



土木工程署
**Civil Engineering
Department**

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Clerk
Public Accounts Committee
Legislative Council Building,
8 Jackson Road, Central,
Hong Kong.
Fax No. 2537 1204
(Attn: Ms. Dora WAI)

10 February 2004

Urgent By Hand

Dear Sir,

**The Director of Audit's Report on the
Results of value for money audits (Report No. 41)
Chapter 8 : The acquisition and clearance of shipyard sites**

I refer to your letter dated 12 December 2003. I attach copies of the extracts of papers and minutes of the meetings of the Steering Committee relevant to the acquisition of the PB shipyard site. These records cover 17 meetings.

As Government is considering legal actions to seek to recover the decontamination costs incurred, following legal advice, all communications between Government and its legal advisers for the purpose of seeking or giving legal advice (i.e. information subject to legal professional privilege) and information that may prejudice Government's position in litigation are not included in the attached extracts.

Furthermore, the decommissioning and decontamination of the Penny's Bay Shipyard is part of the Government's works required to be done under the agreement between Government and the theme park operators on the Hong Kong Disneyland Project, and Government has to comply with the confidentiality provisions in the said agreement. On legal advice, the information subject to confidentiality restrictions, therefore, has not been included in the attached extracts.

Chinese translation of this letter and the attached documents will follow.

Yours faithfully,



(T K Tsao)

Director of Civil Engineering

Encl.

c.c.	Secretary for the Environment, Transport, and Works	}
	Director of Lands	}
	Director of Environmental Protection	} w/encl.
	Commissioner for Tourism	}
	Secretary for Financial Services and the Treasury (Attn: Ms Amy TSE)	}
	Director of Audit	}

Relevant papers and minutes of the meetings of the Steering Committee in relation to the acquisition of the PB shipyard sites in chronological order

<u>Meeting on 22 December 1999</u>	<ul style="list-style-type: none"> • Paras.11 and 18 of the minutes of the meeting
<u>Meeting on 16 February 2000</u>	<ul style="list-style-type: none"> • Para.12 of the minutes of the meeting
<u>Meeting on 25 March 2000</u>	<ul style="list-style-type: none"> • Paras. 4 and 6 and paras. 9 - 10 of the minutes of the meeting
<u>Meeting on 15 April 2000</u>	<ul style="list-style-type: none"> • Paras. 8 and 9 (b) & (c) of the minutes of the meeting
<u>Meeting on 20 May 2000</u>	<ul style="list-style-type: none"> • Paras. 7 – 8 and 12 of the minutes of the meeting
<u>Meeting on 17 June 2000</u>	<ul style="list-style-type: none"> • Paras. 17 – 19 of the minutes of the meeting
<u>Meeting on 19 August 2000</u>	<ul style="list-style-type: none"> • Paras. 8 - 9 and paras 11 – 12 of the minutes of the meeting
<u>Meeting on 14 September 2000</u>	<ul style="list-style-type: none"> • Paras. 11 – 13 of the minutes of the meeting • Lands D's paper (No. 19/00) on Resumption of Cheoy Lee Shipyard
<u>Meeting on 21 October 2000</u>	<ul style="list-style-type: none"> • Paras. 4 - 6 of the minutes of the meeting • Proposed resumption schedules
<u>Meeting on 18 November 2000</u>	<ul style="list-style-type: none"> • Paras. 3 and 4 of the minutes of the meeting • Lands D's Information Note on Caltex Procedures
<u>Meeting on 16 December 2000</u>	<ul style="list-style-type: none"> • Para. 8 of CED's paper (No. 25/00)
<u>Meeting on 17 February 2001</u>	<ul style="list-style-type: none"> • Para. 9 of minutes of the meeting • Para. 11 of CED's paper (No. 3/01)
<u>Meeting on 17 March 2001</u>	<ul style="list-style-type: none"> • Paras. 6 - 8 of minutes of the meeting • Para. 12 of CED's paper (No. 6/01)

Relevant papers and minutes of the meetings of the Steering Committee in relation to the acquisition of the PB shipyard sites in chronological order

<u>Meeting on 11 April 2001</u>	<ul style="list-style-type: none">• Paras. 6 and 7 of minutes of the meeting• Para. 11 of CED's paper (No. 9/01)
<u>Meeting on 14 July 2001</u>	<ul style="list-style-type: none">• Para. 8 of the minutes of the meeting• Para. 11 of CED's paper (No. 15/01)
<u>Meeting on 18 August 2001</u>	<ul style="list-style-type: none">• Para. 6 of the minutes of the meeting• Para. 9 of CED's paper (No. 17/01)
<u>Meeting on 15 September 2001</u>	<ul style="list-style-type: none">• Para. 3 of the minutes of the meeting• Para. 10 of CED's paper (No. 20/01)

Notes of Preparatory Meeting
Steering Committee on Implementation of Hong Kong Disneyland
22 December 1999 at 2:30pm at Room 1220, CGO West Wing

PRESENT

Mr Donald Tsang (Chairman)	Financial Secretary
Mr Stephen Ip	Secretary for Economic Services
Mr Nicholas Ng	Secretary for Transport
Miss Denise Yue	Secretary for the Treasury
Mr S S Lee	Secretary for Works
Mr M J T Rowse	Commissioner for Tourism
Mr Gary Yeung	Ag. Deputy Secretary for Planning, Environment & Lands (Lands & Planning)
Mr Wilson Fung	Principal Assistant Secretary for Planning, Environment & Lands (Planning)
Mr Jonathan McKinley	Principal Assistant Secretary for Home Affairs (Recreation & Sports)
Mr Y C Lo	Director of Civil Engineering
Mr R D Pope	Director of Lands
Mr Bosco Fung	Director of Planning
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr D J Howells	Assistant Director (Geo)/Mainland, Civil Engineering Department
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr Joe Wong (Secretary)	Assistant Commissioner for Tourism 3
Ms Winnie Ng	Assistant Secretary for Economic Services (Tourism)3

Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 22 December 1999

11.

Mr Lo reported that the gazettal period ended on 15 December 1999 and we had received five objections from the Cheoy Lee Shipyard, a green group and two fishermen's associations. These objections were being processed and a submission would be put to ExCo later.

18. On early access to the Cheoy Lee Shipyard to carry out site investigations, Mr Pope reported that he had spoken with the two agents concerned and understood that they would try to persuade their clients to be co-operative. However what form this would take had yet to be identified.

Notes of First Meeting
Steering Committee on Implementation of Hong Kong Disneyland
16 February at 10:00am at Room 1220, CGO West Wing

PRESENT

Mr Donald Tsang (Chairman)	Financial Secretary
Mr Stephen Ip	Secretary for Economic Services
Miss Denise Yue	Secretary for the Treasury
Mr M J T Rowse	Commissioner for Tourism
Mr Kevin Ho	Deputy Secretary for Transport
Mr M M Glass	Deputy Secretary for the Treasury
Mr Patrick Lau	Deputy Secretary for Planning and Lands
Mrs Stella Hung	Deputy Secretary for Works
Mr Kim Salkeld	Deputy Secretary for Environment and Food
Mr Jonathan McKinley	Principal Assistant Secretary for Home Affairs (Recreation & Sports)
Mr Frankie Fan	Senior Executive Officer (Recreation & Sports), Home Affairs Bureau
Mr Thomas Chan	Director of Information Services
Mr Y C Lo	Director of Civil Engineering
Mr Bosco Fung	Director of Planning
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr J S Corrigall	Deputy Director of Lands (Specialist)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr Joe Wong (Secretary)	Assistant Commissioner for Tourism 3
Ms Winnie Ng	Assistant Secretary for Economic Services (Tourism)3

Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 16 February 2000

12. Mr Lo pointed out that the resumption of Cheoy Lee Shipyard was critical to the timely completion of Government's works. In response –

- (a) Mr Rowse explained that two issues were involved – early access to the shipyard site to carry out investigation for the subsequent decommissioning work, and resumption or surrender of the site. In respect of the latter, the preferred approach was voluntary surrender by negotiations. Otherwise three ordinances would need to be invoked for resumption, i.e. Roads (Works, Use and Compensation) Ordinance, Railways Ordinance and Lands Resumption Ordinance. We could only determine the area to be resumed under the third ordinance after completion of procedures under the first two which might necessitate a revision in the alignment of the rail and roads in question.

- (b) Mr Corrigan said on funding he had a brief discussion with Mr Rowse and agreed that D of L should bid for provisions in the 2001-02 financial year for payment of compensation to be negotiated in the coming year.

Notes of Second Meeting
Steering Committee on Implementation of Hong Kong Disneyland
25 March 2000 at 10:00am at Room 1220, CGO West Wing

PRESENT

Mr Donald Tsang (Chairman)	Financial Secretary
Mr Stephen Ip	Secretary for Economic Services
Miss Denise Yue	Secretary for the Treasury
Mr S S Lee	Secretary for Works
Mr Patrick Lau	Ag. Secretary for Planning and Lands
Mr M J T Rowse	Commissioner for Tourism
Mr Kevin Ho	Deputy Secretary for Transport
Mr Kim Salkeld	Deputy Secretary for Environment and Food
Mr R D Pope	Director of Lands
Mr Y C Lo	Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr P Y Tam	Assistant Director of Planning (New Territories)
Ms Winnie Ng (Secretary)	Ag. Assistant Commissioner for Tourism 3

Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 25 March 2000

4. the latest position –

Mr Pope reported

- (a) On the advice of a London QC, the Government was planning to seek ExCo's approval on 28 March to de-gazette the 1995 notice, in addition to gazetting a new scheme under the Foreshore and Seabed (Reclamations) Ordinance.
- (b) Prior to serving a notice on the appellant in respect of the de-gazettal as required by law, the Government had explained to the appellant's agent that the de-gazettal was necessary for tidying up purposes.
- (c) Nevertheless, the appellant submitted a letter of objection threatening a judicial review in respect of the de-gazettal.
- (d) On review, Lands D, subject to legal advice, considered that it would be better for the Government to proceed without the de-gazettal.
- (e) Lands D was checking to confirm that in the event of a judicial review, the 2000 reclamation scheme would not be affected.

(Post-meeting note : Subsequent to receiving legal advice, D of Lands did not change the recommendation in the ExCo paper to de-gazette the 1995 reclamation.)

6. On compensation, Mr Pope said that he was recommending that this project fall under the "Zone A" category given its territory-wide significance, in which case the amount of compensation would exceed \$1 billion. Lands D would put the proposal to CSC to confirm the "Zone A" status, and would bid for resources under its block vote for 2001-02 for the compensation.

Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 25 March 2000

9. Mr Lee pointed out that early access to and early resumption of the site were critical to the overall programme. In addition, EPD had expressed concern that there might not be sufficient time for preparation of the EIA for decommissioning of the shipyard.

10. Mr Pope responded that Lands D had been in discussion with the shipyard on voluntary surrender. Nevertheless, there must first be in place a gazetted scheme after which the site could be surrendered any time. Lands D had also been trying to secure early access to the site. The latest development in respect of the de-gazettal (see paragraph 4 above) had however complicated the situation.

Notes of Third Meeting
Steering Committee on Implementation of Hong Kong Disneyland
15 April 2000 at 9:30am at Room 1220, CGO West Wing

PRESENT

Mr Donald Tsang (Chairman)	Financial Secretary
Mr Stephen Ip	Secretary for Economic Services
Miss Denise Yue	Secretary for the Treasury
Mr Gordon Siu	Secretary for Planning and Lands
Mr H K Wong	Ag. Secretary for Works
Mr M J T Rowse	Commissioner for Tourism
Mr Kevin Ho	Deputy Secretary for Transport
Mr C C Chan	Ag. Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr P C Chan	Deputy Director of Planning
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism 3
Ms Winnie Ng	Assistant Secretary for Economic Services (Tourism)3

Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 15 April 2000

8. Mr Rowse reported that with the knowledge of D of L, he had met the agents representing the two shareholders of Penny's Bay Investment Limited, the owner company of the shipyard site. The outcome of the discussion, which had been conveyed to D of L, was as follows –

- (a) The Company wished to proceed by voluntary surrender. They hoped to reach a conclusion in the next few months so that compensation would be awarded around April next year. This matched the Government's timetable.
- (b) There was a difference of views regarding the methodology for calculating the compensation.
- (c) The Company felt aggrieved by the de-gazettal of the 1995 reclamation notice as they wanted to rely on this previous gazette to seek compensation, which it believed would be to its advantage.

9. In response to Members' comments and questions, Mr Rowse made the following points –

- (b) The alternative to voluntary surrender would be resumption. DCE had requested D of L to expedite physical resumption of the site upon completion of the statutory procedures.
- (c) We were proceeding in parallel with both alternatives, and had made clear to the shipyard owners that the project timetable could cope with the resumption route.

Notes of Fourth Meeting
Steering Committee on Implementation of Hong Kong Disneyland
20 May 2000 at 9:30am at Room 1220, CGO West Wing

PRESENT

Mr Rafael S Y Hui (Chairman)	Ag. Financial Secretary
Mr S S Lee	Secretary for Works
Mr Patrick Lau	Ag. Secretary for Planning and Lands
Mr M J T Rowse	Commissioner for Tourism
Mr M M Glass	Deputy Secretary for the Treasury (2)
Ms Kitty Choi	Principal Assistant Secretary for Transport (8)
Mr R D Pope	Director of Lands
Mr Y C Lo	Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr P Y Tam	Assistant Director for Planning (NT)
Mr Charles Barr	Deputy Law Officer (Civil Law)
Ms Elsa Po	Senior Government Counsel
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism (3)
Ms Winnie Ng	Assistant Secretary for Economic Services (Tourism)3

ABSENT WITH APOLOGY

Mr Stephen Ip	Secretary for Economic Services
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Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 20 May 2000

7. Mr Lo reported that as advised by DEP, six out of the eight environmental permits had been issued. The remaining two would only be available in about 18 to 24 months' time, after completion of the decommissioning study for Cheoy Lee Shipyard.

8. On the number of permits, Mr Rowse said that another permit would be needed for Penny's Bay Rail Link. On the two outstanding permits, Mr Pope advised that the owners of Cheoy Lee Shipyard had indicated that they were prepared to allow early access to the site and would confirm in writing. On resumption of the site, Lands D had been working towards an early surrender and would seek clearance from CSC in June to upgrade the land from "Zone C" to "Zone A" for the purpose of calculating ex-gratia compensation rates.

12. The Chairman noted that overall the timetable had remained intact. Mr Rowse explained that in the "real world", the critical issues were commencement of the reclamation which we had achieved, early access to and resumption of Cheoy Lee Shipyard, and completion of our negotiations with MTRC on the rail link.

Notes of Fifth Meeting
Steering Committee on Implementation of Hong Kong Disneyland
17 June 2000 at 9:30am at Room 1220, CGO West Wing

PRESENT

Miss Denise Yue (Chairman)	Ag. Financial Secretary
Mr Gordon Siu	Secretary for Planning and Lands
Mr S S Lee	Secretary for Works
Mr M J T Rowse	Commissioner for Tourism
Mr M M Glass	Deputy Secretary for the Treasury (2)
Mr Kevin Ho	Deputy Secretary for Transport (1)
Mr Y C Lo	Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr P Y Tam	Assistant Director for Planning (NT)
Mr Charles Barr	Deputy Law Officer (Civil Law)
Ms Monna Lai	Government Counsel
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism (3)
Ms Winnie Ng	Assistant Secretary for Economic Services (Tourism)3

ABSENT WITH APOLOGY

Ms Maria Kwan	Ag. Secretary for Economic Services
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Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 17 June 2000

17. Mr Au informed Members that the owners of Cheoy Lee Shipyard had agreed to allow the Government early access to the site to carry out investigation works. He urged CED to commence work on the decommissioning study as soon as possible.

18. Mr W K Tam responded that there were restrictions on the types of work that could be done on site at this stage. A full-scale investigation could only be completed after resumption (or voluntary surrender) of the site. CED could nevertheless take this opportunity to define the scope of the decommissioning study.

19. The Chairman said that we should carry out as much advance work as possible, within the parameters laid down by the owners.

Notes of Seventh Meeting
Steering Committee on Implementation of Hong Kong Disneyland
19 August 2000 at 9:30am at Room 1220, CGO West Wing

PRESENT

Mr Stephen Ip (Chairman)	Ag. Financial Secretary
Miss Denise Yue	Secretary for the Treasury
Mr S S Lee	Secretary for Works
Ms Sandra Lee	Secretary for Economic Services
Mr Kevin Ho	Deputy Secretary for Transport
Mr Patrick Lau	Deputy Secretary for Planning and Lands
Mr C C Chan	Ag. Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr P Y Tam	Assistant Director for Planning (NT)
Mr Charles Barr	Deputy Law Officer (Civil Law) (Commercial)
Ms Monna Lai	Government Counsel
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism (3)

Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 19 August 2000

8. In response to the Chairman's query on whether CLS could be resumed earlier than November 2001, Mr Lee said that Lands Department were negotiating with the owners of CLS on voluntary surrender which, if successful, would expedite the entire resumption programme. It was possible that the CLS site could be secured earlier than November 2001, though not necessarily as early as April 2001. Lands Department were proceeding in parallel with the necessary work for resumption.

9. Ms Lee remarked that an early internal deadline should be set for the voluntary surrender negotiations to allow the Government enough time to proceed with resumption procedures should the negotiations fail. Mr Lau and Mr Lee advised that an internal target date had been set for April 2001. The resumption procedures would start on 18 April 2001.

11. In response to Miss Yue's query, Mr Lau confirmed that the compensation rates for CLS had been upgraded to Zone A.

12. Mr Au noted that the decommissioning EIA study for CLS would only commence in December 2001. He asked if the study could commence earlier. The acquisition of soil samples and other investigation work, for example, could be done now. In response, Mr Tam said that CED were trying to do as much advance work as possible, for example, preparing the study brief for EPD's consideration and approval. However, as the CLS site was currently privately owned and some areas had been built over, full-scale investigation work could not be conducted at this stage.

Notes of Eighth Meeting
Steering Committee on Implementation of Hong Kong Disneyland
14 September 2000 at 9:30am at Room 1220, CGO West Wing

PRESENT

Mr Donald Tsang (Chairman)	Financial Secretary
Ms Sandra Lee	Secretary for Economic Services
Miss Denise Yue	Secretary for the Treasury
Mr S S Lee	Secretary for Works
Mr Patrick Lau	Ag. Secretary for Planning and Lands
Mr M J T Rowse	Commissioner for Tourism
Mr Kevin Ho	Deputy Secretary for Transport
Mr Kim Salkeld	Deputy Secretary for Environment and Food
Mr R D Pope	Director of Lands
Mr C C Chan	Ag. Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr P Y Tam	Assistant Director of Planning (NT)
Mr Charles Barr	Deputy Law Officer (Civil Law) (Commercial)
Ms Elsa Po	Senior Government Counsel
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism (3)
Ms Winnie Ng	Assistant Secretary for Economic Services (Tourism)3

Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 14 September 2000

(Paper No. 19/00 for Information)

11. Mr Pope introduced the paper, pointing out that –

- (a) Lands D had opened negotiations with the agents of the lot owner. Relationship between the two sides remained good, as evident by the agreement to allow CED to enter the site for preliminary investigation.
- (b) Resumption or voluntary surrender could only take place after authorisation of the road schemes. The authorisation was anticipated in April 2001 but there had been indication that it might be advanced to January 2001.
- (c) As agreed earlier, instead of seeking FC's approval for payment within the current financial year, payment would be effected in 2001-02.

12. Mr Lee advised that the road schemes had been gazetted and the objection period would end later this month. At the last Works Progress Committee meeting, it was agreed that CED should try to expedite and secure the authorisation by January 2001. He was however concerned that the overall project timetable would be at risk if the negotiations on voluntary surrender failed. He urged Lands D to speed up the procedures as far as possible.

13. In response, Mr Pope said that the owners had indicated willingness to surrender the site early given the substantial amount of compensation, but at this stage he could not foresee the outcome. Should the negotiations fail, an additional six months or so would be needed given possible complications during site clearance. Lands D would consider ways to speed up the resumption programme should this become necessary.

**Steering Committee on
Implementation of Hong Kong Disneyland**

Resumption of Cheoy Lee Shipyard

Purpose

To brief the Committee on the resumption programme for Lot No. 22 in DD 356 which is occupied by Cheoy Lee Shipyard (the Lot) and to discuss whether the Lot could be made available earlier through voluntary surrender.

Current Compensation Negotiation with Lot Owner

2. Lands D has opened negotiations with the Agents of the lot owner, PBI Ltd, on the basis of compensation for the loss of marine right due to the two authorizations gazetted under the Foreshore and Sea-Bed (Reclamations) Ordinance (Cap. 127) on 5.5.1995 and 14.4.2000 respectively and for the eventual acquisition of the Lot, by resumption under the Lands Resumption Ordinance (Cap. 124) or by agreement. During the course of negotiation, the Agents have indicated that the lot owner is interested in surrendering the Lot voluntarily, particularly given the lot's Zone A status for NT building land ex-gratia compensation (about \$1,483M).

Current Permitted Works within the Lot

3. CED intends to carry out preliminary site investigation works (drilling 13 boreholes) within the Lot in September, 2000. The lot owner has agreed to allow CED to do so subject to an agreement being reached on the terms and conditions imposed by the lot owner for such works. CED is still in discussion with the lot owner on the said terms and conditions.

4. CED also hopes to obtain consent from the lot owner to allow them to carry out the full site investigation works for the shipyard decommissioning and EIA study prior to the reversion of the Lot to the Government. This will enable earlier commencement of construction works.

Site Handover Date

5. According to Lands D's previous discussion with CED, the target date for handing vacant possession of the whole Lot (with structures) to CED was 30.11.2001.

6. However, CED has now drawn up 3 Milestone Programmes for essential Government works within the Lot with the site possession dates at 1/2001, 4/2001 and 9/2001.

Tentative Resumption Programme

7. The Roads (Works, Use and Compensation) Ordinance (Cap. 370) and the Lands Resumption Ordinance (Cap. 124) will be invoked to resume different parts of the Lot (see attached plan).

Gazetting under

Cap. 370 took place on 21.7.2000 with the objection period expiring on 19.9.2000. Lands D's original target was for CED to obtain authorization of the road schemes by mid-January 2001, after which Lands D would seek approval from the Deputy Director of Lands under delegated authority to resume parts of the Lot under Cap. 370 and ExCo's Order to resume the remaining parts of the Lot under Cap. 124. Whilst resumption can only take place upon authorization of the road schemes, preparatory works including the preparation of the draft ExCo paper can be carried out before that. Resumption under the two Ordinances will be implemented simultaneously with a common reversion date. The resumption submissions under Cap. 370 and Cap. 124 will be circulated and finalised before the authorization of the road schemes.

8. The time required for the major activities after the authorization of the road schemes is summarised as follows:-

- | | | |
|-------|--------------------------------------------------------------------------------------|---------------------------------|
| (i) | Approval of resumption submission under Cap. 370 and gazetting of resumption notice | ½ month |
| (ii) | Approval for resumption submission under Cap. 124 and gazetting of resumption notice | 1¾ months |
| (iii) | Reversion after gazetting of resumption notice | 3 months
(Statutory 1 month) |
| (iv) | Clearance of occupier after reversion | 1 month |

9. As CED has advised that their infrastructure works consultants are currently programming the proposed road works to be authorised under Cap. 370 in mid-April 2001, a Jan 2001 possession date is out of the question and the only way an April 2001 possession date can be achieved is by our negotiating a voluntary surrender.

Voluntary Surrender

10. Under the current land policy, a voluntary surrender for cash compensation can only take place if the following conditions have been met:-

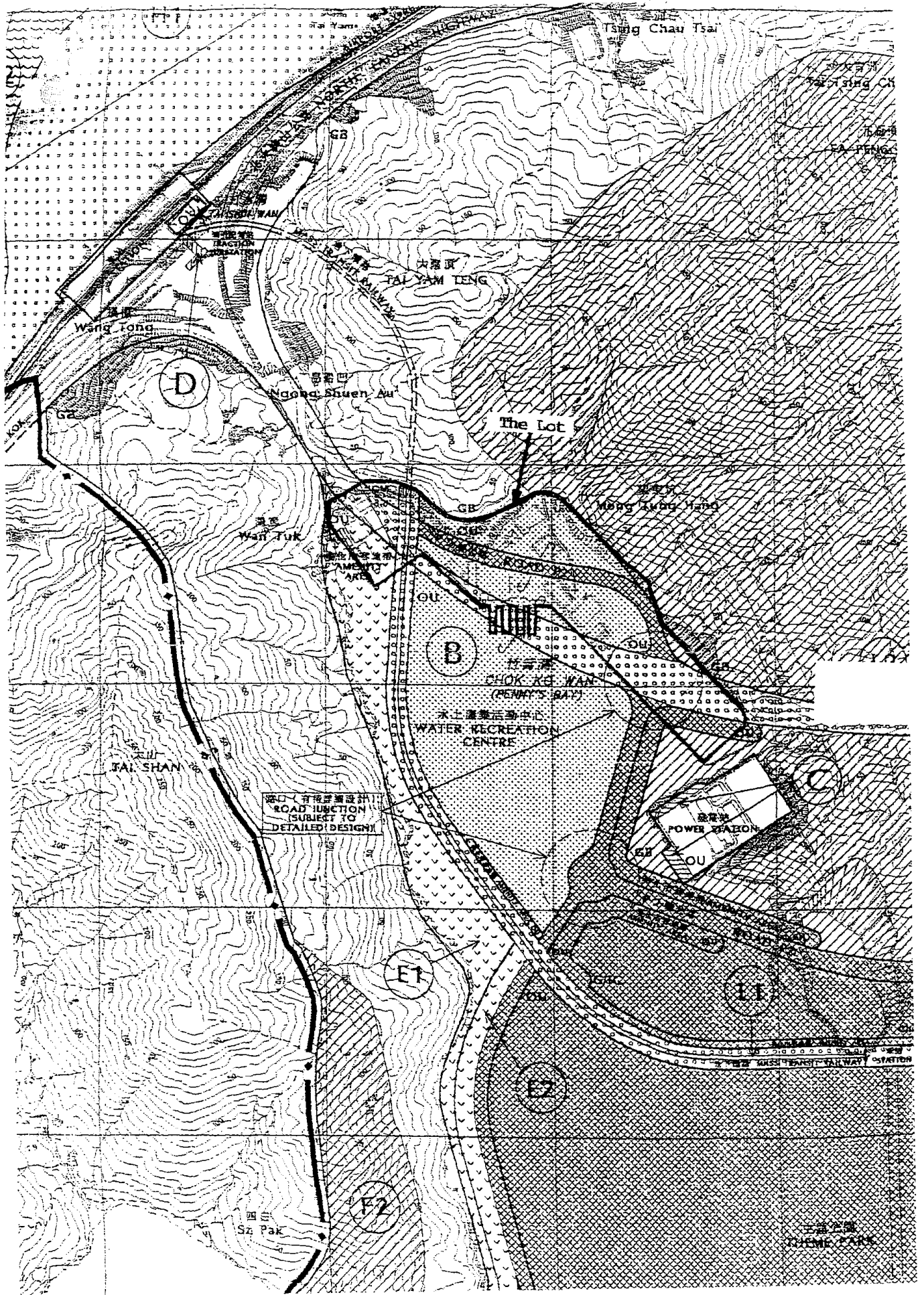
- (i) The client department has confirmed that the land to be acquired is within the project boundary or an approved layout and is urgently required for the implementation of the project.
- (ii) The client department has requested Lands D to proceed with the acquisition of the affected land.
- (iii) Acquisition funds are available.
- (iv) All the required statutory authorizations are in place.

11. In this case, Conditions (i) & (ii) have been met but no funds have been reserved for the acquisition of the Lot in this financial year. Whilst it would be possible to seek special allocation of funds (estimated in the sum of about \$2B) from FC in this financial year, it is understood that this is not favoured. In any event, it would be inappropriate to approve a voluntary surrender of the Lot before the authorization of the road schemes as this would have the implication of pre-empting ExCo's approval for the road schemes.

The Way Forward

12. Lands D will prepare an ExCo memorandum recommending resumption with a view to getting this approved as soon as possible after authorization of the road works. Negotiations for a voluntary surrender will be opened around Jan 2001 with a view to reaching agreement on a voluntary surrender to take place in April 2001 (or after such later date as the road schemes may be authorized). If those negotiations fail, the resumption will run its course and possession should be obtained sometime at the earliest by 7.10.2001. This assumes everything proceeds in straightforward manner, with, for example, no objections to the resumption being received and there being no application for judicial review.

Lands Department
September 2000



Notes of Ninth Meeting
Steering Committee on Implementation of Hong Kong Disneyland
21 October 2000 at 9:30am at Room 1220, CGO West Wing

PRESENT

Miss Denise Yue (Chairperson)	Ag. Financial Secretary
Ms Sandra Lee	Secretary for Economic Services
Mr S S Lee	Secretary for Works
Mr Gordon Siu	Secretary for Planning and Lands
Mr M M Glass	Deputy Secretary for the Treasury
Mr Kevin Ho	Deputy Secretary for Transport
Mr Arthur Ng	Deputy Secretary for Home Affairs
Mrs Erika Hui	Ag. Commissioner for Tourism
Dr C K Lau	Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr P Y Tam	Assistant Director of Planning (NT)
Mr Charles Barr	Deputy Law Officer (Civil Law) (Commercial)
Ms Monna Lai	Government Counsel
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism (3)
Ms Winnie Ng	Assistant Secretary for Economic Services (Tourism)3

Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 21 October 2000

4. Mr Lee referred to the two resumption schedules tabled which had been agreed with Lands D. According to the schedules, resumption of CLS would take place in April 2001 under both the Roads Ordinance and Lands Resumption Ordinance, which fit in well with CED's overall project timetable.

5. Ms Lee commented that it was important to ensure that procedures under both ordinances proceed at the same pace to ensure a timely reversion. In response, Mr Siu said that PLB could instruct Lands D to assign the same team of staff to handle both sets of procedures. He also proposed that D of Lands be present at coming Committee meetings until completion of the exercise.

6. On "Caltex Procedures", Mr Lee explained that this arose from a court case which required the Government to duly take into account the objectors' views. The Chairperson stressed the importance of ensuring a due process so that the Government would not be caught by this technicality. She asked the Secretary to request additional information on this issue from Lands D and circulate to Members for their information.

**9th Meeting of Steering Committee on Implementation of HKD
Information Note on Resumption Programme of Cheoy Lee Shipyard**

- (1) Proposed schedule for resuming lands within Cheoy Lee Shipyard affected by roadworks under Roads Ordinance, Cap. 370

Step	Activity	Responsible Party	Target Date (Actual)
1	Gazette Scheme & Plan under sec 8 of the Ordinance	CED/TB	(21 July 2000)
2	Resolve objections if any & prepare ExCo Paper	CED	
3	Authorise Scheme & Plan	(L&WSC) ExCo	5 January 2001 16 January 2001
4	ExCo decision received (already accounted for Chinese New Year recess)		2 February 2001
5	Gazette authorisation under sec 11 of the Ordinance	CED/TB	9 February 2001
6	Submission for Resumption Order under sec 13 and Notice under sec 14 of the Ordinance	DLO/Is	16 February 2001
7	Clearance of resumption submission & order of resumption	ACQ/HQ Lands D DD/S	2 March 2001
8	Gazette of Resumption Notice under sec 14 of the Ordinance	Lands D	9 March 2001
9	Affixing of Resumption Notice	DLO/Is	8 March 2001
10	Reversion (1 month)		9 April 2001

(II) Proposed schedule for resuming all remaining lands of Cheoy Lee Shipyard under Lands Resumption Ordinance, Cap. 124

Step	Activity	Responsible Party	Target Date (Actual)
1	Draft Resumption submission	DLO/Is	(10 October 2000)
2	Internal clearance of draft ExCo submission	ACQ/HQ Lands D	To be advised by Lands D
3	External circulation of ExCo submission 1 st draft revised drafts clearance of final draft	Lands D D of J	mid December 2000 *
4	Submission to Clerk to Council	Lands D	
5	L&WSC of ExCo meeting	(L&WSC) ExCo	16 January 2001
6	ExCo decision received		
7	Gazette Resumption Notice under sec 4 of the Ordinance	Lands D	2 March 2001
8	Affixing of Resumption Notice (action to be synchronized with that under Roads Ordinance)	DLO/Is	8 March 2001
9	Reversion (1 month)		9 April 2001

* Assume no Caltex Procedures

Notes of Tenth Meeting
Steering Committee on Implementation of Hong Kong Disneyland
18 November 2000 at 9:30am at Room 1220, CGO West Wing

PRESENT

Mr Stephen Ip (Chairman)	Ag. Financial Secretary
Ms Sandra Lee	Secretary for Economic Services
Mr S S Lee	Secretary for Works
Mr M M Glass	Deputy Secretary for the Treasury
Mr Kevin Ho	Deputy Secretary for Transport
Mr Kim Salkeld	Deputy Secretary for Environment & Food
Mr Stephen Fisher	Deputy Secretary for Planning & Lands
Mr R D Pope	Director of Lands
Dr C K Lau	Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr P Y Tam	Assistant Director of Planning (NT)
Mr Charles Barr	Deputy Law Officer (Civil Law) (Commercial)
Ms Elsa Po	Senior Government Counsel
Ms Winnie Ng (Secretary)	Ag. Assistant Commissioner for Tourism (3)

IN ATTENDANCE (for agenda item no. 5 only)

Miss Dora Fu	Principal Assistant Secretary for Environment and Food
Mr M K Cheung	Assistant Director (Fisheries), AFCD

ABSENT WITH APOLOGIES

Mrs Erika Hui	Ag. Commissioner for Tourism
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Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 18 November 2000

3. Mr Pope confirmed that he would attend future meetings of this Committee until the completion of this resumption exercise, and that the same team of staff in Lands D would process different parts of the resumption concurrently being dealt with under the Roads Ordinance and Lands Resumption Ordinance.

4. Mr Pope introduced the information note on Caltex Procedures. He advised that Lands D had been maintaining a useful dialogue with CLS. So far there was no indication that CLS would raise any objections under the Lands Resumption Ordinance which would then invoke the Caltex Procedures.

**Steering Committee on
Implementation of Hong Kong Disneyland**

Information Note - Caltex Procedures

The Lands Resumption Ordinance (Cap. 124) has no provision for parties to be affected by a proposed resumption to be consulted, unlike most other ordinances where resumption powers may be invoked e.g. the Roads (Works, Use and Compensation) Ordinance Cap. 370.

2. In 1996, a Madam FOK Lai Ying's land in Shatin was resumed under the (then) Crown Lands Resumption Ordinance for a village extension scheme. Before the actual 1996 resumption, Madam FOK became aware of the proposed resumption during the various stages of the planning and engineering design of the scheme. During these various stages, Madam FOK did not make her objection very clear, but did request the planning of the scheme be amended to avoid her land. Then, in March 1995, Madam FOK's solicitors wrote the Clerk to ExCo and requested that Madam FOK's objection be brought to the notice of the members of the ExCo when considering the resumption. In November 1995, ExCo approved the resumption, having noted Madam FOK's objections. Her land reverted to Government in early 1996.

3. Madam FOK sued all the way to the Privy Council. In fact, this was the last Hong Kong case to go to the Privy Council. She complained that before ExCo decided on the resumption, she was given no opportunity to respond to the arguments by officials in support of their proposal that her land be resumed, and against her objection stated in her solicitor's letter to the Clerk to ExCo. Her case was based on the principles of natural justice and the Hong Kong Bill of Rights.

4. The Privy Council dismissed her case on the case's particular facts. It was ruled that she had in fact been given a chance to be heard but did not use it.

5. At the same time, the Privy Council suggested (by way of obiter dicta) that s3 of Cap. 124 should "now be construed, at least when the compulsory acquisition of a home or part of a home is at stake, to require a fair procedure including a reasonable opportunity of objection". Section 3 says 'Whenever the Governor in Council decides that the resumption of any land is required for a public purpose, the Governor may order the resumption thereof under this Ordinance'.

7. The Caltex case was another resumption case when a Governor-in-Council decision was challenged in Court. Although the Caltex case resumption was done under the Roads Ordinance, it was considered the lessons learned from it were applicable to Cap. 124 resumptions. The Caltex procedures are :-

- (i) upon the receipt of an objection (to a Cap. 124 resumption), where an accommodation cannot be found, LandsD should ensure that each objector is fully informed of the case it intends to submit to ExCo seeking to have the objection over-ruled,
- (ii) if an objector requests any relevant information that was available to be Administration in the formulation of its own proposals, the relevant departments should, as far as possible, make this same information available to the objector to assist him to formulate his objection,
- (iii) if an objector submits any revised proposal, even if it is only a minor variation to the original proposal, it must be annexed to the ExCo paper so that Members have a complete dossier of all objections and the Administration's comments on the revised proposal. The objector must always be given the opportunity to have the last word.
- (iv) where a project is urgent, and it appears that an objector is attempting to enter into protracted negotiations on a particular issue, departments should advise the objector of a reasonable cut-off date for him to finalise his submission. The submission will then be present to Members in the normal way in order that account may be taken of it in the final decision process.

8. The whole of Lot 22 in DD 356, Lantau (i.e. Cheoy Lee Shipyard) will have to be resumed in the near future for three different purposes, all associated with Hong Kong Disneyland :-

- (a) resumption under Roads (Works, Use and Compensation) Ordinance (Cap. 370) for road works;
- (b) resumption under Lands Resumption Ordinance (Cap. 124) for a water recreation centre; and
- (c) resumption under Lands Resumption Ordinance (Cap. 124) for drainage works.

9. A road scheme has been gazetted under Cap. 370 and Cheoy Lee has submitted an objection. Taking the opportunity of resolving Cheoy Lee's Cap. 370 objection, DLO/Is has recently informed Cheoy Lee of the two imminent Cap. 124 resumptions. Cheoy Lee has been told our plans to complete the above three resumptions on the same day. To date, Cheoy Lee has not voiced objection to the two planned Cap. 124 resumptions.

10. If, however, later Cheoy Lee do submit objections to the two Cap. 124 resumptions we shall have no choice but to go through the Caltex procedure. The two Cap. 124 resumptions will then be delayed for at least three months i.e. earliest reversion 9 July 2001.

Lands Department
November 2000

Notes of Eleventh Meeting
Steering Committee on Implementation of Hong Kong Disneyland
16 December 2000 at 9:30 am at Room 1220, CGO West Wing

PRESENT

Mr Donald Tsang (Chairman)	Financial Secretary
Miss Denise Yue	Secretary for the Treasury
Mr Gordon Siu	Secretary for Planning & Lands
Ms Maria Kwan	Ag. Secretary for Economic Services
Mr Y C Lo	Ag. Secretary for Works
Mrs Rebecca Lai	Commissioner for Tourism
Mr Kevin Ho	Deputy Secretary for Transport
Mr R D Pope	Director of Lands
Mr C C Chan	Ag. Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr P Y Tam	Assistant Director of Planning (NT)
Mr Charles Barr	Deputy Law Officer (Civil Law) (Commercial)
Miss Monna Lai	Government Counsel
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism (3)
Ms Winnie Ng	Assistant Secretary for Tourism (3)
Miss Alice Cheung	Assistant Secretary for Tourism (3) (Designate)

**CED's Paper (No. 25/00) for
Steering Committee on Implementation of Hong Kong Disneyland
on 16 December 2000**

8. CED has submitted the draft ExCo memorandum to seek authorization of the proposed road works in Penny's Bay to TB for further action. Regarding the proposed sewerage works at Penny's Bay and Yam O gazetted under the Water Pollution Control (Sewerage) Regulation, the objection period expired on 28 November 2000. CED has only received one objection lodged by the Cheoy Lee Shipyard owner.

Notes of Thirteenth Meeting
Steering Committee on Implementation of Hong Kong Disneyland
17 February 2001 at 8:30 am at Room 1220, CGO West Wing

PRESENT

Mr Donald Tsang (Chairman)	Financial Secretary
Ms Sandra Lee	Secretary for Economic Services
Miss Denise Yue	Secretary for the Treasury
Mr Gordon Siu	Secretary for Planning & Lands
Mr S S Lee	Secretary for Works
Mrs Rebecca Lai	Commissioner for Tourism
Mr Kevin Ho	Deputy Secretary for Transport
Mr R D Pope	Director of Lands
Dr C K Lau	Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr P Y Tam	Assistant Director of Planning (NT)
Mr Charles Barr	Deputy Law Officer (Civil Law) (Commercial)
Miss Monna Lai	Government Counsel
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism (3)
Miss Alice Cheung	Assistant Secretary for Tourism (3)

Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 17 February 2001

9. On the reversion of Cheoy Lee Shipyard, D of Lands advised that the negotiation with the owner of the shipyard on voluntary surrender was progressing smoothly. He was confident that reversion of the site would be completed in April.

CED's Paper (No. 3/01) for
Steering Committee on Implementation of Hong Kong Disneyland

11. The laboratory testing of soil samples obtained from the advance site investigation works at Cheoy Lee Shipyard has been substantially completed. The testing results indicated only localized surface contamination of total petroleum hydrocarbon and heavy metals at some of the workshop buildings. There is no widespread contamination in the open area.

Notes of Fourteenth Meeting

Steering Committee on Implementation of Hong Kong Disneyland

17 March 2001 at 9:30 am at Room 1220, CGO West Wing

PRESENT

Mr Donald Tsang (Chairman)	Financial Secretary
Ms Sandra Lee	Secretary for Economic Services
Miss Denise Yue	Secretary for the Treasury
Mr S S Lee	Secretary for Works
Mrs Rebecca Lai	Commissioner for Tourism
Mr Kevin Ho	Deputy Secretary for Transport
Mr Gary Yeung	Deputy Secretary for Planning & Lands (Acting)
Mr R D Pope	Director of Lands
Dr C K Lau	Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr P Y Tam	Assistant Director of Planning (NT)
Miss Elsa Po	Senior Government Counsel
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism (3)
Miss Alice Cheung	Assistant Secretary for Tourism (3)

Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 17 March 2001

6. DDCE said that the IEC had successfully completed a 5-day site investigation at Cheoy Lee Shipyard (CLS) last week. During the site investigation, the IEC observed suspected chemical waste disposal practices by CLS workers and alerted EPD. ADEP said that EPD had acted immediately to stop the illegal act upon receipt of the complaint and would closely monitor the situation. D of Lands added that he had spoken to the agent of CLS after the incident and told them to stop illegal dumping.

7. C for Tourism said that had also alerted her and S for W of the incident and they commended EPD for the prompt response to the complaint. On the site investigation itself, she said that the IEC had found more contamination than expected. The IEC would now conduct analysis of the samples obtained.

8. D of Lands reported that the CLS site would be surrendered to Government on 3 April. A cheque of \$1.5 billion would be made available to the owner on the same date.

CED's Paper (No. 6/01) for
Steering Committee on Implementation of Hong Kong Disneyland

12. The laboratory testing for the advance site investigation works at Cheoy Lee Shipyard has been completed. The testing report confirmed that land contamination was only localized and at surface. There is no widespread contamination in the open area. For the shipyard decommissioning EIA Study, the consultants have started the impact assessments based on the available information. We have obtained the agreement from the owner of the Cheoy Lee Shipyard for the 5-day visit by the Independent Environmental Consultant (IEC). The 5-day visit is being conducted from 6 March 2001 to 10 March 2001. The IEC's requirements will be fully incorporated into the proposed site investigation works which are targeted to commence in May 2001.

Notes of Fifteen Meeting

Steering Committee on Implementation of Hong Kong Disneyland

11 April 2001 at 9:30 am at Room 1220, CGO West Wing

PRESENT

Mr Donald Tsang (Chairman)	Financial Secretary
Mr Antony Leung	Financial Secretary (Designate)
Ms Sandra Lee	Secretary for Economic Services
Mr Gordon Siu	Secretary for Planning & Lands
Mr S S Lee	Secretary for Works
Mrs Rebecca Lai	Commissioner for Tourism
Mr Kevin Ho	Deputy Secretary for Transport
Mr Martin Glass	Deputy Secretary for the Treasury
Mr R D Pope	Director of Lands
Dr C K Lau	Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr P Y Tam	Assistant Director of Planning (NT)
Mr Charles Barr	Deputy Law Officer (Civil Law) (Comm)
Miss Monna Lai	Government Counsel
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism (3)
Miss Alice Cheung	Assistant Secretary for Tourism (3)

**Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 11 April 2001**

6. D of Lands reported that the CLS site was surrendered to Government on 3 April after execution of the Deed of Surrender and payment of compensation for the land. The site was handed over to CED on 9 April. DDCE remarked that investigation work for the decommissioning of the shipyard commenced on site on the same day.

7. D of Lands advised that there was still an outstanding \$1 billion claim from the ex-owner of CLS regarding the loss of marine rights due to a previous gazettal.

**CED's Paper (No. 9/01) for
Steering Committee on Implementation of Hong Kong Disneyland**

11. The Independent Environmental Consultant (IEC) conducted a 5-day site inspection on Cheoy Lee Shipyard in early March 2001. The IEC considered that the extent and degree of land contamination might be more severe than that revealed by the advance site investigation conducted in last December.

Notes of Eighteenth Meeting
Steering Committee on Implementation of Hong Kong Disneyland
14 July 2001 at 8:45 am at Room 1220, CGO West Wing

PRESENT

Mr Antony Leung (Chairman)	Financial Secretary
Ms Sandra Lee	Secretary for Economic Services
Miss Denise Yue	Secretary for the Treasury
Mr S S Lee	Secretary for Works
Mr Thomas Tso	Acting Secretary for Planning and Lands
Mr Duncan Pescod	Acting Commissioner for Tourism
Mr Paul Tang	Deputy Secretary for Transport
Dr C K Lau	Director of Civil Engineering
Mr S C Yip	Acting Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection (Environmental Assessment & Noise)
Mr P Y Tam	Assistant Director of Planning (NT)
Mr Charles Barr	Deputy Law Officer (Civil Law) (Commercial)
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism (3)
Miss Alice Cheung	Assistant Secretary for Economic Services

**Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 14 July 2001**

8 DCE reported that detailed site investigation and geophysical surveys at the former Cheoy Lee Shipyard (CLS) site were in progress. So far, the degree of land contamination found was not very serious and consideration was being given to treating the contaminated mud off-site in North Lantau.

**CED's Paper (No. 15/01) for
Steering Committee on Implementation of Hong Kong Disneyland**

11. The progress of the detailed site investigation works and geophysical surveys on the former Cheoy Lee Shipyard site was satisfactory.

Notes of Nineteenth Meeting
Steering Committee on Implementation of Hong Kong Disneyland
18 August 2001 at 8:45 am at Room 1220, CGO West Wing

PRESENT

Mr Antony Leung (Chairman)	Financial Secretary
Mrs Rebecca Lai	Acting Secretary for Economic Services / Commissioner for Tourism
Miss Denise Yue	Secretary for the Treasury
Mr S S Lee	Secretary for Works
Mr John C Tsang	Secretary for Planning and Lands
Mr Paul Tang	Deputy Secretary for Transport
Mr R D Pope	Director of Lands
Dr C K Lau	Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr P Y Tam	Assistant Director of Planning (NT)
Mr Simon Hui	Principal Environmental Protection Officer
Mr Charles Barr	Deputy Law Officer (Civil Law) (Commercial)
Ms Elsa Po	Senior Government Counsel
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism
Miss Alice Cheung	Assistant Secretary for Economic Services

Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 18 August 2001

6. DCE reported that detailed site investigation and geophysical surveys at the former Cheoy Lee Shipyard (CLS) site were progressing on schedule. So far, the degree of land contamination found was not considered very serious. He expected the investigation to complete in October / November 2001.

CED's Paper (No. 17/01) for
Steering Committee on Implementation of Hong Kong Disneyland

9. The progress of the detailed site investigation works and geophysical surveys on the former Cheoy Lee Shipyard site was satisfactory.

Notes of 20th Meeting

Steering Committee on Implementation of Hong Kong Disneyland

15 September 2001 at 8:45 am at Room 1220, CGO West Wing

PRESENT

Mr Antony Leung (Chairman)	Financial Secretary
Ms Sandra Lee	Secretary for Economic Services
Mr S S Lee	Secretary for Works
Mr John C Tsang	Secretary for Planning and Lands
Mr Stanley Ying	Acting Secretary for the Treasury
Mr Duncan Pescod	Acting Commissioner for Tourism
Mr Paul Tang	Deputy Secretary for Transport
Dr C K Lau	Director of Civil Engineering
Mr W K Tam	Deputy Director of Civil Engineering (Special Duties)
Mr Elvis Au	Assistant Director of Environmental Protection
Mr P Y Tam	Assistant Director of Planning
Ms Elsa Po	Senior Government Counsel
Miss Winnie Ho (Secretary)	Assistant Commissioner for Tourism
Miss Alice Cheung	Assistant Secretary for Economic Services

Steering Committee on Implementation of Hong Kong Disneyland
Extracts of Notes of Meeting on 15 September 2001

3. DCE reported that the Independent Environmental Consultant (IEC) considered the extent of contamination at the former CLS site to be greater than previously anticipated and had requested additional trench work to be carried out.

CED's Paper (No. 20/01) for
Steering Committee on Implementation of Hong Kong Disneyland

10. The Independent Environmental Consultant considered the extent of contamination within the former Cheoy Lee Shipyard site to be greater than anticipated previously, and instructed additional trench works on 5 September 2001.