

**立法會**  
**Legislative Council**

LC Paper No. PWSC 57/06-07

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seen by the Administration)

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**Public Works Subcommittee of the Finance Committee  
of the Legislative Council**

**Minutes of the 7<sup>th</sup> meeting  
held in the Conference Room A of Legislative Council Building  
on Wednesday, 7 February 2007, at 8:30 am**

**Members present:**

Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP (Chairman)  
Hon Alan LEONG Kah-kit, SC (Deputy Chairman)  
Hon Fred LI Wah-ming, JP  
Hon James TO Kun-sun  
Hon CHAN Yuen-han, JP  
Hon CHAN Kam-lam, SBS, JP  
Hon Jasper TSANG Yok-sing, GBS, JP  
Hon LAU Kong-wah, JP  
Hon Miriam LAU Kin-yee, GBS, JP  
Hon Andrew CHENG Kar-foo  
Hon TAM Yiu-chung, GBS, JP  
Hon Abraham SHEK Lai-him, JP  
Hon Albert CHAN Wai-yip  
Hon LEE Wing-tat  
Hon LI Kwok-ying, MH, JP  
Hon Daniel LAM Wai-keung, SBS, JP  
Hon CHEUNG Hok-ming, SBS, JP  
Prof Hon Patrick LAU Sau-shing, SBS, JP  
Hon TAM Heung-man

**Members absent:**

Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP  
Hon CHEUNG Man-kwong  
Hon CHOY So-yuk

**Member attending:**

Dr Hon KWOK Ka-ki

**Public officers attending:**

Mr Joe C C WONG	Deputy Secretary for Financial Services and the Treasury (Treasury) <sup>3</sup>
Mr MAK Chai-kwong, JP	Permanent Secretary for the Environment, Transport and Works (Works)
Miss Annie TAM, JP	Permanent Secretary for Housing, Planning and Lands (Planning and Lands) (Acting)
Ms Anissa WONG, JP	Permanent Secretary for the Environment, Transport and Works (Environment)
Mr Davey CHUNG	Principal Assistant Secretary for Financial Services and the Treasury (Treasury) (Works)
Ms Bernadette LINN	Deputy Secretary for Education and Manpower (2)
Ms Mable CHAN	Principal Assistant Secretary for Education and Manpower (Infrastructure and Research Support)
Mr C H YUE, JP	Director of Architectural Services
Mr C K WONG, JP	Director of Drainage Services
Mr CHAN Chi-chiu, JP	Director of Water Supplies
Mr NG Chi-ho	Assistant Director (New Works) (Acting), Water Supplies Department
Mr W C IP	Chief Engineer (Project Management), Drainage Services Department
Mr Philip YUNG Wai-hung, JP	Deputy Secretary for the Environment, Transport and Works (Transport) <sup>1</sup>
Mr WAI Chi-sing, JP	Director of Highways
Mr Y S CHOW, JP	Project Manager (Major Works), Highways Department
Mr David TO Kam-biu	Assistant Commissioner (Planning), Transport Department

**Clerk in attendance:**

Ms Rosalind MA Senior Council Secretary (1)<sup>8</sup>

**Staff in attendance:**

Ms Pauline NG Assistant Secretary General 1  
Mr Anthony CHU Council Secretary (1)<sup>2</sup>

Ms Alice CHEUNG  
Mr Frankie WOO

Senior Legislative Assistant (1)1  
Legislative Assistant (1)2

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Action

**Head 703 – Buildings**

**PWSC(2006-07)72    332EP    A 24-classroom primary school in Sham Tseng, Tsuen Wan**

The Chairman advised members that an information paper on the project had been circulated to the Panel on Education on 22 December 2006.

2. Noting that the classroom block of the proposed primary school would be built in close proximity to the Castle Peak Road, Prof Patrick LAU queried why the Administration did not try to reduce the traffic noise impact on students by constructing the classroom block farther away from the busy road. Prof LAU was of the view that by doing so, the proposed noise mitigation measures for the classrooms and other rooms of the school might no longer be necessary.

3. In response, the Director of Architectural Services (D Arch S) advised that in designing new school premises, the Administration would try to locate outdoor sports grounds (such as basketball court and football pitch) away from major roads to minimize health hazards of vehicular emission on students. According to findings of the Preliminary Environmental Review for the project, mitigation measures such as air-conditioning and insulated windows would be required for rooms in the classroom block as these rooms would be exposed to traffic noise exceeding the limits recommended in the Hong Kong Planning Standards and Guidelines (HKPSG). Responding to Prof Patrick LAU's further concern about the health hazards on students, D Arch S pointed out that in accordance with the requirement in HKPSG, a 20-metre buffer zone would be provided between the Castle Peak Road and the outdoor sports ground of the proposed school. Prof LAU however remained concerned that the aforesaid requirement could not adequately eliminate the health hazards of vehicular emission on students.

4. The item was voted on and endorsed.

**Head 704 – Drainage**

**PWSC(2006-07)73    108CD    West Kowloon drainage improvement - Lai Chi Kok Transfer Scheme**

5. The Chairman advised members that an information paper on the project had been circulated to the Panel on Planning, Lands and Works on 16 January 2007.

6. The item was voted on and endorsed.

## Head 706 – Highways

### **PWSC(2006-07)74 582TH Central Kowloon Route - consultants' design fees and site investigations**

7. The Chairman advised members that this was a re-submitted item. In response to members' concerns on the preservation of built heritage expressed at the Public Works Subcommittee (PWSC) meeting on 19 December 2006, the Administration had provided supplementary information on the scope of the consultancy studies in paragraphs 12 and 13 of the proposal.

#### Preservation of built heritage and local culture

8. Mr LEE Wing-tat recalled that at the PWSC meeting on 19 December 2006, Members of the Democratic Party (DP) had requested that in taking forward the consultancy studies, priority should be given to examining the feasibility of an alignment for the Central Kowloon Route (CKR) which could preserve the Yau Ma Tei Police Station (YMTPS) and the YMT Jade Hawker Bazaar (the Jade Bazaar). Consideration should only be given to other alignment options as a second step of the consultancy studies in the event that the social and financial impacts of the aforesaid priority alignment had rendered it unacceptable by the community at large. However, DP Members stressed the necessity of preserving the part of YMTPS built in 1922 which was a Grade III historical building and might accept alternative alignments which would affect only the new Annex to YMTPS. Mr LEE was disappointed that the Administration had not taken on board the aforesaid request in the current submission.

9. Dr KWOK Ka-ki was concerned about the possible wastage of resources if the feasible alignment options identified in the consultancy studies could not preserve YMTPS and failed to get the support of the community at large. Dr KWOK was therefore of the view that the Administration should in the first instance conduct feasibility study of an alignment option which would not affect YMTPS, and report the study findings to the Legislative Council (LegCo) before moving on to the next step.

10. The Deputy Secretary for the Environment, Transport and Works (Transport)1 (DS(T)1, ETWB) said that the feasibility of different alignment options would be examined in the proposed consultancy studies, having due regard to concerns about preservation of built heritage, including YTMPS and the Jade Bazaar. The Director of Highways (DHy) added that the Administration had re-examined the proposal in the light of members' concern about preservation of built heritage expressed at the PWSC meeting on 19 December 2006. As the detailed information required for conducting further consultation with stakeholders and the public had yet to be gathered from the proposed consultancy studies and site investigations, the Administration considered it neither fair nor appropriate to single out one alignment option over the others before the merits or otherwise of different options had been considered by the public. DHy advised that the Environmental Impact Assessment (EIA) of the project would include a

built heritage impact assessment, examining alternative alignment options with an emphasis given to the avoidance and/or minimization of adverse impacts on the built heritage to the maximum practicable extent, including YMTPS. Responding to Dr KWOK Ka-ki's enquiry on the estimates for the EIA, DHy said that the estimates would have to be provided by the consultant selected through the tendering process.

11. Mr LAU Kong-wah recapped that two major approaches for the consultancy studies were mentioned at the PWSC meeting on 19 December 2006, namely, to develop the alignment with the preservation of YMTPS as the prerequisite; and to examine the feasibility of different alignment options. He supported the latter approach as proposed by the Administration in the current submission. Given the heightened public concern about preservation of built heritage, Mr LAU suggested that in addition to requirements for assessment on environmental implications, the Administration should set out clearly the requirement on built heritage impact assessment in future public works funding proposals. In this connection, he suggested that the Administration might consider revising the standard sub-heading on "Environmental Implications" in each of its funding proposals to incorporate implications on built heritage.

12. The Permanent Secretary for the Environment, Transport and Works (Works) (PS(W)) reiterated that as set out in the current proposal, the EIA for the CKR project would include a built heritage impact assessment. The Permanent Secretary for the Environment, Transport and Works (Environment) (PS(E)/DEP, ETWB) added that the assessment would be done as part of the EIA in accordance with the statutory requirement. The study would have to demonstrate that reasonable efforts had been made to avoid damage or demolition of the heritage items including modification of layout and design of the project before recommending mitigation measures. As to Mr LAU's suggestion about revising the sub-heading on "Environmental Implications", PS(E)/DEP, ETWB undertook to convey this to the relevant bureaux for reference in drafting. Nevertheless, she advised that the requirement for built heritage impact assessment might not be applicable to all public works projects.

Admin

13. Mr LEE Wing-tat noted with concern that the indicative alignment of CKR in the Administration's proposal might affect YMTPS (which would require demolition of its non-historical Annex block and removal of its historical block to be restored after the construction works). In this connection, Mr LEE queried the reasons for the Administration to put forward such an indicative alignment and requested it to provide explanation in detail before the relevant meeting of the Finance Committee (FC). Mr LEE said that DP Members would decide whether to give support to the proposal having regard to further information to be provided by the Administration. Given that the Administration would examine the feasibility of various alignment options in the proposed consultancy studies, Prof Patrick LAU also questioned the reason for the Administration to put forward the indicative alignment in the current proposal.

Admin

14. In response, DHy explained that given the existing approved scope of **582TH**, the Administration could only work out an indicative alignment of CKR and prepared a draft plan showing the facilities in YMT which might be affected based on this indicative alignment for members' reference. He pointed out that without additional funding sought under the current proposal for undertaking site investigations and consultancy studies, the detailed information needed for conducting further consultation and responding to the concerns raised on preservation of built heritage could not be made available. The feasibility of different alignment options, including options which could preserve YMTPS, would have to be examined in detail in the upcoming consultancy studies, subject to consideration of relevant factors such as the feasibility of modifying the design of the side-by-side tunnel tubes for the alignment; and implementation of area-wide traffic management measures during the construction works. In response to Mr LEE Wing-tat's concern, the Administration undertook to provide further clarification for putting forward the indicative alignment before the relevant FC meeting.

15. Referring to the views of a local organization on the importance of preserving the local "Temple Street" culture, Mr LEE Wing-tat enquired whether the impact of CKR on the "Temple Street" culture and the local economy of the YMT area would be assessed in the consultancy studies. In this connection, Mr LEE considered that the Home Affairs Bureau (HAB) should be closely involved in the development of the alignment option so as to make better use of the development project to revitalize the local characteristics of YMT, such as the local "Yung Shu Tau" culture.

16. DHy advised that the scope of the consultancy studies would include examining the performance of different viable combinations of alignment options and reprovioning options in terms of economic, social and environmental impact, paying particular attention to concerns including the preservation of local culture. He said that measures to revitalize the local culture of YMT could be devised through the social and economic impact assessments to be made under the consultancy studies. DS(T)1, ETWB said that HAB would be consulted on relevant issues such as the timing for consultation with the Antiquities Advisory Board. Responding to Mr LEE Wing-tat's further concern, DS(T)1, ETWB advised that government officials at high-level were involved in examining the impact of the CKR project and how the project could be taken forward with public support. The proposed consultancy studies would provide the necessary information required for the public consultation on the preferred alignment scheme.

17. Miss CHAN Yuen-han doubted whether the Administration had attached importance to the preservation of built heritage and local culture in developing the alignment options for CKR. In this connection, Miss CHAN questioned why the Administration had only set out the need to take the local "Yung Shu Tau" culture into consideration in the footnote instead of highlighting it in the main text of the current proposal.

18. In reply, DHy referred members to the drawing showing facilities in YMT which might be affected by CKR in Enclosure 4 to the proposal. He explained that as the impact on the “Yung Shu Tau” area was not shown in the drawing, the footnote to the proposal aimed to inform members that such impact would be taken into consideration in developing the alignment options.

19. Miss TAM Heung-man was concerned that the CKR alignment developed under the consultancy studies might still affect the built heritage in YMT. She therefore enquired whether and how the Administration would report the findings of the site investigations and consultancy studies to LegCo, and gauge the views of the public and professionals bodies before finalizing the alignment scheme. Prof Patrick LAU raised similar concern about the Administration’s plan to report the findings of the consultancy studies to LegCo. Miss CHAN Yuen-han was concerned about the provision of information relating to the impact assessment on built heritage.

20. Mr LEE Wing-tat pointed out that as the detailed design of CKR under the consultancy studies might only be completed in 2012, the Administration should report the findings to LegCo and gauge the views of the public in stages and on a regular basis, say, annually, throughout the long process of the consultancy studies. This could keep the public abreast of the progress of the study and facilitate project development in line with public expectation on the preservation of built heritage.

21. In response, DHy advised that the Administration had undertaken to brief and consult LegCo at various stages of the consultancy studies, as and when relevant findings were compiled from the site investigations and consultancy studies, for example, when alternative alignment options had been developed for consideration and when preferred options had been identified for preliminary design. Nevertheless, given the complexity of the issues involved in developing the alignment scheme, it would not be practicable to set the schedule for reporting to LegCo at the present stage. DS(T)1, ETWB said that the Administration attached importance to gauging public views on the project at an early stage. In this connection, the Administration had further briefed the Traffic and Transport Committee of Yau Tsim Mong District Council (DC) on the progress of CKR in January 2007. Apart from the relevant DCs, the Administration would continue to maintain close liaison with affected stakeholders such as the stall owners of the Jade Bazaar.

22. To better gauge the views of the local communities on the impact of the project on the built heritage and the local culture of YMT, Mr LEE Wing-tat considered that the Administration should draw up a list of organizations to be consulted before the commencement of the consultancy studies.

23. DHy assured members that the Administration would conduct comprehensive consultation to collect views of different sectors of the community on the preferred CKR alignment. Instead of listing out the organizations to be consulted at the present stage, the Administration had attempted to include as many interested organizations as possible in its upcoming consultation by setting

out in its proposal the various groups to be consulted, including the respective DCs, local communities, professional bodies and academics etc.

Timing for seeking additional funds for the CKR project

24. Miss CHAN Yuen-han noted that funds under the existing approved project estimate (APE) of **582TH** had not been exhausted. She doubted whether the Administration could conduct the consultancy studies on the impacts and requirements associated with various alignment options with the remaining resources and sought approval for additional funds at a later stage when the remaining resources had been used up. In response, DHy explained that in addition to seeking an increase in APE to cover the additional costs, the current proposal sought FC's approval to change the scope of **582TH** to cover the expansion from the dual two-lane configuration to a longer dual three-lane configuration for CKR, without which the Administration could not proceed with any studies on the modified configuration. Noting DHy's reply, Miss CHAN Yuen-han opined that the use of funds available under APE was too restrictive and lacked flexibility.

25. Referring to the breakdown of the consultants' fees in Enclosure 2 to the proposal, Prof Patrick LAU said that he supported the funding requirements for the review (including the engineering review, investigation, impact assessments and preliminary design works). He was however of the view that the funding requirements for the detailed design and preparation of tender document should be considered at a later stage as these tasks would only be carried out after the alignment scheme for CKR was finalized.

26. In reply, DHy advised that funds allocated for detailed design and preparation of tender document would be spent at a later stage when the alignment scheme for CKR was finalized. Nevertheless, to streamline the process of making public works projects submissions, it had been an established practice to seek approval of funds required for consultants' fees for the detailed design together with those for site investigations and preliminary design under the same submission. By doing so for the CKR project, the consultant to be commissioned for the site investigations and design could swiftly proceed to the detailed design for the road link once the alignment option had been accepted by the community at large.

27. PS(W) added that according to the normal practice for delivery of large-scale public works projects, the Administration would submit funding requirements for consultancy for the first two stages, i.e. investigation and design under one proposal, and submit a separate funding proposal for construction upon the completion of the investigation and design of the project. Further division of funding submissions for public works projects might involve additional lead time for going through all the necessary procedures and would not be conducive to the implementation of projects in an expeditious manner. He assured members that for the current proposal, the Administration had undertaken to report to LegCo and conduct comprehensive consultation at various stages of the consultancy studies.



Responding to Prof Patrick LAU's query on the lead time required for the procedures in seeking funding approval, PS(W) advised that given the meeting schedules of PWSC and FC with breaks during and at the end of each legislative session, considerable lead time would be required for funding proposals to be submitted for consideration and approval in accordance with the set procedures.

28. Prof Patrick LAU did not subscribe to the Administration's explanation. He pointed out that even though no meetings of PWSC and FC would be held during session breaks, the duration of the breaks would only last from weeks to months and should not be causing significant increase in the lead time for funding approval of the projects. He requested the Administration to undertake that it would only commence the detailed design for CKR upon the acceptance of a final alignment scheme by LegCo and the community at large. Miss TAM Heung-man shared Prof LAU's view and pointed out that where need arose, special committee meetings could be arranged even during session breaks, such as the special Council meeting scheduled in early August 2006 for resumption of the Second Reading debate of the Interception of Communications and Surveillance Bill.

29. Pointing out that the Administration had terminated the first consultancy agreement for CKR in 2002, Dr KWOK Ka-ki considered that the procedures for obtaining funding approval from LegCo was not a cause of the slow progress of the CKR project. He therefore expressed great dissatisfaction towards the Administration's unfair comments which had put the blame on LegCo for the slow progress.

30. PS(W) clarified that his earlier response to Prof Patrick LAU's concern did not mean to put the blame on LegCo for a longer process of project delivery but was merely a factual account of the inevitable lead time required for seeking funding approval if the funding requirements for a public works project was further broken down into three or more stages for submission to LegCo. DHy added that from the technical perspective, clear demarcation of responsibilities between the consultant taking up the investigation and design of a project and the one taking up the construction work would be conducive to the smooth implementation of the project. This arrangement had proved to be effective in large-scale public works projects in the past by preventing disagreement between different consultants involved in site investigations and project design on the investigation findings leading to liability issues that would require the Government to resolve.

31. Referring to precedent cases such as the demolition of the Star Ferry Pier and the clock tower despite strong public sentiment towards the preservation of the structures, Dr KWOK Ka-ki was concerned that if funding approval was granted for investigation and design in one go, the Administration would carry out detailed design of the CKR alignment even in the face of objection by LegCo and the public to the proposed alignment scheme. In reply, PS(W) explained that the project involving the demolition of the Star Ferry Pier and its clock tower was at the construction stage, and was not comparable to the CKR project which was at an earlier stage of investigation and design. He reiterated that the Administration

had undertaken to conduct comprehensive consultation to collect views to develop a preferred alignment scheme. Moreover, separate funding proposal for the construction of CKR would be submitted for LegCo's scrutiny and Members might disapprove funding for the construction if they disagreed with the proposed alignment at that stage.

#### Role of CKR in facilitating traffic flows

32. Referring to the long implementation process of the CKR project (which had started engineering review in 1998 but yet to be completed in 2016), Ms Miriam LAU was concerned whether CKR could be completed timely to provide the necessary relief to traffic congestions on the east-west road links. Moreover, she was concerned that progress of a number of infrastructure projects in Hong Kong had lagged behind their original schedules, thereby making the territory unable to catch up with the pace of development in other major cities in the region. In this connection, Ms LAU expressed support to the current proposal and appreciated the need for additional resources to commission the consultancy studies so that detailed information required for addressing concerns about preservation of built heritage could be compiled. Noting that the Administration had undertaken to conduct comprehensive consultation in developing the alignment scheme and to commence the detailed design upon public acceptance of a final alignment scheme, she considered it acceptable for the Administration to seek funding approval for investigation and design of CKR under one submission. Nevertheless, she was concerned about the difficulties the Administration might encounter in assessing public views on different alignment schemes and in achieving a consensus among the community at large on the final scheme for detailed design.

33. Mr Abraham SHEK shared Ms Miriam LAU's view and supported the construction of CKR as a strategic road link across central Kowloon. He called on members to have confidence in the expertise of the works departments in the approach of awarding consultancy agreements for investigation, design and construction of large-scale public works projects, which had proved to be effective in facilitating smooth implementation of projects in the past.

34. DHy assured members that in taking forward the CKR project, the Administration would strive to gauge public views to develop a preferred alignment scheme through striking a balance between demands for infrastructure development and public aspirations towards preservation of built heritage, thereby facilitating the building of a harmonious society.

35. Mr Albert CHAN also appreciated the importance of CKR in relieving traffic congestion on east-west road links and commended the Administration of taking the initiative to change the scope of the CKR project from a dual two-lane configuration to a dual three-lane configuration to meet changes in the anticipated traffic demands. However, given the Administration's unsatisfactory approaches in taking forward public works projects in the past (e.g. failure to respond to public sentiment in the demolition of the Star Ferry Pier and clock tower),

Mr Albert CHAN said that the Administration could not secure public confidence in its undertakings that impacts on environment and built heritage would be minimized. In this connection, Mr CHAN suggested that improvement should be made in the co-ordination among relevant bureaux and departments in the delivery of public works projects, such as by setting up a high-level committee to co-ordinate and oversee the planning and implementation of each project. He would give support to the current proposal if the aforesaid improvement would be made.

Admin 36. In response, PS(W) said that it was the normal practice of the Administration to set up a steering committee to oversee the planning and implementation of major public works projects. For the current proposal, PS(W) advised that ETWB would take the lead in setting up a high-level inter-departmental steering committee to co-ordinate the work of relevant bureaux and departments. DHy added that representatives from relevant bureaux and departments would participate in the steering committee to give views on matters under their respective purview. At the request of Mr Albert CHAN, the Administration undertook to provide, before the relevant FC meeting, details of the high-level inter-departmental steering committee which would oversee the CKR project, including the composition and responsibilities of the committee.

37. Noting that CKR was a strategic road link across central Kowloon, Mr LAU Kong-wah expressed concern about whether and how, in addition to relieving the traffic congestion at peak hours on the existing east-west road links, CKR could help to facilitate the choice of different road-harbour crossings (RHCs) and the traffic flow from the northern part of the territory.

Admin 38. The Assistant Commissioner (Planning), Transport Department said that according to the study conducted by the Transport Department, CKR would serve as an important strategic road for mainly east-west movements across central Kowloon. As it would be connected at its both ends with the existing strategic road network for further connections with roads leading to the Western Harbour Crossing, the Eastern Harbour Crossing, and the northern part of the territory, it could also facilitate the choice of different RHCs. For example, traffic between Kowloon East and Hong Kong Island West could use the road for access to the Western Harbour Crossing and in doing so, it would not be necessary to pass through the congested Cross Harbour Tunnel nor the existing congested Gascoigne Road and Chatham Road North. He further advised that the paper focused on illustrating how CKR would relieve the congestions on the existing major roads without presenting in detail the function of CKR in facilitating traffic diversion to other parts of the strategic road network. At the request of Mr LAU Kong-wah, the Administration undertook to provide, before the relevant FC meeting, information to illustrate the efficacy of CKR as a strategic road link as set out in this paragraph and paragraph 37 above.

39. The item was voted on and endorsed. Mr LEE Wing-tat requested that this item be voted on separately at the relevant FC meeting.

40. The meeting ended at 9:53 am.

Council Business Division 1  
Legislative Council Secretariat  
16 April 2007