunnellers are having right at the tunnel boring machine face. You can see a drill that is being used to drill the rock into which cement will be forced under very high pressure to try to seal the cracks in the rock before the tunnel boring machine can make any progress, and this is really what is holding up progress on this tunnel at the moment. It is the need to drill many holes ahead of the machine, pump in various types of cement under high pressure to seal the rock, and then we can take the machine forward. We have been in this difficult ground for 70 or 80 metres now, and we are hoping that this, from geological information, will change in 30 or 40 metres and we will get into better ground. But at this depth, this far out under the ocean, it is very difficult to predict these rock conditions.

But what I would like to assure Members is that the engineers, the contractors, are refining their methodology continually on these fairly state-of-the-art methods in tunnelling - it is not usual to be putting tunnels this depth under the ocean - and the drilling and the cement-grouting technology is really state-of-the-art that we are using. But we are learning all the time and they are making progress. And I think the point I would like to get across is that all these three completion contractors are working diligently and they are making progress.

And to take you up on your point earlier, Chairman, about how we can report back, I am scheduled to go to a joint meeting of the Environment Panel and the Works Panel on the 5th of February and we will be giving the same information to Members then, hopefully with an improved presentation so that you can see the detail a little better. And we can do that on a regular basis to keep Members advised as to how progress is coming along. And there is always the possibility of site visits. It is a little bit difficult to take ladies down the tunnels because of the bad fung shui of the miners, but we can fix up a close circuit T.V. camera if you wish!

So, I would really be pleased to take any question from Members on these

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technical issues if you have any further questions.

**Chairman:**

Yes, I think one of the concerns from past PAC reports, particularly from the past PAC report, is to report back on the possible cost implications. I think once there was approval of the budget I think we are concerned about how is the monitoring procedure in terms of costs. I understand the contract is still on-going so the costs can still be uncertain, but is there a plan to also report on the cost implication?

**D of DS:**

Chairman, it is not normal for us on major items to report back unless there is an overrun on the APE. The contracts in question have fairly large contingencies. Whilst there are certain items fixed price, there are other items not fixed price. We are having to use up contingencies to deal with some of these problems, and I fully expect that to be the case over the next two years. We will be using up more and more contingency. I do hope that we won't be using up the APE. There is a possibility that we could give special briefings on the cost aspect but it is not normal. That's all I can say.

**主席：**

鄭局長曾出席上一次聆訊，應該知道我們正討論甚麼。我們在上次看到每季給我們有關Sewage Services Trading Fund的報告，有關財政狀況，在Approved Project Estimate中只指出兩個數目，並沒有詳細的描述。我們也曾向鄭局長查詢，是否可以提供更多的資料，尤其是預計到工程會出現問題時，便會影響成本。

**工務局局長：**

主席。一般的做法是會提交定期報告，但因工務計劃所包括的有千多個項目，故選擇性地就較大規模的項目提交定期報告。正如郭禮莊先生所說，若我們看到會超出撥款限額時，一定要向立法會匯報，因為我們根本沒有權花這筆錢。

**主席：**

這是一個trading fund，鄭局長應記得，在上次的公開聆訊中已有討論，議員基本上傾向認為應依據每一個項目的批款去考慮。但局長在上次聆訊答辯中，認為要看整個trading fund的情況，而非單看個別項目，當然我們上次未有下結論，但我翻看紀錄，議員傾向於在個別項目獲得詳細的報告，較整個trading fund超出預算限額時才匯報為佳。現時這個trading fund好像已經結束，所以情況會有所不同。現時的情況是

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怎樣？

**工務局局長：**

現時的情況正如我剛才所說的做法，如果我們覺得有較特殊的環境，如引致對時間表有很長的延誤或超支等問題，而要申請撥款，我們一般的做法是會在某一時間，在適當的場合，例如立法會的事務委員會向議員作出詳細的報告，讓他們知道實際的進展。這要視乎每項工程合約的進展及發生的問題。上次在聆訊時我已解釋了有這樣的看法是因為trading fund的撥款方式是撥出一大筆款額，並容許我們設立很多不同的小組，將整筆撥款細分於很多不同的項目，以完成第一期的工程。當時我們覺得未有超越原來的款額，每一個工程的需求不同，每個小項的款項當然較原來所訂有少許出入，所以我們沒有刻意解釋每個項目的差額，但我們在例行的quarterly progress report內已有顯示，各位議員可以看到某一個項目在某一時期是超出了預算，若各位議員要求我們將來定期就某項目呈交詳細的定期報告，我們完全不介意，很樂意去做。

**主席：**

鄭局長。我們上次就是討論到這裏，現時營運基金已結束，若再以過往的情況作結論，似乎對這事件沒有大幫助，以營運基金的方式作匯報的做法，現在似乎不大適當。在今次公開聆訊中我特別希望瞭解你們下次的報告，是否會依照非營運基金的報告方式？我們並不知現在的成本情況，你們會否在下次joint panels的會議中不單提交工程進度，還提交財務進度的資料給議員，我們都很關心財務狀況，這樣議員可較為放心，尤其是這項工程出現這麼多的困難，過往亦曾有同類嚴重超支的情況發生。

**工務局局長：**

主席。現在營運基金已結束，所以大致已回復以往一般的情況。但我們亦了解這項工程比較特殊及複雜，將來可能還有很多糾紛，我們準備會在適當時間向你們定期匯報。

**主席：**

好的，我會記錄這些情況，我們會耐心等待。

**工務局局長：**

主席。第一期的工程，除了這幾條隧道，大致上都已完成，但因這幾條隧道有其特殊的情況，可能牽涉到其他問題，我們在環境容許下會盡量向議員匯報。

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**主席：**

請梁劉柔芬議員開始發問。

**梁劉柔芬議員：**

主席。上次聆訊中間及關於為何一定要趕及1997年年中完工，當時渠務署署長答覆他們找了地質學專家提供建議，今天我們得知隧道F仍存有問題，而隧道F是其中一條比較早開啟的隧道。我想知道地質學專家是在何時向你們提交研究報告，因而導致連續數次仍要追趕1997年年中完工的日期？

**主席：**

Mr Collier.

**D of DS:**

Mr Chairman, I think I am going to ask for clarification of the question. As I remember at the last meeting we were discussing the geotechnical advice that was available at the original time of, tendering for the original contracts in the context of the acceleration measures.

Now, if I can explain with regard to current geotechnical advice?

**Mrs Sophie LEUNG:**

Chairman. Mr Collier, maybe I ask my question in English?

**Chairman:**

Yes, I would suggest that. It caused a problem with translation.

**Mrs Sophie LEUNG:**

Sorry, yes, maybe I will clarify for you. In your reply last time when we asked about why are you chasing after the magical date, and the reply given, specifically if I can refer you to Page 320, you said that in the event, when the contractor was sinking his diaphragm walls, he got into the bedrock which had faults, and we had to get specialist geotechnical people in to advise.

I just wonder, could you possibly tell us how early were you given that sort of

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advice? Because today we hear again that Tunnel F is the biggest problem-causing tunnel that you have, again due to geotechnical problems.

**Chairman:**

Mr Collier?

**D of DS:**

Chairman, I think the reason I am confused is that the discussion last time was with regard to geotechnical investigations at one of the sites for the shafts where we were talking about site investigation on one of the shaft sites. And in answer to the supplementary questions we had given a fairly comprehensive explanation as to how on, an eight-metre diameter shaft, there was one trial hole drilled down the middle, and the engineer based his design for the diaphragm walls on the results of that single bore hole.

In the event, when the contractor excavated down to bedrock, around the perimeter of the eight-metre diameter hole, he found quite different rock conditions. And originally the engineer said, "well, your progress is bad and we are going to deduct liquidated damages", but when geotechnical experts were called in - and that's what I was referring to, geotechnical people looking at the condition after the event - it was agreed that the conditions that the contractor found were not those represented by the results of the bore hole investigation.

Now, with regard to Tunnel F, which is quite a different issue. We have a 3.5 kilometre tunnel going under sea from Tsing Yi Island to Stonecutters Island. Going way back in the early 90's when they were trying to do the investigation to give geotechnical advice, there were a number of bore holes but it is always difficult to drill bore holes in busy shipping lanes. So, there is quite an amount of geotechnical information available on conditions that we were likely to meet in Tunnel F, but not exactly certain. So, these conditions are difficult and we are hoping to get out of them but we can't say exactly when we will get out of them.

**Chairman:**

A follow up?

**Mrs Sophie LEUNG:**

Chairman, let me put it this way. Now, today we hear that we are still having problems with Tunnel F, but Tunnel F is among one of the very first tunnels that we started drilling. May I ask then when was the very first time, the year and dates possibly, that we



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discovered that it has this kind of problem that you are facing still today?

**Chairman:**

Mr Collier?

**D of DS:**

Chairman, the problems that I have been describing, that the contractor is facing today, only really became apparent two or three months ago. These particular problems of hard rock with heavy water pressure is a relatively new problem for the tunneller. The problems earlier on in the tunnel drive were quite different. This tunnel is now advanced 870 metres and the earlier rock conditions were much better than those we are experiencing at the moment.

**Chairman:**

Mrs Sophie LEUNG, I think it begs a further question.

**Mrs Sophie LEUNG:**

Is that what is being described in the Director of Audit's Report of Paragraph 35 to about 37?

**D of DS:**

I don't, Mr Chairman, have those paragraphs.

**Chairman:**

Do you need, I have got a spare report here.

**D of DS:**

Thank you.

**Chairman:**

I think Mrs Sophie LEUNG is referring to Page 25 of the Director of Audit's Report onwards, Paragraph 36, 37, with a similar diagram next to it.

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*D of DS:*

This is a general description of the intended work.

*Mrs Sophie LEUNG:*

OK, and Paragraph 37 says that without additional measures to accelerate Tunnel D, which is to be done after Tunnel F, Tunnel D would have to delay until early August 1997.

*D of DS:*

Correct. That was why the additional tunnel boring machine was approved because of the delays with the shaft works, I think, rather than the tunnel works. It was the shaft works that were causing the knock-on effect on to the tunnelling.

*Mrs Sophie LEUNG:*

I see. So, at that point Tunnel F has no problem, not discovered?

*D of DS:*

At that point no problem.

*Chairman:*

Ms Emily LAU? I think we will take turns.

**劉慧卿議員：**

我想跟進梁劉柔芬議員詢問有關日期那一點，根據審計署署長報告書第49段，渠務署回應審計署署長時表示，在92年當時的總督彭定康發表施政報告時說，政府正着手進行污水策略第一期，需要73億元，將會在97年前完成，亦提到在93年9月行政會議獲知污水處理策略重點工程項目是一項獨立計劃，會在97年6月30日或之前竣工及支付有關費用，否則政府無法對公眾履行盡早解決維多利亞港污染的重要承諾。對不起，主席，我上次沒有出席聆訊，這是否為一個可變動的日期？不單我們會猜想當中是否有政治原因，政府部門亦是這樣想。根據報告書第42段最後部分，當時渠務署以傳閱方式發出了討論文件第WC 1/96號供污水處理服務營運基金工務委員會審議，並告知加快措施的預算費用為4,400萬元？這種做法相當奇怪，渠務署在96年1月11日呈上文件，但要求污水處理服務營運基金工務委員會一天內，即96年1月12日中午前對是否加快施工措施提供意見。在報告書第42段最後一段可以看到，當時環境保護署並

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不同意加快施工措施，該署的回應是「技術上而言，在目前的決定是否採取有關加快施工的建議，似乎是言之過早。不過，假如“當局基於其他更首要的理由(例如政治上的考慮因素)，認為有此必要”，該署不會反對加快施工的建議。」

接著第43段更可圈可點，因為在96年1月12日污水處理服務營運基金工務委員會另一名委員，即渠務署的業務經理表示：「如我們堅決要在一九九七年六月竣工，除了按建議行事外，似乎別無他法。為了一個愈來愈不切實際的竣工日期而不斷趕工，本人懷疑是否明智之舉，但我不得不同意有關建議」及「預計我們須採取更多加快施工措施。採取這些措施會令開支增加，但對工程的品質或情況無甚幫助，我預計他日有人須要對.....花掉公帑但對工程本身卻沒有明顯好處這件事，給予合理的解釋。」環保署曾提到政治因素，我們亦知道當時總督承諾第一期污水處理工程會在97年6月30日前完工和付清款項。請問局長在參閱報告書後，你是否同意當時是有政治的因素而被迫進行這兩項加快施工措施，浪費了1.4億多元的公帑？

#### **工務局局長：**

主席，我先回答劉議員最後一條問題。稍後請郭禮莊先生解答其他較詳細的問題。我認為當時環保署提出這問題，並非肯定有政治因素存在，只是舉例說若有政治因素，他們便必須按建議行事。當時我們承諾盡快完成第一期污水處理工程，是有一個時間和目標的，目標是所有不同工程項目需配合，讓整套系統在同一時間內完成。現因隧道工程延誤，雖然其他工程已經完成，但污水處理廠始終無法達致其預計的效用，現在約只有15%的功能可供使用。當時我們只是考慮如何讓其他工程能盡量配合於同一時間內完成，加快工程的決定並沒有考慮政治因素，我們早已承諾在該時間內完成第一期污水處理工程。後來因其他理由，我們決定取消合約。若存在政治因素，我亦不會作此決定，因為明顯地若合約取消，工程必不能如期完成。但我們考慮過其他方面的利益因素，還是作出這決定。將來在適當的時間，我會向議員詳細交代為何當時要作出這決定，其中很多涉及合約和其他因素。現在我仍然認為承建商應負上責任，但承建商卻又認為這是我們的錯。但我們沒有考慮過其他因素，只是依照慣常進行工程的做法，取消合約，重新招標，引致現時要討論的問題。至於當時因何作出這決定和為甚麼這樣安排等，請郭禮莊先生解釋。

#### **主席：**

Mr Collier.

#### **D of DS:**

Mr Chairman, if I can follow up on the question with regard to Paragraph 42, the concerns of EPD over this particular acceleration measure. They were concerned because

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there were delays in other contracts and they thought, well, just accelerating this particular contract may not achieve the result because there would be delays elsewhere.

From a detailed search of the minutes of meetings and the correspondence it was fairly clear that other acceleration measures for the treatment works were being considered at the time, so that there would have been acceleration measures to bring those contracts up to the same date.

Now, in the event, because the tunnelling contractor in mid-1996 withdrew or ceased work, those acceleration measures were not taken up, and again in the event the treatment works was commissioned in May 1997. So, what the EPD representative was concerned about was reports of delays in contracts which in the event proved not to be critical, because the treatment works was in fact commissioned.

One particular item, as I recall, was the sedimentation tanks. There were delays being talked about on the sedimentation tanks, but the contractor actually made up time and allowed the sedimentation tanks to be commissioned in May 1997.

So, that is the answer with regard to his concern in Paragraph 42.

**主席：**

工務局局長。

**工務局局長：**

現在除了這6條隧道，其他所有第一期工程都已依期完成。這6條隧道不能如期完工的原因，我剛才已不斷解釋，但我不能在此作出結論，恐怕會影響將來的裁決。我們當時作出的決定，並無理會政治因素，只是按工程合約上的需要和角度來考慮。

**主席：**

劉慧卿議員。

**劉慧卿議員：**

環保署今天沒有代表出席聆訊，我們應該致函該署詢問，為何當時會提到政治因素。我們明白政府正就有關工程與承建商進行訴訟，但我相信這問題未必會影響有關訴訟。請問局長，當時是否有人曾告訴你，由於政治上的承諾，第一期的污水處理工程是由政府承擔所有工程費用，故不論花費多少億元，也要迫使工程加快完成。

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另外，由於面子的問題，在英國撤走時便要完成第一期工程。是否某些人要求你們這樣做，以致有兩個部門建議你們不要這樣做，但你們卻沒有理會這些建議，一意孤行？是甚麼原因令你們作這樣的決定？工程後來還是不能如期竣工，證明那日子並沒有甚麼神奇，當時你們不接受其他部門的意見，浪費了納稅人那麼多錢，這是我們再次傳召你的最主要原因。

**主席：**

局長。

**工務局局長：**

事後我們看到隧道發生問題，但我們作決定時，是在隧道合約糾紛未發生前。我們早已決定在97年完成第一期排污工程，希望盡快改善本港，尤其是維多利亞內港的水質和污染程度，而政府作出承擔會盡快進行改善工程。當時的爭拗點不在其目的，而在於第二期工程引起很多爭論。其中一個爭論點是，如果我們仍未決定如何進行第二期工程，又怎可開展第一期工程？當時我們相信有能力做到，便應該及早完成，而事實證明，我當時決定取消原本幾條隧道的合約，並沒有考慮某人的面子。到現在是那些條隧道還未能竣工，證明我當時完全沒有考慮政治因素。

**劉慧卿議員：**

主席，我是問局長，基於剛才我提出的數個因素，是否有內部指示，要求他不惜耗費多少公帑，也要加班趕工，盡最大努力，務必要在6月30日前完工？

**主席：**

局長。

**工務局局長：**

當時內部絕對沒有這個指令。我們決定某一項工程是否需要加快，主要是我們既已定下目標，希望第一期排污工程能在某一個日期內完成，而所有單項工程，其實都與整個排污運作有關，若某一單項工程不能如期完成，便會影響其他項目的運作，故我們唯一的目的，是要配合所有工程在既定時間內完成。剛才郭禮莊先生亦以 sedimentation tanks 為例，若 sedimentation tanks 不能完成便會影響其他的運作。故我們主要是考慮整體工程項目的配合，而事實上，除了那數條隧道外，所有其他項目都可以依期完成。換言之，若隧道不是因某些原因，第一期排污系統可能已可全面投入運作。現時不能運作的原因，我們將來才慢慢討論。

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**主席：**

這點值得我們跟進。李華明議員是否想跟進同一問題？我希望先完成有關完工的問題。

**李華明議員：**

是，主席。報告書第42至44段是很重要的，渠務署的業務經理應該是位專家，他多次表示花這筆錢是不明智的。在1996年1月12日在工務局局長辦公室內召開的特別會議上，渠務署的業務經理仍然認為設法趕及一個愈來愈不切實際的限期是不明智的。綜觀整件事，這工程需接駁很多條隧道，一環接一環，任何一條隧道出現問題便使整個系統不能運作。請問你在96年1月12日在辦公室所作的決定，是否魯莽和冒險？這個決定的風險是否太高？你表示並無政治因素存在，我們對此會作出評估，但你是否覺得有些衝動和賭博的成份？

**主席：**

你是否高估了能力和低估了它的難度？

**工務局局長：**

主席。首先我不知業務經理可否稱為專家，因為他是一位會計師。當時這個決定是基於工程的其他工作人員的匯報而作出的結論。當時我們認為若加快進行這些工程項目，會有很大機會完成整套排污計劃。當時的決定對與否的問題，請各位想想，假若隧道工程可以繼續進行，所有工程基本上在97年年中已完成，故關鍵在於隧道工程出現問題，雖說所有的隧道要接連一起，但又並不一定，若大家參閱圖則，青衣至葵涌一段是可以單獨運作的，故並不是6條隧道接連在一起。

**主席：**

聽局長剛才的解釋，使我感到他好像是說現在出現的延誤，並非當時估計工程的難度問題，而是有其他難言之隱，我的感覺對嗎？

**工務局局長：**

或者我的講法誤導了你的想法，所謂排污計劃，其實有很多不同種類的工程要配合，包括污水處理廠、隧道等等，整個運作需依賴所有工程在接近的時間內完成，故每一項目發生問題，我們便需考慮是否需要加快個別的工程以使整體工程能達致竣

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工目標。當時我們考慮這個項目是否需要加快施工時都是從這個角度出發，而隧道問題只是後期才出現的，我們在作決定時，亦不能預測隧道會有此問題出現。

**主席：**

似乎很多人曾向你提出風險的警告，並不是事後才出現，那些被預先提出的風險後來是否真的出現了？

**工務局局長：**

主席，我剛才亦提出過這個問題，當然有很多人從不同的角度來看這件事，否則我們亦不需要召開多次會議來討論，最後我們綜合其他人的意見，認為有需要加快工程，希望整體配套工程能如期完成。而事實證明，若非隧道出現問題，整套工程是可以互相配合的。

**主席：**

大家只是用很概括的字眼來形容那些問題，報告書中並沒有清楚指出究竟是甚麼問題。事後發生的問題，是否與你們內部討論文件中曾提出的風險警告相同？現在因政府就有關工程進行訴訟，我們又不能就此深入地向你提問。

**工務局局長：**

主席，文件中提到會有風險的問題與現在隧道出現的問題並不相同，證明當時他們所指的風險是可以克服的。

**主席：**

這是較為關鍵的。李華明議員。

**李華明議員：**

剛才局長多次強調隧道工程導致非隧道工程出現延誤，但昂船洲的污水處理廠亦不能在97年7月1日落成，工程時間延遲了個多月，我希望你澄清這點。若然，又怎能完全歸咎隧道工程？的確，你剛才提到青衣段隧道不需連接至葵涌段，有別於第2、3、4、5段工程，因為那些工程是需接駁將軍澳、官塘和土瓜灣多段隧道，存在很大風險，因為整段隧道是很長的。請局長解釋，你是否仍然認為若非隧道工程的延誤，污水處理廠便能如期完成？

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**主席：**

局長。

**工務局局長：**

主席。事實告訴我們，現在只是隧道工程未能完成。李議員指出污水處理廠最後亦要97年8月才完成。所有的工程是在年多兩年前釐定時間表的，我相信沒有人可以擔保必定能在預算日期完成每一項工程，一日也不延誤。我們當然希望能盡量如期完成工程，但當時作決定時是根據一個既定的日子和目標去做的。可能你會認為工程最終要到97年8月1日才完成，故當時我們不應加速進行工程，對此意見我有保留。污水處理廠的工程是完成了，雖然不能如期竣工，但整體而言，我們需要有共同目標，以期在最接近的時間完成所有工程。話說回來，污水處理廠在8月1日完成，但若不加快工程，其他工程項目可能會延至10月才完成又將會如何？

**主席：**

劉慧卿議員。

**劉慧卿議員：**

我們還是關注當時有些政府部門所提出的意見為何不被接納。根據報告書第42段第一小段載述環保署「對加快施工的建議有所保留，因為“其他重要的關鍵合約工程極可能有延誤的風險，抵銷了建議的加快施工措施帶來的好處”」，故該署表示不贊同加快工程施工。事後檢討，你認為環保署當時的意見是否正確？而渠務署的業務經理亦有相同的看法。你認為他不是工程專業人士，我們就更奇怪，非專業人士亦看到會有問題，為甚麼專業人士反而會作此建議。雖然其他工程有時都會出現此情況，就是非專業人士的觀點較專業人士還要好，我們對此感到憂慮。庫務局慣常是很着緊開支的，但在報告書第27頁第44段最後一行所載，在96年1月12日的會議上，庫務局卻表示，「如果認為必須採取建議的進一步之加快施工措施，才能確保策略性污水排放計劃第I階段能夠如期啟用(即一九九七年六月三十日或之前)，他們不反對採取有關措施。」這是他們唯一的最重要考慮，而不理會其他理由。規劃環境地政局的意見亦相同，反而環保署和渠務署的業務經理大膽地指出不應作不切實際的事。請問局長，為甚麼不採納他們的意見？他們的意見是否不對？你們熟悉工程的人是否更應討論他們的意見，看看加快工程是否不切實際，導致浪費公帑。事實上當時已有很多工程出現延誤。



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**主席：**

鄭局長。

**工務局局長：**

主席，我已經多次說明我的看法，請郭禮莊先生補充他的意見。

***D of DS:***

Mr Chairman, I would like to try and explain the position that the trading fund Works Committee was in at the time, and I think if I can just explain that, maybe looking at it with hindsight it becomes slightly different.

The project was faced with delays which were without the responsibility of the tunnelling contractor, and Paragraphs 42 through to 44 cover an acceleration measure as a result of the contractor, the tunnelling contractor, being asked how he could accelerate the works to make up for the lost time. And he said "I am supposed to move my tunnelling machine from one tunnel to another, but now because of these delays I don't have enough time. My proposal is that I procure an additional tunnel boring machine and put it down the other tunnel and work simultaneously so as to make up for the lost time."

And that was the \$42 million, I believe. And he had sourced a tunnel boring machine that was available for shipping, but he had a tight window in order to make this procurement. So, the Committee was faced with a decision: shall we spend this money to make up lost time or not? And taking into account all the factors at the time, that decision was made on sound engineering judgment. And it is perfectly normal that members of the Works Committee gave their opinions. The opinion of the EPD was that this might not really solve the problem because of other problems on other parts of the project.

Now, I have tried to explain that there were acceleration measures being considered for those problem areas, which in the event did not have to be taken up, but that was the philosophy at the time and the people involved took that decision, made that judgment, based on their technical evaluations whether this additional boring machine would make up the time. And it seems to me with hindsight fairly obvious that if you have got two machines working together you are going to make up time instead of relying on taking one machine and putting it somewhere else after it has finished its work on the first tunnel.

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So, I would like to give that to the Committee as a thought. It is all very well sitting here with hindsight saying it was the wrong decision, but put yourself in the position of the people at the time.

**劉慧卿議員：**

主席。我們已聽過所有的證供，我們會就加快工程的決定是否存在政治因素，還是有工程、會計等各方面等專業因素作出結論。我就此提出最後一條問題，剛才提到在96年1月11日交給污水處理服務營運基金工務委員會的討論文件第WC 1/96號，並說明需在1月12日中午前提出意見。我們感到很驚訝，貴局在花費如此龐大的事項上要求專業人士提供資料，竟然要求他們在20多小時內便作出決定，請問局長，這是你們的慣常做法，還是不專業的做法？

**主席：**

局長。

**工務局局長：**

主席。根據正常程序是要此工務委員會通過加快工程，而事前已經過多次討論，故委員並非在當日的24小時前才知道該事件。郭禮莊先生曾解釋由於時間緊迫，我們要盡快作出決定。雖然我們的文件確是在24小時前才送達各位委員，但委員對這事並非一無所知，因為在很多會議上也曾討論過有關事項。

**劉慧卿議員：**

請問這是否慣常做法？

**工務局局長：**

這當然不是慣常做法，但剛才郭署長已指出我們那麼迫切要作出決定，是為了依照既定程序經正式會議來通過加快工程的決定，我們通常不會這麼遲才把文件送交委員。這是較例外的情況。

**主席：**

吳亮星議員。

**吳亮星議員：**

## Acceleration of works in the Strategic Sewage Disposal Scheme Stage I

### 加快策略性污水排放計劃第I階段內的工程

究竟污水處理服務營運基金工務委員會能起甚麼作用？委員是否有「權」而沒有「責」？委員會的主席又是否有權責來作出回應？報告書第50段載述委員會部分成員的關注未獲正視。報告書第49段載述由於1992年10月7日的總督施政報告提到一個目標日期，之後行政會議表示若工程不能如期在1997年6月30日竣工，會令政府無法對公眾履行盡早解決維多利亞港污染的重要承諾，我懷疑因此無論如何都要達到這竣工日期，不顧一切，即使眾多委員表示關注，仍試圖趕及這個可能達不到的目標。根據報告書第50段最後一段，在向立法會提交1995年12月31日的進度報告中指出，當時的進度已較原定進度落後了78天，預計工程最早在1997年7月7日，即至少延遲了一個星期才可竣工。到了1997年6月30日，有關的機電工程僅完成了73%。其實在進度報告內已有跡象顯示，即使依照計劃進行加快工程和污水隧道工程，策略性污水排放計劃第I階段也無法如期啟用。看到種種情況，為何當時還不另訂竣工日期？是否因為政府的承諾而不能改變竣工日期？

#### **主席：**

是否定下政策後便完全沒有商討的餘地？

#### **工務局局長：**

我已經多次重覆解釋，我絕對不可以不顧一切地堅持加快工程。若我是不顧一切地完成目標，我便會接受原本的承建商的要求。在工程施工期間會有很多問題發生，我們一般的做法是盡量按既定的目標完成工程，依期完成工程的好處，是沙灘可以開放給市民游泳及使水質有所改善。雖然工程仍未能如期竣工，但我已多次解釋，工程不能完成的原因並非報告書內所載的工程項目的問題，而是隧道的問題，隧道又因其他問題而未能完成。事實上這些工程是可以依期完成的，當時我們決定加快工程，是希望這些工程能如期完工，這只是很簡單的邏輯。我認為現在的目標已達到，應該在何日落成要視乎其他工程的進展，我希望各工程項目的完工日期接近，否則，個別工程項目即使完工也沒有作用。即使當時工程未能全部完成，但我仍希望能盡量利用污水處理廠，故當時對該廠的使用有多少百分比的考慮，李華明議員提及在青衣過來的兩條隧道是比較重要的，如果我們可以完成該工程項目，便可把污水處理的份量大大提高，差不多可達50%。其中最關鍵的影響是第9號碼頭的興建，因為那裏有很多現有的裝置，要視乎青衣的隧道可否完工，然後再決定怎樣做。現在第9號貨櫃碼頭的時間表改變了，面對的問題又已經不同，但還有很多其他的因素。我可以告訴各位議員，當時絕對沒有命令，要求我們不顧一切地要在97年6月30日前完成所有工程，否則，現在工程不能完成，我已被解僱了。至於對委員所提出的憂慮，我們會考慮所有意見才作出決定，當然每位委員都可以發表意見，在會議紀錄中，已載有我們的回應。

#### **主席：**

## Acceleration of works in the Strategic Sewage Disposal Scheme Stage I

### 加快策略性污水排放計劃第I階段內的工程

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我相信各位議員對那次的會議紀錄感興趣，尤其是審計署署長提出的一個問題，我們亦準備跟進。有人曾提出可以完成50%，即擱置工程D，當時大家知道工程D有問題，該建議的可行性似乎未被討論過，這問題在審計署署長的報告書內也有載述。審計署署長審閱該會議紀錄後發覺完全沒有討論過那建議的可行性。為甚麼一定要完成100%，即使50%也不可以？這些隧道是分段的，即使部分未能完成，其他隧道還可以引入污水處理廠內，污水處理廠的運作率便可達50%。為何完全沒有考慮過這建議？

#### **工務局局長：**

主席。我很歡迎你再詳細審閱那些文件，我不清楚審計署是如何理解，我的理解很簡單，現在所有裝置完成，那些隧道與其他在路底鋪設的管道的作用是相同的，只是我們沒有利用管道的方式來做，而是用隧道來做，這數條隧道主要分為兩組，一組在柴灣、將軍澳和官塘接駁而來，最後一段要靠經西九龍那一段才可接駁到昂船洲；另一組是由青衣葵涌一段連接而來，與東面完全沒有關係，故當時如果青衣至葵涌一段能完成，那麼污水處理廠仍可運作50%，但現在即使能完成污水處理廠的工程，因為所有隧道是由同一間公司承辦，他們同時解約，與工程的困難程度有甚麼關係呢？是沒有關係的，我不清楚大家是否這樣理解，但本人就是這樣理解。

#### **主席：**

當時的工程承建商已經表示會解約嗎？這些資料我們從未聽過。

#### **工務局局長：**

當時沒有。這是事後才提出的。事前便是剛才郭禮莊署長要說的，他提議購買多一部機器來克服這個問題，我們希望提前把葵涌青衣那段隧道工程盡快完成，污水處理廠仍能運作50%。我們認為當時的決定很正確。但我們不了解審計署署長如何理解，他有本身的角度，我不知道他的意見如何。

#### **主席：**

李華明議員還想跟進？

#### **李華明議員：**

我想跟進一點，在審計署署長報告書中文版第26頁第41段列出一些不明朗因素，可能會影響策略性污水排放計劃第I階段的啟用日期。在96年1月12日決定加快施工，在95年8月已支付承建商X9,900萬元作為加快施工措施費用，以減輕先前的延誤。報告書內亦提出鑽挖隧道機器平均每星期最低限度要挖掘133米，隧道工程才可按原定

## Acceleration of works in the Strategic Sewage Disposal Scheme Stage I

### 加快策略性污水排放計劃第I階段內的工程

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日期即7月1日之前完成。在96年1月12日決定再加快工程之前，根據你收到的資料，你是否有信心該機器能每星期最低限度挖掘到133米以上？根據邏輯，若能掘到高於133米的指標，你才會決定加快工程，若低於此指標，就不能符合目標日期，是否這樣呢？若是的話，當時你作出的判斷，是否因為你所收到的資料，一直都超越133米？

**主席：**

局長。

**工務局局長：**

主席。當時隧道還未正式開始這工序，但這當然是根據一般隧道用鑽挖機所能挖掘的長度，具體的情況，請郭禮莊先生解答。我知道有一條隧道的進度與這目標進度差不多，應該可以做到這個進度。

**主席：**

郭先生。

**D of DS:**

Mr Chairman, at the time the decision was made to order the additional boring machine there was not, from my own observation of the records, there was not a machine working at full capacity so that could be verified.

At the moment we have good rock conditions in Tunnel C, as I mentioned earlier this morning, and the contractor is making something around 100 metres a week. And he does believe that if he continues to get good rock conditions, once he gets up to the full learning curve with his staff he can actually do better than that. Now, that assumes there are no difficult rock conditions ahead, but that just gives you an idea of what can be achieved.

So I do believe that at the time the Works Committee made their decision there was sufficient body of evidence to suggest that tunnel boring machines in good rock can make these rates.

Now, at the moment there are tunnel boring machines working in many locations in Hong Kong. I can quote you a tunnel I visited just a couple of months ago which is on the water supplies project from Butterfly Valley to Tai Po, and the machines are of a similar diameter. They are working in good rock conditions and they certainly have been making rates in excess of 133 metres a week. It can be done.

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### 加快策略性污水排放計劃第I階段內的工程

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So, the knowledge that was available to the Works Committee at that time, I would suggest, was that tunnel boring machines could make these rates.

**李華明議員：**

你在何時開始全面挖掘隧道，而在你監察的時期，工程是否已到達這個階段？若資料正確，鑽挖機每個星期最少要挖掘133米，你很快便可以知道工程進度是否落後了。我以外行人來看，從隧道開始挖掘，當你發現達不到這個指標的話，便知道可能不能如期完工。第二個問題是你常常說good rock，假設遇到的是好土質，接著你又承認之前所作的探測不太足夠，那麼便好像賭博一般，希望幸運地遇到的是good rock，對嗎？

**主席：**

郭禮莊先生。

**D of DS:**

Mr Chairman, as I have said earlier, I am trying to put myself in the position of a member of the Works Committee at the time the decision was made, and that's what I think is relevant here. And in good rock conditions those rates were known to be achievable.

**Chairman:**

I think the Honourable Fred Li is trying to make a distinction, what is possible and what is potentially risky when you make a decision. I think he was saying that although, I think we are not disputing whether it is possible or not, but if there are substantial risks inherent in the decision, was this safe or was the decision made then not having paid due regard, I think he used a slightly more moderate word - have paid due regard to all the risks that you may encounter which you subsequently did encounter. 鄭局長？

**工務局局長：**

任何隧道工程都會根據岩石的資料和所應用的辦法而作出評估，但期間會遇到多少風險，我們會根據工程合約的既定時間作適當的調整，包括開始時的teething problem，我們也要預計在內。開始應用鑽挖機時，機器有時會達不到最快的速度，需要熟習，這些因素全部計算在工程時間內。

**主席：**

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相信李華明議員亦同意此點。我想他的意思是隧道十分長，在開始鑽挖時，不論最初的估計目標速度如何，慢慢會知道最初的評估會否太樂觀，你們在何時才察覺到先前的評估是不可能或風險太大，是否有持續檢討的過程？

**工務局局長：**

主席。進行鑽挖工作主要根據岩土鑽探得出的資料報告，因挖掘隧道受岩土、岩層石質的影響。雖然我們在事前作了探測的工作，但請大家不要忘記，每條隧道是幾公里長的，期間遇到不理想的岩土質地是在所難免。如何克服困難是技術工程上的問題。至於李華明議員提問每日挖掘133米，是否過於樂觀？我們認為不是，且已證明是可以做到。在挖掘隧道時會遇到多少問題就比較難以推測。但一般的做法是，在評估整項工程需時多久才能完成，所有風險都已計算在內，無論用鑽挖機或一般傳統的鑽爆方法，都會加入這些因素作考慮。

**李華明議員：**

局長可否提供予我們由1996年1月12日至1996年年底該10個月內，承建商每星期挖掘到多少米？

**主席：**

這些資料，是否可以提供？

**工務局局長：**

可以提供。我並非不想提供予各位議員，經過很多問題後他們的施工進度對你們是否有實際的參考價值，我就不得而知了。資料是公開的，這些site record當然是可以提供。但若果你們根據當時的承建商的施工速度而作出結論，我就不予置評了。

**主席：**

若你認為對提供的資料有任何保留，可以將你的意見給予委員會。

**工務局局長：**

主席。這是我們與前承建商的一個主要爭論點。剛才郭署長已表示，現時新承建商，部分是可以做到此速度。

**主席：**

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你可將前承建商和新承建商的工作速度資料給予委員會一併考慮和比較，當然新承建商建築隧道的做法可能有所不同，便會出現不同的情況。你認為有用的資料，都可以提交予委員會。梁劉柔芬議員。

**梁劉柔芬議員：**

我想請問渠務署署長。有關Tunnel F, I understand from the description just now at the very beginning given, it seems like about two thirds of the tunnel is completed. Am I correct?

**主席：**

郭署長。

**D of DS:**

Mr Chairman, the tunnel length is approximately 3.5 kilometres and the excavation to date is 870 metres, so we still have two and a half kilometres to go, so it is about 45 percent.

**Mrs Sophie LEUNG:**

So, could you tell us, at the very beginning when you started, until what length did you find out that the, did your technical problem do appear? Maybe if you can give us, say for example maybe on the 1,000 metres then you already discover something is not as per your original geotechnical test provided?

**D of DS:**

If you can forgive me, Chairman, for getting a bit technical. The original contractor had excavated something of the order of 400 metres and that was in fairly competent granite, but it was bearing water, and the problem he had was with the water. He did not, and again we are getting to areas which do impact on the arbitration here, but he did not take comprehensive measures at that time to drill ahead of the machine and to pump cement into the holes to grout them. So, that was for the first 400 metres.

Now, the completion contractor has run into problems of a different nature, the most serious of which are in the last two or three months where we have got a material called rhyolite which is very hard rock, heavily fractured and heavily water-bearing, which is difficult to drill. So, the technical difficulties are different.



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**Mrs Sophie LEUNG:**

Yes, I fully understand and I fully appreciate the complication of that, and to put it more in layman's language I am sure you encounter, say for example in Tunnel F, which is one of the earliest tunnels that you started your job. Assuming that there is more than ten kinds of different difficulties, OK, that you encounter, until when did you start thinking maybe the original assumption of reaching that date or the target date might not be achievable? Have you ever, had that thought ever come through your mind, and when would that be, or after how many such difficulties that you have encountered?

**Chairman:**

Mr Collier?

**D of DS:**

You are going back to early 1996, Chairman, when I personally wasn't involved with the work. But for someone at that time to have said that the date couldn't be achieved, I think, would have been very difficult because you had a contractor telling you that he could achieve it.

**Mrs Sophie LEUNG:**

I see. So, everything relies on the contractor? Could I follow up with one other, again a technical question.

**主席：**

輪流好嗎？劉慧卿議員。

**劉慧卿議員：**

主席。我想問的是有關撥款的問題。在審計署署長報告書第57段，提及95年8月和96年1月進行加快工程。審計署署長指出，兩項工程計劃的核准預算，並不足以支付加快施工措施所需的額外費用，而渠務署並未事先得到污水處理服務營運基金工務委員會批准預算，所以審計署認為程序是錯誤的。在報告書第37頁第65(f)段，渠務署署長回應時表示，「兩項加快施工建議已在討論文件中詳細闡述，並經工務委員會成員批准，這些成員也負責批准增加核准工程計劃預算。因此，事先已取得增撥額外經費的“據定批准”。」但在註19，提及在實行加快施工措施大約一個半月後，有關部門才向工務委員會提出追溯申請，要求增加批准工程計劃預算。但在1996年2月，委員會要求有關部門進一步解釋採取進一步加快施工措施的理據，然後才追溯批准增加核

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准工程計劃預算。這樣你們便是先斬後奏？請局長解釋，這樣的處理程序是否經常使用？為何會這樣做？

**主席：**

局長。

**工務局局長：**

主席。現在我記不起當時實際的程序為何，我需回去翻查清楚，並以書面向議員解釋。

**主席：**

Mr Collier.

***D of DS:***

Chairman, could I just comment on that? The deemed approval, I think, was as a result of the staff, they were the same staff involved in dealing with the Works Committee on the submission and also on the proposal to increase the APE. As it was the same people involved in the Committee the staff did deem that approval had been given to the cost aspect because they had given approval to the process.

Now, obviously this was technically incorrect but I think, using hindsight again, it was understandable that the staff took that action. The time pressures at the time that they were under ...

***Miss Emily LAU:***

Chairman, I don't find this understandable. Can I ask the Director to address Note 19 of the Director of Audit's Report on Page 43? I am sure you have read that before. The Director finds this unacceptable and he gives the explanation, because you submitted this to the Works Committee one and a half months after Contractor X had been instructed to implement the acceleration measures. And then the Committee requested the provision of further justifications for the adoption of additional acceleration measures. So, how can it be understandable? I think it is quite unprofessional and unacceptable, isn't it?

***Chairman:***

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Mr Collier?

***D of DS:***

Mr Chairman, technically perhaps yes, but as I said, put yourself in the position of the staff at the time. They were dealing with exactly the same people on the Works Committee with regard to putting a proposal to them for the acceleration measures. They were going back to them within a few weeks saying "can we have the money?".

**劉慧卿議員：**

主席。他的邏輯是有問題的。請局長解釋，在批出一筆款項後，以後若需增加撥款或款項不足，新增的項目或任何需求，亦當作已批准論，先斬後奏。若工務委員會後來不肯批出額外款額，工程卻在進行中，那你們會怎樣做？

**主席：**

鄭局長。

**工務局局長：**

我們沒有經過批核便立刻進行工程的原因及當時的情況，我要翻查資料才知道。郭禮莊署長亦承認我們在此事上的處理是錯誤的。但我可以向劉議員保證，這樣的處理程序並非慣常的做法。當時可能有其他因素需要加快進行，但在程序上，我們承認是不對的，但歸根究底要翻查才可以得出當中的原因。

**主席：**

劉議員，我們給機會局長回去翻查紀錄，才提供予委員會詳細的答案。朱幼麟議員。

**Mr David CHU:**

Mr Chairman, I have a question relating to Tunnel F. If the geological problem is unsurmountable and since the tunnel is only 25 percent complete, is there an alternative plan such as to build a tunnel over the seabed instead of under the seabed, or an alternative plan of such sort? Thank you, Mr Chairman.

**Chairman:**

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Mr Collier?

*D of DS:*

Chairman, could I address this issue? We are tunnelling uphill for obvious reasons, so that the water flows back that comes into the tunnel. We are looking at the moment at excavating from the opposite end. We are doing trial some excavations using drill and blast. We are also doing some long coring to find out more exactly the geotechnical conditions in the last part of the tunnel. This involves drilling a hole, hopefully up to a thousand metres long so we can take out a core of rock and know exactly what we are going to be going through.

So, that is a measure we are taking as a precaution. But getting back to the problem we have, there is no technically unsurmountable problem in getting through this ground. The problem is that it is time-consuming. It takes time to drill the holes in the rock and pump in the cement. So, it will be a question of time rather than technical feasibility. An alternative of abandoning the deep tunnel concept and going on the seabed is not really practicable.

**主席：**

在作結論方面，實有一定的難度，因為政府與前工程承建商可能有訴訟，我們無法知道曾發生甚麼事，與以往所預計的風險作比較，若不能完全清楚其前因後果，我認為作結論有一定的難度。在作結論前，最理想是委員會清楚知道後來在工程上發生的事件。請問鄭先生何時是適當的時間，可以提供更多資料予我們？使我們不至在很多問題上都要憑猜測，讓我們作結論時可以更加明確。

**工務局局長：**

主席。我們現時正進行訴訟。

**主席：**

是否有一個時間表？

*D of DS:*

Mr Chairman, if I can explain. The arbitration process is a very lengthy process. We are at the second preliminary meeting stage at the moment. It has just been held in London. The arbitration itself will take another two years. Depending on the finding

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there will be a second arbitration over a quantum in terms of what Government is claiming from the contractor, or vice versa. So we are looking at a number of years before this arbitration is settled.

**Chairman:**

Mr Collier, I have been an arbitrator myself for a number of occasions, dealing with contractors as well. But I understand that both parties should have agreed to a mutually decided arbitration agreement before, even before arbitration starts. And in that agreement it is normal practice to stipulate a date.

Now, the way I understand from your explanation is that once the responsibility has been decided you really don't need to decide on the, you no longer need to hide the facts of the case while pending a decision on the quantum of possible compensation one way or another. Am I correct in saying that? Is there any reason for stopping you to release the information to us once the first leg of arbitration is completed? And has a date been set for the first stage of the arbitration? I think that's the answer to my question.

**工務局局長：**

主席。或許我們回去徵詢我們律師的意見，究竟有多少資料可以提供而不致影響現時的訴訟。

**主席：**

第一期訴訟的日期是否需要保密？

**工務局局長：**

日期是不需要的，我會徵詢律師的意見，究竟有多少資料可以提供，我們會盡量提供的。

**主席：**

我們現時正研究的問題，未必一定要等訴訟完結才能作出結論。但若不清楚明確知道當時發生的事件和問題出於何處？有一部分委員會認為很重要的證據，我們無機會考慮。若然訴訟的結果可在短期內知道的話，或許會建議委員會稍作等候。這些資料對委員會作結論是大有幫助的。

**工務局局長：**

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主席。我們明白你們希望得到甚麼資料，讓我回去徵詢我們的法律意見，然後盡量提供予委員會。

**主席：**

最重要的是知道可於何時能提供更多資料予我們。劉慧卿議員。

**劉慧卿議員：**

主席。我同意你向局長的查詢，訴訟可能需要很長的時間，相信大家也明白。雖然局長表示有部分資料不能提供，但我們所得到的資料已很多，就現時所知道的資料，是否足夠作出結論？我們亦不可能等數年。

**主席：**

可能有一部分的結論需有所保留，為使證據齊全，希望局長在回覆委員會時，或者你需先徵詢法律意見，可否給予一個明確的書面回覆，說明你們依據甚麼法律理由不能向委員會提供該部分的事實。以我的經驗，在訴訟時，第一件事是先會雙方同意某部分是事實，然後才談論法律或工程技術上的觀點，最後才商討賠償。若已有雙方沒有爭辯的事實，但仍不能提供予委員會，其法律理由為何？這點委員會亦希望清楚知道。

**工務局局長：**

主席。我們明白你想得到的資料是甚麼。

**主席：**

我們需向立法會及公眾交代，解釋為何委員會的報告會有這樣的結論，委員會曾考慮甚麼證供。

**工務局局長：**

在我未徵詢到法律意見前，實在不方便回覆。

**主席：**

我明白，我們會給你時間答覆。同事還有其他問題嗎？

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**劉慧卿議員：**

主席。局長是否會提供1996年1月12日的會議紀錄，以回應剛才吳亮星議員的提問，當時有關部門如何回應環保署和渠務署所提出的擔憂，以及解釋第65(f)段，當時為何會作出錯誤程序的做法？

**工務局局長：**

會的。我們會盡量提供足夠資料予各位議員。

**劉慧卿議員：**

請局長簡單地告知委員會，策略性污水排放計劃第I階段原訂於97年6月30日竣工。究竟延遲了多少年？所需費用是多少？超支款項的數目又是多少？

**工務局局長：**

約延遲了3年，因為當時希望在97年竣工。至於超支的數額，可以將新合約與舊合約比較，得出其差額，但卻牽涉將來索償的問題。若我們勝數，前承建商便需支付此筆費用。不是由我們全部支付。

**主席：**

竣工前詢問有關超支的問題，未必能夠可以確實地得知。

**劉慧卿議員：**

有否預計的數字？可否在書面回覆時提供給委員會？

**主席：**

可以預計其成本。

**工務局局長：**

我會考慮嘗試以甚麼方式提供此等資料。

**主席：**

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會否考慮向即將舉行的聯合事務委員會提供現階段的詳盡財務成本預算資料，這比只提供一個數字為佳，以及你們擔心的是甚麼？有甚麼變數？這些資料對立法會在跟進或監察這貴重的工程時，實在是很有用的。

**劉慧卿議員：**

主席。因為第II階段工程將至，所以議員這樣緊張，若第I階段已出現問題，第II階段工程相信很難向財委會申請撥款。

**主席：**

相信劉議員明白，第I階段工程仍未完結，工程進行中已發覺有很多做法的改變，這些都會對成本造成影響，所以局長表示，只能提供一個預算，未必能給予一個實數。

**劉慧卿議員：**

就算未必能提供實數，但定期報告需給予委員會。

**工務局局長：**

主席。無問題，不過要考慮如何提供此等資料。主席。我有一個建議，歡迎各位議員作實地視察以瞭解其中的情況，將更為清楚。

**劉慧卿議員：**

主席。我和梁劉柔芬議員又怎樣去呢？因謝絕女士探訪。

**工務局局長：**

我們向承建商解釋。

**主席：**

局長答應向工程的承建商解釋，尋求辦法解決這個非法律的問題。今天的聆訊暫告一段落。多謝鄭局長和郭先生耐性地、不厭其詳地解釋很多工程技術上的問題，多謝你們今天出席聆訊。



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