

For discussion
on 11 January 2006

PWSC(2005-06)44

ITEM FOR PUBLIC WORKS SUBCOMMITTEE OF FINANCE COMMITTEE

HEAD 703 – BUILDINGS

Law and Order – Judiciary

29LJ – Relocation of Labour Tribunal to the South Kowloon Law Courts Building

Members are invited to recommend to the Finance Committee the upgrading of **29LJ** to Category A at an estimated cost of \$67.1 million in money-of-the-day prices for the relocation of the Labour Tribunal to the South Kowloon Law Courts Building at Yaumatei.

PROBLEM

We need to relocate the Labour Tribunal (LabT) from its existing accommodation in a private commercial building and the Eastern Law Courts Building (ELCB) to purpose-built court premises to overcome its operational deficiencies.

PROPOSAL

2. The Director of Architectural Services, with the support of the Judiciary Administrator, proposes to upgrade **29LJ** to Category A at an estimated cost of \$67.1 million in money-of-the-day (MOD) prices for the relocation of LabT to the vacant five-storey South Kowloon Law Courts Building (SKLCB) at Yaumatei.

/PROJECT

PROJECT SCOPE AND NATURE

3. The scope of **29LJ** comprises the following -
- (a) structural strengthening and concrete repair works;
 - (b) external wall renovation; and
 - (c) demolition of the existing internal layout and fitting-out of the building to accommodate the LabT with the following facilities –
 - (i) 13 courtrooms with support facilities including chambers for the Presiding Officers;
 - (ii) 39 offices for the Tribunal Officers;
 - (iii) conference and discussion rooms, public waiting areas, general offices and registries, control rooms, record storage offices and other ancillary areas;
 - (iv) three lifts (one for the Presiding Officers and staff, and two for members of the public); and
 - (v) a closed-circuit television system, a Digital Audio Recording Transcription Services system, fire services installations, air-conditioning system, digital queuing system and an information display system.

----- A site plan is at Enclosure 1 and the artist's impressions of the proposed LabT
----- Building are at Enclosures 2 and 3. We plan to start the proposed works in August 2006 for completion in July 2007.

JUSTIFICATION

4. The LabT comprises 12 courts and two registries. Ten of these courts and the main registry are accommodated on the 19th and 20th floors of Pioneer Centre, a private commercial building in Mongkok, at an annual cost of around \$11.4 million, inclusive of rental, management fees and other expenditure for building management and related services. The remaining two courts and a subsidiary registry, established in early 2000 to cope with the increased workload, are located on the 9th floor of the

/ELCB

ELCB in Sai Wan Ho¹. The total gross floor areas being occupied by the LabT in Pioneer Centre (2 830 m²) and the ELCB (628 m²) amount to 3 458 m².

5. There are a number of operational deficiencies with the current setting of the LabT, as below -

- (a) the LabT at Pioneer Centre shares common areas with shops, restaurants and offices in the same building. This seriously blurs its image as a court;
- (b) given the layout of Pioneer Centre, the Presiding Officers and staff members have to use the public lifts for access. This causes embarrassment when they come into contact with litigants and raises security or even personal safety concerns when they come into contact with dissatisfied litigants;
- (c) courtrooms at Pioneer Centre are small and odd-shaped due to the physical constraints of the building. Litigating parties have to wait in corridors outside the courts and conference/discussion rooms are inadequate. The overcrowded and noisy environment is also not conducive to conducting negotiations and settlement, even if the opportunity arises;
- (d) the arrangement to operate the LabT at two separate locations causes overlapping of administrative facilities and is not cost-effective; and
- (e) the premises at Pioneer Centre are subject to tenancies which may not be renewed by the landlord.

6. To enhance the efficient operation of the LabT and to provide better facilities to court users who are seeking justice and redress in their labour disputes, it is necessary to relocate the LabT from its existing accommodation at Pioneer Centre and ELCB to purpose-built court premises as soon as possible. In this regard, we have identified the SKLCB for the purpose. The building comprises five storeys (basement to third floor), with a two-storey building services annex block. The construction floor area (CFA) of the building is 5 781 m². Since the SKLCB was completed so me

¹ The LabT courts in the ELCB have ceased to operate since 9 July 2005 due to the reduction in caseload in 2004/05.

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30 years ago, replacement of the existing curtain wall and external wall finishes as well as structural strengthening/repair works are required to ensure that the building is of good condition.

7. The proposed relocation will provide tailor-made facilities to suit the special requirements of court business of the LabT, while at the same time putting the now vacant SKLCB into productive use for an appropriate purpose. The SKLCB will provide a more unique identity to the LabT and enhance its image as a court. In addition, the building will be designed to suit specific user requirements, such as separate accesses for the Presiding Officers, staff and members of the public as in all other court buildings, provision of adequate waiting areas and discussion rooms, registries, etc. The new LabT will provide a better environment and facilities which will enable it to render better service to the public. The undesirable situation of duplicating administrative facilities and support staff in two locations can also be avoided.

FINANCIAL IMPLICATIONS

8. We estimate the capital cost of the project to be \$67.1 million in MOD prices (see paragraph 9 below), made up as follows –

	<u>\$ million</u>
(a) Structural strengthening / alteration / demolition works	6.8
(b) Building	29.2
(c) Building services	18.0
(d) Furniture and equipment	3.1
(e) Drainage	0.4
(f) External works	1.5
(g) Consultants' fees for construction stage –	2.3
(i) contract administration	1.2
(ii) site supervision	1.1

/(h)

	<u>\$ million</u>	
(h) Contingencies	<u>5.8</u>	
Sub-total	67.1	(in September 2005 prices)
(i) Provision for price adjustment	<u>0.0</u>	
Total	<u>67.1</u>	(in MOD prices)

 We propose to engage consultants to undertake contract administration and site supervision. A breakdown of the estimate for consultants' fees by man-months is at Enclosure 4. The estimated construction unit cost, represented by the building and the building services costs, is \$8,165 per m² of CFA in September 2005 prices. We consider this unit cost reasonable as compared with other similar construction works undertaken by the Government.

9. Subject to approval, we will phase the expenditure as follows –

Year	\$ million (Sept 2005)	Price adjustment factor	\$ million (MOD)
2006 – 07	15.0	1.00125	15.0
2007 – 08	32.0	1.00125	32.0
2008 – 09	15.0	1.00125	15.0
2009 – 10	5.1	1.00125	5.1
Total	<u>67.1</u>		<u>67.1</u>

10. We have derived the MOD estimates on the basis of the Government's latest forecast of trend rate of change in the prices of public sector building and construction output for the period 2006 to 2010. We intend to award the contract on a lump-sum basis because we can clearly define the scope of the works in advance, leaving little room for uncertainty. The contract will not provide for price adjustments because the contract period will not exceed 21 months.

/11.

11. The existing annual expenditure for the LabT is around \$11.4 million consisting of \$8.3 million for rental, and \$3.1 million for management fees and other expenditure for building management and related services. The recurrent expenditure for building management and related services after relocation is estimated to be about \$3.4 million.

PUBLIC CONSULTATION

12. Since the proposed relocation only involves putting an existing vacant Judiciary building back to active use, we do not see the need to embark on public consultation at the District Council level. The Chief Justice set up a Working Party² to review the operations of the LabT, and a report was published in June 2004 which was subsequently accepted by the Chief Justice. The report was also discussed at two joint meetings of the Panel on Administration of Justice and Legal Services (AJLS Panel) and the Manpower Panel of the Legislative Council (LegCo) in November and December 2004. Members of the two Panels noted the proposal. The LegCo AJLS Panel was briefed on the latest position of the relocation proposal on 15 December 2005. Panel members requested the Judiciary Administration to provide information on the potential benefits that will be brought about to members of the public upon the relocation of LabT to SKLCB. Supplementary information on the enhancement in facilities and accessibility of the new LabT, which has also been provided to the AJLS Panel, is at Enclosure 5.

ENVIRONMENTAL IMPLICATIONS

13. The project is not a designated project under the Environmental Impact Assessment Ordinance (Cap. 499) and will not cause long-term environmental impact. We have included in the project estimate the cost of implementing suitable mitigation measures to control short-term environmental impacts. These include the use of silencers, mufflers, acoustic lining or shields for noisy construction activities, and frequent cleaning and watering of the site.

14. We have considered measures in the planning and design stages to reduce the generation of construction and demolition (C&D) materials where possible. In addition, we will require the contractor to reuse inert C&D materials on

/site

² The Working Party was established by the Chief Justice to review the operation of the Labour Tribunal and to recommend improvements thereto. It was chaired by Madam Justice Chu.

site or in other suitable construction sites as far as possible, in order to minimize the disposal of C&D materials to public fill reception facilities. We will encourage the contractor to maximize the use of recycled or recyclable C&D materials, as well as the use of non-timber formwork to further minimize the generation of construction waste.

15. We will also require the contractor to submit a waste management plan (WMP) for approval. The WMP will include appropriate mitigation measures to avoid, reduce, reuse and recycle C&D materials. We will ensure that the day-to-day operations on site comply with the approved WMP. We will control the disposal of public fill, C&D materials and C&D waste to public fill reception facilities³, sorting facilities³ and landfills respectively through a trip-ticket system. We will require the contractor to separate public fill from C&D waste for disposal at appropriate facilities. We will record the disposal, reuse and recycling of C&D materials for monitoring purposes.

16. We estimate that the project will generate about 4 500 tonnes of C&D materials. Of these, we will deliver 3 375 tonnes (75%) to public fill reception facilities for subsequent reuse, and 450 tonnes (10%) to sorting facilities in order to retrieve the inert portion for reuse as public fill. In addition, we will dispose of 675 tonnes (15%) at landfills. The total cost for accommodating C&D materials at public fill reception facilities and landfill sites, together with the cost for handling the materials at sorting facilities is estimated to be \$220,500 for this project (based on a unit cost of \$27/tonne for disposal at public fill reception facilities, \$100/tonne at sorting facilities and \$125/tonne⁴ at landfills).

LAND ACQUISITION

17. The project does not require any land acquisition.

/BACKGROUND

³ Sorting facilities and public fill reception facilities are specified in Schedule 3 and Schedule 4 respectively of the Waste Disposal (Charges for Disposal of Construction Waste) Regulation. Disposal of public fill in public fill reception facilities requires a licence issued by the Director of Civil Engineering and Development.

⁴ This estimate has taken into account the cost for developing, operating and restoring the landfills after they are filled and the aftercare required. It does not include the land opportunity cost for existing landfill sites (which is estimated at \$90/m³), nor the cost to provide new landfills, (which is likely to be more expensive) when the existing ones are filled.

BACKGROUND INFORMATION

18. We upgraded **29LJ** to Category B in October 2004. We engaged a term contractor to carry out site investigation in September 2005 at a total cost of \$100,000. We also engaged consultants to undertake the building design and prepare tender documents in May 2005 at a total cost of \$2.01 million. We charged these amounts to block allocation **Subhead 3100GX** “Project feasibility studies, minor investigations and consultants’ fees for items in Category D of the Public Works Programme”. The term contractor has completed the site investigation. The consultants have completed the building design and are now finalizing the tender documents.

19. The proposed relocation will not involve any tree removal or planting proposals.

20. We estimate that the proposed works will create about 143 jobs (129 for labourers and another 14 for professional/technical staff) providing a total employment of 1 548 man-months.

Judiciary Administration
January 2006

SITE
工地

普慶廣場
(逸東酒店)
ASTOR PLAZA
(EATON HOTEL)

NATHAN ROAD 拿打街

加士堅道
GASCOIGNE ROAD

拔萃女書院
DIOCESAN
GIRLS' SCHOOL

位置圖 LOCATION PLAN

比例 SCALE 1:5000

中華循道公會學校
CHINESE METHODIST
CHURCH & SCHOOL

ADDITION & ALTERATION
WORKS AT EXISTING
SOUTH KOWLOON
LAW COURTS BUILDING
在原有南九龍法院
作內部改建工程

伊利沙伯醫院
護士宿舍
QUEEN ELIZABETH HOSPITAL
NURSES QUARTERS

土地審裁處
LANDS TRIBUNAL

次要行人出入口
SECONDARY
PEDESTRIAN
ENTRANCE

勞資審裁處
(南九龍裁判法院大樓)
PROPOSED LABOUR
TRIBUNAL BUILDING
(EXISTING SOUTH KOWLOON
LAW COURTS BUILDING)

普慶廣場
(逸東酒店)
ASTOR PLAZA
(EATON HOTEL)

加士堅道
GASCOIGNE ROAD

聖地牙哥
酒店新館
NEW SAN
DIEGO
HOTEL

加士堅道
ELEVATED ROAD

主要行人出入口
MAIN PEDESTRIAN
ENTRANCE

PROVISION OF
1 NO. STAFF LIFT
配置一部
員工用升降機

車輛出入口
VEHICULAR
INGRESS/EGRESS
POINT

PROVISION OF 2
NOS. PUBLIC LIFT
配置兩部公眾升降機

大華酒店
MAJESTIC HOTEL

彌敦道
OH WO STREET

拔萃女小學
DIOCESAN GIRLS' JUNIOR SCHOOL

Title 29LJ

勞資審裁處搬遷至南九龍裁判法院大樓
RELOCATION OF LABOUR
TRIBUNAL TO THE SOUTH
KOWLOON LAW COURTS BUILDING

drawn by FANCY TANG

approved CHRIS W

office ARCHITECTURAL BRANCH

date 4/16/06

date 4/10/06

drawing no.

AL/055A/0101

scale

1:1000



ARCHITECTURAL
SERVICES
DEPARTMENT



從南面望向勞資審裁處的構思圖
 VIEW OF THE PROPOSED LABOUR TRIBUNAL BUILDING FROM SOUTHERN DIRECTION (ARTIST'S IMPRESSION)



從東面望向勞資審裁處的構思圖
 VIEW OF THE PROPOSED LABOUR TRIBUNAL BUILDING FROM EASTERN DIRECTION (ARTIST'S IMPRESSION)

Title 29LJ	drawn by PANG Y TANG	date 6/10/05	drawing no AR/AS/04/0102	scale 1:25
勞資審裁處遷至南九龍裁判法院大樓 RELOCATION OF LABOUR TRIBUNAL TO THE SOUTH KOWLOON LAW COURTS BUILDING	approved CHRIS W	date 4/10/05	 ARCHITECTURAL SERVICES DEPARTMENT	
office ARCHITECTURAL BRANCH				



等候大堂的內部構思圖
 INTERIOR OF PROPOSED WAITING HALL (ARTIST'S IMPRESSION)



法庭的內部構思圖
 INTERIOR OF PROPOSED COURT ROOM (ARTIST'S IMPRESSION)

Title 25LJ

勞資審裁處搬遷至南九龍裁判法院大樓
 RELOCATION OF LABOUR
 TRIBUNAL TO THE SOUTH
 KOWLOON LAW COURTS BUILDING

drawn by PANDY TANG

approved CHRIS W

office ARCHITECTURAL BRANCH

date 4/10/05

date 4/10/05

drawing no.

AB/01/054/00105

scale

1:15



ARCHITECTURAL
 SERVICES
 DEPARTMENT

**29LJ – Relocation of Labour Tribunal to the
South Kowloon Law Courts Building**

Breakdown of the estimate for consultants' fees

Consultants' staff costs		Estimated man-months	Average MPS* salary point	Multiplier (Note 1)	Estimated fee (\$ million)
(1) Contract administration (Note 2)	(a) Professional	-	-	-	0.9
	(b) Technical	-	-	-	0.3
(2) Site supervision (Note 3)	Technical	38.2	14	1.6	1.1
Total					2.3

*MPS = Master Pay Scale

Notes

1. A multiplier of 1.6 is applied to the average MPS point to estimate the cost of resident site staff supplied by the consultants. (As at 1 January 2005, MPS point 14 = \$18,010 per month.)
2. The consultants' staff cost for contract administration is calculated in accordance with the existing consultancy agreement for the design and construction of **29LJ**. The assignment will only be executed subject to the Finance Committee's approval to upgrade **29LJ** to Category A.
3. We will only know the actual man-months and actual costs after completion of the construction works.

**Supplementary Information
on the Relocation of the Labour Tribunal to
the South Kowloon Law Courts Building**

BACKGROUND

The Judiciary Administrator briefed the Panel on Administration of Justice and Legal Services of the Legislative Council (“the AJLS Panel”) on the latest position regarding the relocation of the Labour Tribunal (“LabT”) to the South Kowloon Law Courts Building (“SKLCB”) at its meeting on 15 December 2005. Panel members requested the Judiciary Administration to provide additional information on the benefits that will be brought about to the court users upon the relocation. This note provides additional information on the enhanced facilities and accessibility of the proposed LabT at SKLCB.

FACILITIES AT THE NEW LABOUR TRIBUNAL

2. The proposed LabT will be providing better facilities to the court users as set out below -

- (a) Better facilities will be provided to group claims litigants -
 - (i) There will be two large courtrooms of 80 m² in size with a seating capacity of about 70 seats each, to accommodate group claims. In LabT at the Pioneer Centre, there is only one large courtroom which can accommodate 65 seats;
 - (ii) There will be a large conference room of 100m² for group claims, which can accommodate a maximum of 140 persons. The said conference room would have partitioning facilities, which enable it to be flexibly divided into two smaller rooms to cater to different needs. The two existing conference rooms of the LabT at the Pioneer Centre are 39 m² and 52 m² in size which can accommodate about 50 and 70 persons respectively;
- (b) Better courtroom facilities will be provided to litigants generally. There will be 11 courtrooms of 50 m² in size and a capacity to accommodate about 30 seats, whereas the existing LabT has only 9 such courtrooms. Moreover, two of the courtrooms are odd-shaped and are not conducive to smooth conduct of the proceeding;

/(c)

- (c) Litigants will be provided with three more discussion rooms as compared with two at the LabT at the Pioneer Centre. This would facilitate them to conduct negotiations and settlements;
- (d) Litigants would benefit from having a reasonably comfortable waiting area with adequate seating. Witnesses would no longer need to stand and wait in corridors at times. There will be a 50 m² waiting area outside the courtrooms on each floor from 1/F to 3/F for the litigating parties and witnesses. The seating capacity of each waiting area is about 70. The current waiting areas in the Pioneer Centre on 20/F are 13 m² and 31 m² respectively;
- (e) Needs of the physically handicapped litigants will be taken care of. A designated space for wheelchair at each courtroom will be provided. At present, owing to space constraints, parking of wheelchairs in courtrooms at the Pioneer Centre will block pedestrian flow and cause inconvenience to other court users.

3. Apart from better environment and facilities, court users will find it more convenient to have the LabT operating in one location. In case of heavy workload, the LabT will need to operate at 2 locations, i.e. Pioneer Centre and the Eastern law Courts Building. This will cause confusion to the public in filing documents at the appropriate registry. Complaints had been received on this previously. There would also be sufficient room in the new premises to accommodate future increase in caseload.

4. Photographs showing the existing odd-shaped courtroom, the conference room, congested waiting area and the corridor outside courtrooms at the LabT at Pioneer Centre and the artist's impression of new facilities and environment at the proposed LabT in SKLCB are at Annexes A to C.

ACCESSIBILITY

5. The LabT would be located in a separate court building in a convenient location accessible to the public by different means of public transport. For example, it is within walking distance from Jordan and Yaumatei Mass Transit Railway stations and could be reached by more than 20 bus routes running along Gascoigne Road and about 60 bus routes along Nathan Road. A location map showing the bus routes and bus stops nearby is at Annex D.

始創中心內形狀不規則的法庭
Odd-shaped Courtroom in Pioneer Centre



新勞資審裁處的法庭構思圖
Artist's Impression of a Courtroom in the new Labour Tribunal



始創中心內為集體申索人士而設的會議室
Conference Room for Group Claims in Pioneer Centre



新勞資審裁處內為集體申索人士而設的會議室構思圖
Artist's Impression of the Conference Room for Group Claims
in the new Labour Tribunal



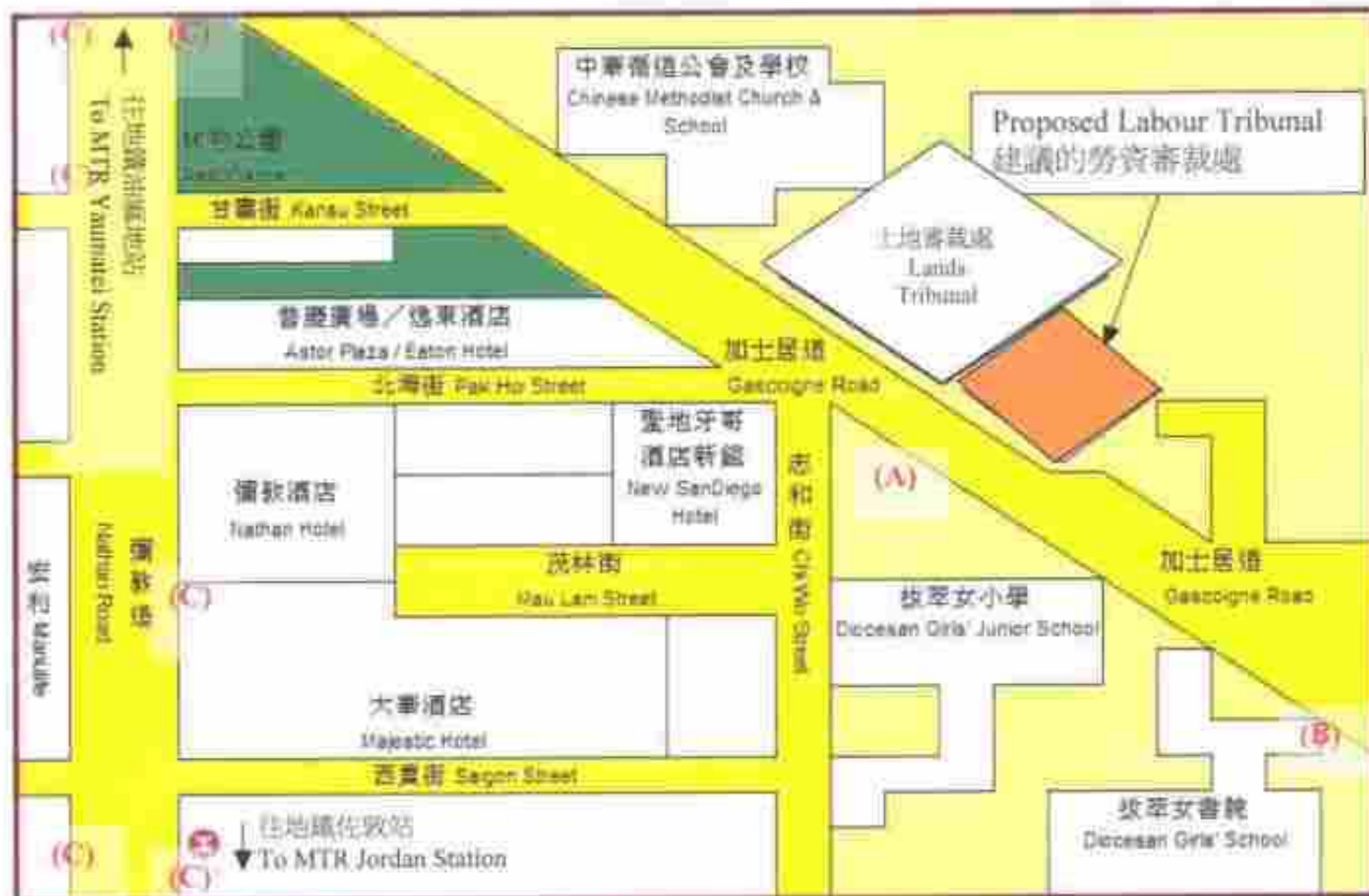
始創中心內法庭外的走廊和等候地方
Corridor and Waiting Area outside Courtrooms in Pioneer Centre



新勞資審裁處內法庭外的等候地方構思圖
Artist's Impression of the Waiting Area outside Courtrooms
in the new Labour Tribunal



建議的勞資審裁處位置圖 Location Map of the proposed Labour Tribunal



此地圖非依比例，只供參考之用。
This map is not to the scale and is for reference only.

- (A) 停土地審裁處外的巴士 Buses stopping outside Lands Tribunal
13X, 219P, 224X, 26, 93K, 296D, 98D, 102, 104, 112, 117, 118, 171, N102, N118, N122, N171
- (B) 停拔萃女書院外的巴士 Buses stopping outside Diocesan Girls' School
6C, 6F, 30X, 93K, 203, 260P, 102, 102P, 102R, 104, 112, 117, 118, 118P, 171, 171P, N102, N118, N122, N171
- (C) 其他停彌敦道(在勞資審裁處附近)的巴士 Other buses stopping along Nathan Road (in the vicinity of Labour Tribunal)
1, 1A, 2, 203E, 208, 212, 230X, 234P, 234X, 237A, 238P, 238X, 242X, 252B, 257B, 259B, 259C, 260B, 260S, 260X, 261B, 267S, 268B, 269B, 270A, 271, 280P, 281A, 35A, 36B, 3C, 41A, 42A, 46, 6, 60X, 63X, 68X, 69B, 69X, 6A, 7, 70, 8, 81, 81C, 81P, 87D, 9, 95, 970, 970X, A21, N21, N216, N241, N271, N281, R21