

立法會

Legislative Council

LC Paper No. CB(1)961/02-03
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by the Administration)

Ref : CB1/PL/TP/1

Panel on Transport

**Minutes of meeting held on
Friday, 24 January 2003, at 10:45 am
in Conference Room A of the Legislative Council Building**

Members present : Hon Miriam LAU Kin-yee, JP (Chairman)
Hon Abraham SHEK Lai-him, JP (Deputy Chairman)
Dr Hon David CHU Yu-lin, JP
Ir Dr Hon Raymond HO Chung-tai, JP
Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP
Hon CHAN Kwok-keung
Hon LAU Chin-shek, JP
Hon LAU Kong-wah
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Dr Hon TANG Siu-tong, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Albert CHAN Wai-yip
Hon LEUNG Fu-wah, MH, JP
Hon WONG Sing-chi

Non-Panel Member attending : Hon Emily LAU Wai-hing, JP

Members absent : Hon Albert HO Chun-yan
Hon Andrew WONG Wang-fat, JP
Hon LAU Ping-cheung

Public Officers : **Agenda item IV**

attending

Environment, Transport and Works Bureau

Mr Paul TANG
Deputy Secretary for the Environment, Transport and Works

Highways Department

Mr C K MAK
Director of Highways

Mr WAN Man-leung
Deputy Project Manager Major Works

Agenda item V

Environment, Transport and Works Bureau

Mr Paul TANG
Deputy Secretary for the Environment, Transport and Works

Mr WAN Man-lung
Principal Assistant Secretary for the Environment, Transport
and Works

Highways Department

Mr C K MAK
Director of Highways

**Attendance by
invitation**

: Agenda item IV

Individual

Ms LO Wai-lan
Member of Kwai Tsing District Council

Tai Po District Council (TPDC)

Mr CHAN Ping
Chairman of Traffic and Transport Committee, TPDC

Ms WONG Pik-kiu
Member of TPDC

Mr CHAN Siu-kuen
Member of TPDC

Shatin District Council (STDC)

Mr YEUNG Cheung-li
Chairman of Traffic and Transport Committee, STDC

Clerk in attendance : Mr Andy LAU
Chief Assistant Secretary (1)2

Staff in attendance : Ms Alice AU
Senior Assistant Secretary (1)5

Miss Winnie CHENG
Legislative Assistant 5

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I Confirmation of minutes and matters arising

(LC Paper No. CB(1)771/02-03	- Minutes of meeting held on 18 October 2002;
LC Paper No. CB(1)760/02-03	- Minutes of meeting held on 22 November 2002; and
LC Paper No. CB(1)772/02-03	- Minutes of meeting held on 20 December 2002)

The above minutes of meeting were confirmed.

II Information papers issued since last meeting

2. Members noted that no information paper was issued since last meeting.

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III Items for discussion at the next meeting scheduled for 28 February 2003

(LC Paper No. CB(1)773/02-3(01) - List of outstanding items for discussion;
and

LC Paper No. CB(1)773/02-03(02) - List of follow-up actions)

3. The Chairman drew members' attention to the Administration's latest proposal in respect of the Island Line Extensions, Route 7 and South Hong Kong Island Line as set out in the Legislative Council Brief issued on 21 January 2003. In order to enable the Administration to brief members on the related issues at the earliest opportunity, an additional item was included in the agenda for this meeting at short notice. After deliberation, members agreed to follow up on the related issues at the forthcoming meeting to be held on 28 February 2003. Non-Panel Members would be invited to join the discussion.

4. Members also agreed to discuss the item "Public transport fare adjustment mechanism" at the next regular meeting.

(Post-meeting note: At the Administration's request, this item was subsequently deferred. Instead, the item on "Widening of Tolo Highway and provision of associated noise barriers" was scheduled for discussion at the meeting on 28 February 2003.)

V Widening of Tolo Highway and provision of associated noise barriers

(LC Paper No. CB(1)773/02-03(06) - Information paper provided by the Administration)

5. The Chairman drew members' attention to the written submissions put forward by the following District Council members:

- (a) Mr YEUNG Wai-sing, Eastern District Council Member (LC Paper No. CB(1)773/02-03(04)); and
- (b) Mr LAU Hing-kee, Sai Kung District Council Member (LC Paper No. CB(1)773/02-03(05)).

Views presented by individual/District Councils

Ms LO Wai-lan, Member of Kwai Tsing District Council

6. At the invitation of the Chairman, Ms LO Wai-lan, Member of Kwai Tsing District Council made the following comments:

- (a) The problems surrounding the installation of noise barriers in Tolo Highway were attributable to inadequate consultation by the Administration;

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- (b) It was a waste of public resources to provide noise barriers for planned developments but not existing ones, not to mention the fact that some of the noise barriers in Tolo Highway were not accepted by local residents; and
- (c) Residents along Kwai Chung Road suffered from excessive traffic noise and the Administration should put in place measures to address the traffic noise problem there.

Tai Po District Council

7. Mr CHAN Ping, Chairman of Traffic and Transport Committee, Tai Po District Council (TPDC), Ms WONG Pik-kiu and Mr CHAN Siu-kuen, Members of TPDC were of the view that :

- (a) Whilst supporting the provision of noise barriers to abate traffic noise, TPDC had all along expressed concern about the provision of noise barriers in Tolo Highway, particularly the need for providing noise barriers in certain sections of the highway, the design of noise barriers, the choice of noise barrier materials, and the provision of emergency openings at the central divider.
- (b) During the TPDC meetings held in May, July and September 2002, the Administration informed TPDC that the noise barriers in Tolo Highway in their present form were necessary for meeting the statutory requirements stipulated in the Environmental Impact Assessment Ordinance (Cap. 499) (EIAO). As such, the noise barriers could not be removed even though noise barriers were found on areas where no dwelling units were in existence or where earth bunds were in place to serve as a physical barrier.
- (c) On TPDC's suggestion to improve the situation by converting part of the noise barrier panels to transparent ones, the Administration's stance then was that this would involve extra costs and could not be implemented under the original contract. TPDC also asked the Administration to explore whether planting of trees could be an alternative to noise barriers.
- (d) Notwithstanding the efforts made by TPDC to address the concerns as expressed by local residents on the installation and design of noise barriers in Tolo Highway, installation works of noise barriers continued. In November 2002, the Secretary for the Environment, Transport and Works agreed to review the provision of noise barriers in Tolo Highway and the Administration had suspended temporarily the noise barrier installation works. Upon a review carried out by the Secretary, TPDC was recently informed that some of the noise barriers could be removed within the legal

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framework of the EIAO. This was totally different from what the Administration told the TPDC last year when the works commenced.

- (e) The whole incident could have been avoided if local views were taken into account at the outset when the noise barrier installation works started. The present situation was unsatisfactory, leading to wastage of public resources. TPDC was also concerned about the relocation plan of the demolished noise barrier materials. TPDC hoped the Administration would learn a lesson from the incident and consult TPDC on future provision of noise barriers in the remaining phase of the Tolo Highway Widening Project in advance. TPDC also urged the Administration to improve co-ordination and communication among different departments.

8. The Director of Highways (DHy) thanked the District Council Members for their views. He assured that the Administration would consult local District Councils in taking forward the remaining phase of the Tolo Highway Widening Project. He said that the EIAO was enacted in 1998. Under the EIAO, the assessment of road traffic noise should take into consideration future (both committed and planned) as well as existing road works and land uses. The total length of noise barriers to be built under the construction contract was drawn up having regard to the above requirement. The Administration had recently completed a review of the noise impact assessment and the design of these noise barriers. The Administration was able to distinguish the barriers into three categories by their function, viz. those barriers intended to mitigate traffic noise on planned future developments and those for existing developments or for both. For barriers solely for planned developments, the principle was that the erection of noise barriers should align with the programme of planned developments. As such, their provision could be deferred to a later date. Some other noise barriers along kerbsides and central median for both existing and planned developments could be trimmed down. Under the proposed modification programme, 1 920 metres (m) of barriers would be removed and 1 460 m would be trimmed down, leaving the total length of the noise barriers to be built in Tolo Highway at this stage to about 5 000 m.

9. Speaking in his capacity as the Chairman of the Traffic and Transport Committee of the North District Council, Mr WONG Sing-chi made the following comments:

- (a) in considering the visual intrusion caused by the opaque noise barriers panels which virtually blocked the view for the residents, the proposed modifications to the noise barriers in Tolo Highway was barely acceptable;
- (b) there was a need to improve the design of noise barriers in Tolo Highway, particularly the choice of colours which might have implications on motorists; and

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- (c) the Administration should honour its own undertaking to provide noise barriers in Fanling Highway.

10. Mr LAU Kong-wah remarked that the present problem was caused by the Administration's failure to consult the local District Councils and affected residents on the design and choice of materials for the noise barriers. He urged the Administration to review the consultation process with a view to avoiding recurrence of similar incidents in future.

11. Mr CHENG Kar-foo was concerned about the Administration's failure in allocating resources properly to satisfy the needs of residents for noise barriers.

12. Mr Albert CHAN opined that the Administration should not provide noise barriers for planned developments but not existing ones.

13. Ms Emily LAU regretted that the Administration had not consulted local District Councils on the design and installation of noise barriers along the Tolo Highway prior to commencement of works. She also criticized the Administration for providing misleading information to the local District Councils as to whether noise barriers along Tolo Highway could be removed or not under the legal framework of the EIAO. She considered a need to move a motion to condemn the Administration for handling the incident in such a manner.

14. Dr David CHU expressed concern about the visual intrusion caused by the noise barrier panels which virtually blocked the sea view at Tolo Harbour, and affected the image of Hong Kong as "Asia's World City" for tourism. He also remarked that the present problem was caused by the Administration's failure in soliciting views from local District Councils at the outset. He also considered the EIAO too rigid. The Administration should therefore learn from past experience with a view to avoiding recurrence of similar incidents.

15. Mr Abraham SHEK also considered the EIAO too rigid, for example, the need to provide noise barriers even for a small number of dwelling units along the noise sensitive receivers (NSRs). He urged the Administration to review the EIAO, having regard to the experience and practical difficulties encountered over the past few years.

16. The Deputy Secretary for the Environment, Transport and Works (DS for ETW) said that the issue in question was merely related to the implementation of the EIAO but not the requirements as stipulated in the Ordinance itself. Having reviewed the situation, the Administration had already come up with a set of guiding principles for the implementation of the policy on installation of noise barriers. The Administration would as far as possible make allowance to put in the foundations first and defer installation of the noise barrier panels to align with the programme of the planned developments. For areas where noise barriers would protect both existing and planned developments, the

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Administration would exercise flexibility to provide the necessary amount of noise barriers to protect the existing dwellings from the traffic noise.

17. Mr WONG Sing-chi remarked that provision of noise barriers for planned developments might lead to wastage of resources as new technology to abate traffic noise, other than noise barriers, might emerge prior to the completion of the future planned developments. As such, the Administration should avoid putting noise barriers for planned developments in advance. Rather, the Administration should focus on examining the application of new technology in overseas countries to address traffic noise. The Chairman enquired whether the foundations of the noise barriers along the Tolo Highway might become abortive if the Administration decided to apply new technology to abate traffic noise for planned developments in future.

18. DHy replied that the principles guiding the implementation of the Administration's policies on installation of noise barriers for existing and planned developments were drawn up having regard to the experience in the application of the EIAO over the years. As for the Tolo Highway Widening Project, he said that the foundations of the barriers along the Tolo Highway were 100% complete, and hence, the Administration had no plan to demolish the foundations of the barriers. The proposed arrangement also allowed the subsequent reinstatement of noise barriers to cater for the planned developments in the areas. To avoid wastage of resources, the demolished noise barrier materials would be reused for noise mitigation purpose elsewhere.

Proposed modifications to the noise barriers in Tolo Highway

19. Ir Dr Raymond HO welcomed the Administration's plan to remove some of the noise barriers along Tolo Highway. In his opinion, the present provision was more than necessary, not to mention the resulting visual intrusion and obstruction to air circulation.

20. Mrs Selina CHOW remarked that visual intrusion caused by the opaque noise barriers to motorists should be given due consideration. She opined that in delivering the project, the Government owed the legislature and the general public a duty to provide a proper design in terms of both acoustic and aesthetic considerations. Now that a problem had emerged due to the aesthetic design of the barriers, the Administration should come up with a proposal to rectify the problem. Whilst extra monies might be incurred in the rectification process, this was indeed caused by the Administration's omission in delivering the project.

21. Mr LAU Kong-wah said that the Administration's paper did not contain sufficient information to enable members to make a decision on the need and appropriateness of retaining or removing certain noise barriers in Tolo Highway. Given the visual intrusion caused by the opaque noise barrier panels which virtually blocked the beautiful sea view for the residents, he queried the need for retaining noise barriers along certain sections of the roads where either earth bunds were in place to serve as a physical barrier (for example, areas surrounding NB 16 in Annex A of the paper) or no

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dwelling units were in existence (for example, areas surrounding NB1 or F13 in Annex A of the paper).

22. DHy replied that F13 was a conservation centre which was designated as a NSR under the EIAO. As such, there was a need to provide suitable mitigation measure to bring the noise level down to the statutory limit. He confirmed that the noise barrier along F13 would be a transparent one.

Financial implications

23. Ms Emily LAU and Mr Albert CHAN were concerned about the financial implication and cost-effectiveness of the proposed modification programme. They enquired whether the cost estimate of \$8 million was final and whether contractual claims would arise from the proposed variation to the contract.

24. DHy advised that the contract for the Tolo Highway Widening commenced in 1999 and the works were 95% completed. The Administration opened the widened southbound carriageway last December and anticipated that the rest of the works would be completed by March this year. Due to the review of the noise barrier provisions, the Administration had suspended temporarily the noise barrier installation works. The Administration was discussing with the contractor to carry out the noise barrier modifications as a variation to the contract. Subject to negotiation, the Administration's preliminary assessment of the cost of the modification works, including the associated temporary traffic diversions, was about \$8 million. If the Administration could carry out the modification works in parallel with the rest of the works, the delay to the overall completion of the contract would be limited, thereby minimizing contractual claims from contractors for delay of works caused by the Administration.

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25. To ascertain the financial implication of the proposed modification programme, members requested the Administration to provide further information on the following:

- (a) savings achieved in deferring the provision of noise barriers and additional costs incurred in subsequent reinstatement;
- (b) implementation timetable of the planned developments;
- (c) possible contractual claims from contractors due to the proposed modifications to the noise barriers and suspension of the noise barriers installation works; and
- (d) other additional commitments including staff cost and consultancy fees for professional staff as a result of the proposed modifications to the noise barriers.

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26. DHy took note of members' requests. He said that some of the information requested were commercially sensitive information. He would see what kind of information could be provided to members.

Design of the noise barriers and safety consideration

27. Mr Tommy CHEUNG expressed serious concern about the design of the noise barriers along Tolo Highway, particularly the safety hazard posed by the present colour scheme which might cause drivers to suffer from dizziness and discomfort.

28. DHy replied that the design of the noise barriers met with the prevailing safety standard. Whilst it was feasible to provide monochrome noise barriers along Tolo Highway, it would involve extra costs for demolition and installation.

29. Ms Emily LAU was also concerned about the safety consideration of the noise barriers, including both the impact of the present colour scheme on motorists and the ease of accessibility of fire engines and ambulances.

30. Mr LAU Kong-wah also requested the Administration to consider providing noise barrier panels with transparent ones, taking into account the maintenance fees incurred.

31. Ir Dr Raymond HO shared the view that the present colour scheme of the noise barriers would cause dizziness and discomfort to motorists when driving through.

32. DS for ETW said that while a judgement on aesthetics was subjective, the safety aspect of the noise barriers was beyond doubt. The Administration would consider members' view and put up further information on the following:

- (a) Cost estimates for replacing the noise barrier panels with transparent/ monochrome ones; and
- (b) Safety considerations of the noise barriers in Tolo Highway including the discomfort and dizziness encountered by drivers when driving through, and the ease of accessibility of fire engines and ambulances.

33. In response to Ir Dr Raymond HO, DHy confirmed that the aesthetical design of the proposed noise barriers had been approved by the Advisory Committee on the Appearance of Bridges and Associated Structures (ACABAS). In fact, it had been a standing practice for the Administration to submit designs of noise barriers for major works to ACABAS for consideration.

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Noise mitigation consideration

34. Mr Albert CHAN said that noise barriers should be provided to mitigate traffic noise suffered by residents. He opined that the crux of the present issue was more on the aesthetic design of the noise barriers rather than the provision of noise barriers on roads.

35. Mr Albert CHAN enquired whether it was necessary to consult the Advisory Council on the Environment (ACE) in respect of the proposed modifications to the noise barriers in Tolo Highway. DHy explained that to implement the proposed modifications, an application for a Variation to the Environmental Permit would be submitted to the Environment Protection Department (EPD) for the deferment of the barriers required for planned future developments. Information on existing and anticipated noise levels would be provided to EPD for consideration. As such, there was no need to forward a separate application to ACE for endorsement.

36. Mr Albert CHAN was also concerned about the adverse environmental impact caused by the proposed modification programmes. He pointed out that as a result of the proposed removal of barriers, the noise levels at some NSRs would increase from some 50 dB(A) to 70 dB(A). A noisy environment would certainly affect the teaching environment at the Chinese University of Hong Kong.

37. DHy said that some of the existing premises along Tolo Highway were already exposed to excessive traffic noise. As such, the proposed removal of noise barriers was not meant to bring about a new problem to the area. Mr Albert CHAN requested the Administration to provide further information on the projected noise level before and after the proposed modification programme at different NSRs.

Admin

Relocation plan of noise barrier materials

38. In view of wide public concern about the mismatch of resources in the provision of noise barriers on existing roads, Mr CHENG Kar-foo urged the Administration to speed up the examination of the alternative use of the demolished noise barrier materials from Tolo Highway. He also enquired about the criteria for determining the relocation proposals.

39. D of Hy replied that subject to members' view of the proposed modifications to the noise barriers in Tolo Highway widening project, the Administration would finalize the modification programme and evaluate the alternative use of the demolished noise barrier materials. Whilst a detailed plan had yet to be drawn up, the Administration undertook to report to the Panel in May 2003 as agreed at the meeting held in November 2002.

40. Mr CHENG Kar-foo remarked that as the Secretary for the Environment, Transport and Works had already made clear how the matter would take forward, the Administration should speed up the implementation of the associated relocation plan.

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He also requested the Administration to provide information on the details of the relocation plan and the criteria for determining the allocation of the demolished noise barrier materials for use in other noisy roads.

The way forward

41. Mr LAU Kong-wah said that in order to ascertain the scope and appropriateness of the proposed modifications to the noise barriers, he suggested that local views be sought before a firm decision was made on the way forward.

Admin

42. Mr CHENG Kar-foo requested the Administration to provide a monochrome diagram showing the existing/planned NSRs including their uses, the affected number of dwellings and the proposed layout of the noise barriers for the existing/planned developments.

43. Members agreed to conduct a site visit together with the Administration and representatives of the Shatin, Tai Po and North District Councils. The Chairman requested the Administration to provide further information as requested by members at the meeting before the site visit which might probably be held on either 13 or 14 February 2003.

(Post-meeting note: With the concurrence of the Chairman, the site visit was scheduled for 14 February 2003.)

44. Members agreed to hold another meeting on 21 February 2003 at 10:45 am to continue discussion with the Administration on the outstanding issues.

(Post-meeting note: The item was subsequently scheduled for discussion at the meeting on 28 February 2003.)

V Island Line Extensions, Route 7 and South Hong Kong Island Line

(Ref: ETWB(T)CR 11/1016/99 - Legislative Council Brief on Island Line Extensions, Route 7 and South Hong Kong Island Line provided by the Administration)

45. At the invitation of the Chairman, DS for ETW briefed members on the salient points as set out in the Legislative Council Brief under Ref. ETWB(T) CR11/1016/99.

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West Hong Kong Island Line

46. Mr LAU Kong-wah expressed concern about the Administration's plan to hold in abeyance the planning for West Hong Kong Island Line (WIL) Phase 2 from Belcher to Kennedy Town until the way forward for the Western District Development (WDD) reclamation was clear.

47. DS for ETW explained that having considered the cost and benefit, the Administration was of the view that the development of WIL Phase 2 was more contingent upon the WDD. The Administration would keep in view the development of WDD and WIL Phase 2, taking into account the transport needs of residents in the near-by.

South Hong Kong Island Line

48. Mr LEUNG Fu-wah urged the Administration to request MTR Corporation Limited (MTRCL) to review the alignment of SIL with a view to extending the railway line to catchment areas in Aberdeen.

49. Noting that the South Hong Kong Island Line (SIL) would generate an economic internal rate of return (EIRR) of 16%, Mr LAU Kong-wah enquired about the basis of the projection.

50. Considering the keen competition from buses, Mr LAU Kong-wah was concerned about the viability of SIL. He asked if the Administration had plan to cut the bus services on Hong Kong Island so as to improve the viability of SIL. Given that SIL needed government's funding support, he was worried that SIL might become a financial burden to the MTRCL and induce pressure on fare increase of existing MTR railway lines.

51. As regards the investment in the SIL, DS for ETW said that the SIL would enhance accessibility of the tourists attractions in the Southern District, including the planned redevelopment of the Ocean Park and help promote Hong Kong's tourism industry. However, for the project to achieve the Corporation's required return for new projects, it would likely need government's financial support. The Administration would invite MTRCL to plan and operate the SIL subject to agreement being reached between Government and MTRCL on the technical and financial issues regarding the project. The Administration would ask MTRCL to review its SIL proposal, with a view to reducing costs and extending the railway line to better serve the population in Aberdeen. The funding gap might be filled by granting property development rights or other options. The Administration would further explore the subject matter.

52. At the request of Mr LAU, DS for ETW undertook to provide further information on how the 16% EIRR was arrived at.

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53. On the restructuring proposal of bus service upon commissioning of SIL, DS for ETW said that the Administration would maintain healthy competition among various modes of public transport. However, the bus network would have to be rationalized in due course. On fare, the existing MTR fare structure was expected to be applicable to the SIL which used monorail trains.

Admin

54. In response to Mr Albert CHAN, DS for ETW advised that SIL should have less visual impacts as most of its alignment would be in tunnel. Mr CHAN requested the Administration to provide further information on the distribution of the viaduct and tunnel sections of SIL.

55. Mr Albert CHAN was of the view that unless adequate road infrastructure was already in place, road infrastructural development should prevail over railway development, having regard to their cost-effectiveness. Unlike road system, railway would be closed down during mid-night and, in turn, deprived the right of access to users.

56. DS for ETW said that in line with other advanced countries, one of the Government's transport policies was that railway would form the backbone of the future passenger transport network. According to the preliminary assessment of MTRCL, it would take four years to complete SIL's construction work.

North Hong Kong Island Line

57. Referring to paragraph 5 of the Legislative Council Brief, Mr CHENG Kar-foo was concerned about the funding arrangement for the protection works for the North Hong Kong Island Line (NIL). Noting that if these works were not carried out at the same time as Territory Development Department's reclamation projects in Central and Wanchai, there would be cost, engineering, traffic and environmental implications when the NIL was actually built. Mr CHENG was worried that the general public would, in the end, bear the consequence of MTRCL's refusal to take up the funding arrangement at this stage.

Admin

58. DS for ETW clarified that while the absence of these protection works would make it much more difficult, costly and disruptive to construct the future NIL, the Administration's assessment was that their absence should not render future railway construction impossible. In considering that the NIL would not be in place before 2016, the Administration was of the view that it was not desirable to fund such advance protection works on NIL as the final alignment of NIL might vary due to changes in land use planning and development. He undertook to provide further information in this regard.

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VI Any other business

59. There being no other business, the meeting ended at 1:00 pm.

Council Business Division 1
Legislative Council Secretariat
24 February 2003