

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

**Minutes of the 20th meeting
held in Conference Room 1 of the Legislative Council Complex
on Wednesday, 2 July 2014, at 8:30 am**

Members present:

Ir Dr Hon LO Wai-kwok, BBS, MH, JP (Chairman)
Hon LEUNG Che-cheung, BBS, MH, JP (Deputy Chairman)
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon WONG Kwok-hing, BBS, MH
Hon CHAN Hak-kan, JP
Hon CHAN Kin-por, BBS, JP
Dr Hon LEUNG Ka-lau
Hon IP Kwok-him, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon Albert CHAN Wai-yip
Hon Michael TIEN Puk-sun, BBS, JP
Hon James TIEN Pei-chun, GBS, JP
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Hon Gary FAN Kwok-wai
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Han-pan, JP
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon Alice MAK Mei-kuen, JP

Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Dr Hon Elizabeth QUAT, JP
Dr Hon CHIANG Lai-wan, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members absent:

Hon Emily LAU Wai-hing, JP
Hon Cyd HO Sau-lan, JP

Public officers attending:

Mr YEUNG Tak-keung	Deputy Secretary for Financial Services and the Treasury (Treasury) ³
Mr WAI Chi-sing, JP	Permanent Secretary for Development (Works)
Mr Thomas CHOW Tat-ming, JP	Permanent Secretary for Development (Planning and Lands)
Ms Anissa WONG	Permanent Secretary for the Environment
Ms Jasmine CHOI Suet-yung	Principal Assistant Secretary for Financial Services and the Treasury (Treasury) (Works)
Mr HON Chi-keung	Director of Civil Engineering and Development
Mr Robin LEE Kui-biu	Deputy Head of Civil Engineering Office (Port and Land) Civil Engineering and Development Department
Mr David LAM Chi-man	Chief Town Planner (Strategic Planning) Planning Department

Clerk in attendance:

Ms Sharon CHUNG	Chief Council Secretary (1) ⁶
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Staff in attendance:

Mr Andy LAU	Assistant Secretary General 1
Mr Anthony CHU	Senior Council Secretary (1) ⁶
Mr Fred PANG	Senior Council Secretary (1) ⁸
Mr Frankie WOO	Senior Legislative Assistant (1) ³
Ms Clara LO	Legislative Assistant (1) ¹⁰

The Chairman advised that there were 21 funding proposals on the agenda of the meeting. Of these proposals, 20 were for upgrading capital works projects to Category A and one was to increase the approved project estimate of a Category A item.

2. The Chairman reminded members that in accordance with Rule 83A of the Rules of Procedure ("RoP") of the Legislative Council ("LegCo"), they should disclose the nature of any direct or indirect pecuniary interests relating to the funding proposals under discussion at the meeting before they spoke on the item. He also drew members' attention to Rule 84 of RoP on voting or withdrawal in case of direct pecuniary interest.

Re-ordering of agenda items

3. The Subcommittee noted that in his letter to the Chairman dated 1 July 2014 which had been tabled at the meeting, Dr Fernando CHEUNG had requested that the Chairman should re-order the agenda items of the meeting.

(Post-meeting note: A soft copy of Dr CHEUNG's letter was circulated to members by email on 3 July 2014.)

4. The Chairman invited Dr Fernando CHEUNG to give details about his request. Dr CHEUNG said that due to the controversial nature of PWSC(2014-15)11, i.e. "768CL - Strategic Studies for Artificial Islands in the Central Waters", and the considerable number of motions proposed by members on the item, the Subcommittee would need quite some time to complete the deliberation on the item. To avoid delaying the consideration of PWSC(2014-15)28 ("354EP - A 36-classroom primary school in Area 36, Fanling"), PWSC(2014-15)27 ("108ET - Two Special Schools at Sung On Street, To Kwa Wan"), PWSC(2014-15)29 ("93EB - Construction of an annex to Baptist Lui Ming Choi Secondary School, Shatin, New Territories") and PWSC(2014-15)26 ("107ET - A school for social development for girls at Choi Hing Road, Kwun Tong, Kowloon"), all of which were public works projects related to education services, he had requested in the letter that the Chairman should move forward these items for the Subcommittee's discussion and decision, and postpone the consideration of PWSC(2014-15)11.

5. Mr Albert CHAN supported Dr CHEUNG's suggestion, which he considered would facilitate the early implementation of the relevant proposals under items PWSC(2014-15)26-29.

6. Mr TAM Yiu-chung was of the view that all items on the agenda of the meeting were important and should be dealt with as early as possible. He appealed to the concerned members to withdraw the motions that they had proposed on PWSC(2014-15)11 under Paragraph 32A of the PWSC Procedure ("32A") so that the Subcommittee could immediately proceed to vote on the item and commence the discussion on other items on the agenda.

7. Mr WONG Kwok-hing said that the process to deal with PWSC(2014-15)11 had been unduly prolonged because of various tactics adopted by some members filibustering the discussion on the item. He opined that all the items on the agenda, including the proposal to increase housing land supply through reclamation, were important to Hong Kong people. The relevant members should withdraw their proposed motions that had been forwarded to the Chairman and end the filibuster.

8. Mr Gary FAN was of the view that some of the items on the agenda were more controversial than the others. The results of public consultation conducted by the Administration had indicated that there were strong views against the proposal to increase land supply through reclamation. The motions proposed by members under 32A on PWSC(2014-15)11 aimed to reflect these views, to which the Administration should pay due regard. He supported Dr CHEUNG's request and considered that PWSC(2014-15)26-29 were not controversial proposals.

9. Mr WU Chi-wai agreed with Dr CHEUNG that before continuing to examine PWSC(2014-15)11, the Subcommittee should deal with other agenda items which were livelihood-related and non-controversial, such as the funding proposals to improve school and hospital facilities. He held the view that a short delay in approving a proposed study on reclamation in the central waters would not create significant impact on the society and members should not be asked to rush through and vote on the proposal. As the Subcommittee had not reached a consensus on a number of issues arising from PWSC(2014-15)11, including the areas in the central waters that should not be selected for developing artificial islands, more deliberation on the item should be allowed to address members' concerns.

10. The Chairman advised that the role of the Subcommittee was to examine the expenditure proposals on public works projects which fell under the Capital Works Reserve Fund and to make recommendations to the Finance Committee ("FC"). Under the existing practice, the Administration would give notice to the Clerk to the Subcommittee of the items of business to be included in the agenda of a Subcommittee's meeting. The PWSC Chairman had all along respected the Administration's views on the order of agenda items and their priorities. The Chairman recalled that he had

informed members about the same practice at a previous meeting when considering a member's suggestion to postpone the deliberation on funding proposals on waste management facilities and move forward another agenda item. He did not consider it appropriate to deviate from the existing practice.

11. At the invitation of the Chairman, Deputy Secretary for Financial Services and the Treasury (Treasury)³ gave the Administration's views on the order of the agenda items. He advised that many of the items on the agenda were carried over from previous meetings of the Subcommittee back in May 2014. The Chairman had reminded members a couple of times about the number of items yet to be considered by the Subcommittee within the current session. To deal with these items, additional meetings had been held in May and June. He said that as there was an urgency for the Administration to take forward all the funding proposals under the agenda, the Administration appealed to members to complete the examination of the proposals as soon as possible.

12. Mr Albert CHAN enquired whether, if a motion to support Dr Fernando CHEUNG's suggestion to re-order the agenda items had been proposed and carried at the meeting, the Chairman should decide on the matter in light of the motion passed. The Chairman said he had ruled that the agenda items should not be re-ordered.

Head 705 – Civil Engineering

PWSC(2014-15)11 768CL Strategic studies for artificial islands in the Central Waters

13. The Chairman advised that the Subcommittee had spent some eight hours on dealing with the item PWSC(2014-15)11 and had decided by voting not to proceed with 43 motions proposed under 32A. In response to his requests at the meeting on 25 June 2014, members who had indicated that they would propose motions on the item had subsequently forwarded all their motions to him. He had said at the previous meeting that he should not accept new motions proposed under 32A on the item. After completing the process of dealing with the remaining proposed motions that were directly related to the agenda item, he would put the item to vote.

14. The Chairman further advised that of the remaining motions forwarded to him before the meeting, he considered that some groups of motions about the same subject matters should be consolidated by the concerned members. Some motions were duplicates of other proposed motions or the meaning of which was unclear or incomprehensible. He had

informed the concerned members in writing about his views on these motions before the meeting and had returned the motions to them. Copies of his letters to the concerned members had been circulated to all members of the Subcommittee for reference. He said that at the meeting, the Subcommittee would proceed to deal with 115 proposed motions that had been ruled to be directly related to the agenda item. If some members forwarded consolidated motions to him at the meeting, he would peruse them in due course.

Motions numbered 0064 to 0175

15. The Chairman took turn to put to vote the questions that proposed motions numbered 0064, 0066 to 0070, 0088, 0090, 0091 to 0097, 0104, 0108, 0113, 0118 to 0128, 0130 to 0131, 0133, 0135 to 0144, 0146 to 0150, 0153, 0156 to 0175 be proceeded forthwith. As requested by members, the division bell was rung for one minute before members' voting on individual questions. All questions were voted down by a majority of members.

Arrangements for handling the remaining proposed motions

16. The Chairman advised that Dr Fernando CHEUNG and Mr Gary FAN had consolidated the motions that had been returned to them before the meeting and forwarded 11 and two motions to him respectively. One of the motions proposed by Mr FAN was a duplicate of another motion and had been returned to him. He said that the total number of motions that were yet to be dealt with by the Subcommittee was about 60. As the meeting was the last one of the Subcommittee in the current legislative session, the Subcommittee would deal with the remaining proposed motions in the next session.

Any other business

17. There being no other business, the meeting ended at 10:30 am.