

立法會
Legislative Council

LC Paper No. CB(1)852/14-15
(These minutes have been seen
by the Administration)

Ref : CB1/PL/DEV

Panel on Development

Minutes of meeting
held on Tuesday, 24 February 2015, at 2:30 pm
in Conference Room 3 of the Legislative Council Complex

Members present : Hon Tony TSE Wai-chuen, BBS (Chairman)
Dr Hon LAU Wong-fat, GBM, GBS, JP (Deputy Chairman)
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon Frederick FUNG Kin-kee, SBS, JP
Hon Cyd HO Sau-lan, JP
Hon CHAN Hak-kan, JP
Hon CHAN Kin-por, BBS, JP
Hon IP Kwok-him, GBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon James TIEN Pei-chun, GBS, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing
Hon Gary FAN Kwok-wai
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Alice MAK Mei-kuen, JP

Dr Hon Elizabeth QUAT, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP

Members absent : Hon Albert CHAN Wai-yip
Hon Michael TIEN Puk-sun, BBS, JP
Dr Hon Fernando CHEUNG Chiu-hung

Public officers attending : **Agenda item IV**

Ms Brenda AU Kit-ying
Head of Energizing Kowloon East Office
Development Bureau

Ms Winnie HO Wing-yin
Deputy Head of Energizing Kowloon East Office
Development Bureau

Miss Margrit LI
Assistant Director (Leisure Services)
Leisure and Cultural Services Department

Dr Lesley LAU Fung-ha
Head (Art Promotion Office)
Leisure and Cultural Services Department

Mr Eddie LO
Senior Executive Officer (Planning)5
Leisure and Cultural Services Department

Mrs Alice YU NG Ka-chun
Project Director 3
Architectural Services Department

Mr Allen LEUNG Kin-tak
Chief Project Manager 302
Architectural Services Department

Agenda item V

Mr Francis CHAU Siu-hei
Principal Assistant Secretary (Works)2
Development Bureau

Mr WONG Chung-leung
Principal Assistant Secretary (Works)3
Development Bureau

Mr Robin LEE Kui-biu, JP
Deputy Head of Civil Engineering Office (Port & Land)
Civil Engineering and Development Department

Mr Gabriel WOO Tai-on
Chief Engineer/Land Works
Civil Engineering and Development Department

Ms Vina WONG
Senior Landscape Architect (Land Works 3)
Civil Engineering and Development Department

Mr LEUNG Wing-lim, JP
Assistant Director/New Works
Water Supplies Department

Mr YEUNG Sek-kui
Chief Engineer/Design
Water Supplies Department

Miss Vera CHOI Sze-man
Chief Architect 1 (Acting)
Housing Department

Ms Georgina LEE Shun-yuk
Senior Architect 29
Housing Department

Agenda item VI

Mr WONG Chung-leung
Principal Assistant Secretary (Works)3
Development Bureau

Mr LEUNG Wing-lim, JP
Assistant Director/New Works
Water Supplies Department

Mr Lawrence POON Pak-wah
Chief Engineer/Project Management (Acting)
Water Supplies Department

Clerk in attendance : Ms Sharon CHUNG
Chief Council Secretary (1)2

Staff in attendance : Mr Fred PANG
Senior Council Secretary (1)2

Mr Raymond CHOW
Council Secretary (1)2

Ms Christina SHIU
Legislative Assistant (1)2

Action

I Confirmation of minutes
(LC Paper No. CB(1)547/14-15 -- Minutes of meeting on
25 November 2014

The minutes of the regular meeting on 25 November 2014 were confirmed.

II Information papers issued since the last meeting
(LC Paper No. CB(1)556/14-15(01) -- Administration's response to
the letter from
Dr Hon Kenneth CHAN
dated 24 November 2014 on
matters related to the Town
Planning Ordinance and the
Town Planning Board (LC
Paper No.
CB(1)299/14-15(01))

2. Members noted that the above information papers had been issued since the last meeting.

3. Dr Kenneth CHAN opined that the response set out by the Administration in LC Paper No. CB(1)556/14-15(01) had not satisfactorily addressed the concerns in his letter dated 24 November 2014 about the measures to be taken by the Administration in view of the court judgments in the appeal cases, CACV 127/2012, CACV232/2012 and 233/2012, which were related to amendments to the Town Planning Ordinance ("TPO"), functions of the Town Planning Board ("TPB") and the town planning procedure. He suggested that the Chairman should consider including these matters in the agenda for a future meeting and invite the representatives of the Administration for a discussion. Members of the public should also be invited to give views on the subject. The Chairman said that he would follow up Dr CHAN's suggestion with the Administration.

(Post-meeting note: The Administration has provided a further response to Dr Kenneth CHAN's letter. The response was circulated to members on 21 April 2015 vide LC Paper No. CB(1)764/14-15(01).)

III Items for discussion at the next meeting

(LC Paper No. CB(1)546/14-15(01) -- List of outstanding items for discussion

LC Paper No. CB(1)546/14-15(02) -- List of follow-up actions)

4. Members agreed that the following three items proposed by the Administration be discussed at the next meeting scheduled for Tuesday, 24 March 2015 at 2:30 pm --

- (a) PWP Item No. 117KA -- Relocation of New Territories West Regional Office and Water Resources Education Centre of Water Supplies Department to Tin Shui Wai;
- (b) PWP Item No. 357WF -- Design and construction for the first stage of desalination plant at Tseung Kwan O -- investigation study review, design and site investigation; and
- (c) Regrading of multi-disciplinary directorate posts.

5. The Chairman advised that the Research Office of the Secretariat had prepared two Information Notes (LC Papers Nos. IN03/14-15 and IN04/14-15), one on assessment of the value of resumed properties, the other on resolving disputes arising from land resumption, which had been issued to members on 23 January 2015. The Administration would provide written response on the two subjects. The Chairman suggested that the two subjects be discussed at the meeting on 24 March, and that, to allow sufficient time for discussion, the meeting be extended to end at 6:30 pm. Members agreed to the suggestion.

(Post-meeting note: At the request of the Administration and with the concurrence of the Chairman, the discussion on the item "regrading of multi-disciplinary directorate posts" has been deferred to a future meeting. In light of some members' suggestion, the Chairman has instructed that an information paper on "revision of fees for registration of building professionals and contractors under the purview of the Buildings Department" (circulated to members vide LC Paper No. CB(1)646/14-15(01) on 16 March 2015) be included for discussion at the meeting on 24 March 2015. Members were informed of the above arrangements on 19 March 2015 vide LC Paper No. CB(1)660/14-15.)

IV PWP Item No. 3450RO -- Converting Tsun Yip Street Playground as Kwun Tong Industrial Culture Park

(LC Paper No. CB(1)546/14-15(03) -- Administration's paper on 3450RO -- Converting Tsun Yip Street Playground as Kwun Tong Industrial Culture Park)

6. With the aid of a powerpoint presentation, Head of Energizing Kowloon East Office, Development Bureau ("Head/EKEO/DEVB") briefed members on the proposal to upgrade PWP Item No. 3450RO to convert part of the existing Tsun Yip Street Playground ("the Playground") into the Kwun Tong Industrial Culture Park ("the Park"). The details of the proposal were given in the Administration's paper (LC Paper No. CB(1)546/14-15(03)). Head/EKEO/DEVB advised that the estimated cost of the proposed conversion works under the project was \$109.2 million. Subject to the funding approval of the Finance Committee ("FC"), the Administration planned to commence the project in late 2015 for completion in late 2017.

(*Post-meeting note: A soft copy of the powerpoint presentation materials was circulated to members vide LC Paper No. CB(1)580/14-15(01) by email on 25 February 2015.*)

7. 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 subjects under discussion at the meeting before they spoke on the subjects.

Name and theme of the Park

8. Mr IP Kwok-him said that he was supportive of the proposal to convert the Playground to a park for public enjoyment. Noting that according to the Administration's proposal, the main theme of the Park was "industrial culture", he asked about the design elements that would be incorporated into the Park to realize the theme, and the technology to be employed to present the elements to attract visitation. Mr CHAN Kam-lam raised similar questions and queried how the design of the Park could represent the industrial development of Kwun Tong in the past and promote public understanding of the industrial culture.

9. Head/EKEO/DEVB replied that the Administration planned to transform the Playground into a public space with enhanced environment for members of the public to stay, sit and rest as well as for holding different kinds of activities. About seven groups of public art installations would be displayed at the Park under the theme of "industrial culture". These installations would express the unique features of the manufacturing industries, such as textile, clothing, toys, electronics, watches, printing and plastics, operated in the past or at present. Subject to the funding approval for this project, the Leisure and Cultural Services Department ("LCSD") would oversee the curation of the public art installations for the Park to match the theme of "industrial culture".

10. Head/EKEO/DEVB further advised that with the same theme, the improvement of the sitting-out area near Tsun Yip Street had been completed and opened for public enjoyment in September 2014 as Phase 1 of the transformation of Tsun Yip Street Playground, which had demonstrated an efficient enhancement to provide an improved open space carrying a unique industrial character with greenery. Four containers had been converted into functional pavilions to showcase the industrial development of Kowloon East since the 1950s through the display of exhibition panels, videos and works of art, including installations that symbolized industrial products.

11. The Chairman said that the Administration's paper had not included the details about the transformation of Tsun Yip Street Playground Phase 1. He asked the Administration to provide information about the pavilions and the exhibits provided at the sitting-out area. Mr Alan LEONG suggested that the Administration might provide photographs showing how the design of the area had incorporated the elements that demonstrated a flavour of the industrial culture.

(Post-meeting note: The Administration's supplementary information was circulated to members on 29 April 2015 vide LC Paper No. CB(1)803/14-15(01).)

12. Mr YIU Si-wing stressed the importance for the Administration to set a clear positioning for the Park. He opined that the Park should be designed to reflect the transformation of Kwun Tong from an industrial area into a business area for promoting young people's and visitors' understanding of the industrial development of Hong Kong.

13. Ir Dr LO Wai-kiwok cited a project converting a shipyard into a park in Zhongshan, China, as an example to illustrate how the design of a park could inherit the unique features of the original use of the site. He opined that the Administration should give more thoughts to improving the proposed design in order to bring out the theme of "industrial culture".

14. Mr LEUNG Che-cheung opined that, to sustain the attractiveness of the Park, the Administration needed to broaden and enrich the appeal of the Park through adding creative and cultural elements to the design. Mr Alan LEONG opined that the Administration might consider whether park facilities such as flower beds and benches could be designed in a way to symbolize some unique industrial products and the factory life in the past.

15. Mr James TIEN, Mr WU Chi-wai and Ms Emily LAU queried about the need to develop a theme for the Park if it would mainly serve as a place of relaxation for local residents and working people. Mr WU was concerned whether the Administration would need to plan many events to attract visitors to the Park in future. He said that the Administration might face difficulties in promoting public participation in such activities, similar to the promotion of some events previously organized by the Energizing Kowloon East Office ("EKEO"). Taking in view that the primary purpose of the proposal was to provide a large public space in Kwun Tong, he considered that the proposed Park should be designed to cater for the actual needs of those who lived or worked in the district. Mr TIEN suggested that, instead of

naming the Park as "Kwun Tong Industrial Culture Park", the Park might be named simply as "Kwun Tong Park".

16. Head/EKEO/DEVB replied that the Administration would consider members' views about the name of the Park. As regards organization of events, EKEO would liaise with LCSD on how to make good use of the Park for carrying out activities in line with the place-making strategy for energizing Kowloon East. Consideration was being given to, for example, staging music performances at the Park in the daytime. She said that EKEO had staged a carnival "Playful Thursdays" at the Playground every Thursday for several weeks. The event had been well received by the people working in the district.

17. Ms Emily LAU was concerned that, despite spending a large amount of public monies, the Administration eventually could not come up with a satisfactory design for the Park to highlight the proposed theme and the Park would fall short of public expectation. Head/EKEO/DEVB replied that EKEO had engaged a consultancy service in 2012 to carry out a study on the industrial culture of Kowloon East. The consultant team comprised multi-disciplinary professionals including architects, town planners, art designers, historians, etc., and was commissioned to, among others, formulate strategies to incorporate elements of the industrial culture of Kowloon East into the transformation of the Playground through urban design.

18. The Chairman said that members had expressed concern on, apart from the provision of art installations, how the Park itself, which comprised mainly the central lawn, could highlight the theme of "industrial culture". He asked the Administration to provide supplementary information on the design of the Park in light of such concern.

(Post-meeting note: The Administration's supplementary information was circulated to members on 29 April 2015 vide LC Paper No. CB(1)803/14-15(01).)

Provision of sports facilities at the Park

19. Noting that the major facilities of the Playground were hard-paved ball courts, Ir Dr LO Wai-kwok and Mr James TIEN expressed concern about the Administration's plan of not re-providing any sports facilities in-situ after the proposed conversion works. Ir Dr LO cast doubt on whether it was appropriate for the Administration to transform the Playground, which had been a place for people to do exercises or play sports, into a park where the facilities that enabled people to stay for a longer time were limited. Mr TIEN enquired whether the Administration would provide some sports facilities such as a soccer pitch at the proposed Park.

20. In reply, Head/EKEO/DEVB explained that of the ball courts currently provided at the Playground, one 7-a-side soccer pitch and two basketball courts would be re-provided at Hong Ning Road Park and Ngau Tau Kok Fresh Water Service Reservoir under a separate project. The Architectural Services Department was engaging a consultant for the design of that project. Although the total number of ball courts in Kwun Tong would be reduced from 23 to 22 following the conversion and the reprovisioning works, the supply was in compliance with the Hong Kong Planning Standards and Guidelines and should be adequate to meet the demand in the district. She advised that the utilization rates of the roller skating rink and the basketball courts at the Playground were currently low. Given that the reprovisioned sites for the ball courts were near housing estates, the Administration considered that the future utilization of the ball courts at the reprovisioned sites would be higher than that at the Playground.

21. In response to Mr James TIEN's enquiry about the views of the Kwun Tong District Council ("KTDC") and local residents on not re-providing the ball courts at the Playground, Head/EKEO/DEVB advised that the Administration had consulted KTDC and its District Facilities Management Committee on the conversion of the Playground to the Park at three meetings. KTDC members considered the reprovisioning proposal for the ball courts acceptable.

22. Dr Kenneth CHAN enquired whether the ball courts at the reprovisioned sites could be open for use before the commencement of the proposed conversion works at the Playground. In reply, Head/EKEO/DEVB said the Administration anticipated that the new ball courts would be ready for use about three years or so after the commencement of the proposed works at the Playground. KTDC had been informed about the time gap and had requested the Administration to shorten it as much as possible. She

advised that the reprovisioning works for the ball courts might be carried out in phases so that some of them could be made available for use earlier.

23. Mr WU Chi-wai enquired about the statistical support for the Administration's view that the utilization of the existing sports facilities at the Playground was low. Head/EKEO/DEVB replied that according to the statistics provided by LCSD, the average utilization rates of the basketball courts, soccer pitches and the roller skating rink at the Playground were 4%, 11% and 2% respectively for most of the time. During non-office hours and holidays, the utilization rates of the basketball courts and soccer pitches were 18% and more than 60% respectively.

24. Mr LEUNG Che-cheung said that the demand for sports facilities in commercial or industrial areas should not be neglected. He opined that, as such demand still existed during non-office hours and holidays, the Administration should appropriately provide ball courts at the proposed Park. He further suggested that while the core part of the Park could be used for carrying out creative and cultural activities, facilities such as jogging trails could be provided along its periphery.

25. Mr Alan LEONG enquired whether the proposed conversion works would be implemented in phases so that some of the existing ball courts would still be available for use by the public during the works period. Head/EKEO/DEVB replied that due to site constraints, it was not practicable to carry out the conversion works in phases. The Administration would strive to complete the works on schedule so that some facilities planned for the Park would be made ready early for use.

26. Mr WU Chi-wai said that the proposed conversion of a sports playground into a park was a significant change and certain demand for ball courts might still exist in the area. To cater for different needs of those who lived or worked in the district, apart from serving as a leisure place, the Park should include venues that could provide flexibility for holding different activities.

27. Head/EKEO/DEVB replied that under the proposal, a multi-purpose area would be provided at the Park. As for soccer activities, they would require the activity area to be fenced with tall structures, which were however not compatible with the Park's overall design. She said that the hard-paved ball courts currently provided at the Playground could no longer meet the needs of present-day business workers. The proposal to provide a large area of greenery space at the Park would also help alleviate the hot island effect in the area. She reiterated that the reprovisioned sites for the

ball courts at Hong Ning Road Park and Ngau Tau Kok Fresh Water Service Reservoir were not far away from Tsun Yip Street and, compared with the Playground, it was closer to residential areas. Moreover, three 7-a-side soccer pitches at a recreation ground next to Kwun Tong Swimming Pool were under renovation and would be re-opened in mid-2015.

28. Miss CHAN Yuen-han said she was supportive of the proposal to convert the Playground into the Park. However, she did not agree with the Administration that the re-provisioned sites for the ball courts were not far away. At members' request, the Administration would provide information on whether venues for jogging and soccer activities would be appropriately provided at the proposed Park.

(Post-meeting note: The Administration's supplementary information was circulated to members on 29 April 2015 vide LC Paper No. CB(1)803/14-15(01).)

Other facilities at the Park

29. Mr YIU Si-wing, Ir Dr LO Wai-kwok and Mr LEUNG Che-cheung suggested that more rain/sun shelters should be provided at the Park to attract more people to stay and rest there in the daytime. Mr LEUNG said that most of the people working nearby might not be willing to take part in the evening programmes held at the Park as they might prefer to go home early after work. Ir Dr LO suggested that the Administration might make reference to the design of the rain/sun shelters at the Sha Tin Central Park.

30. Head/EKEO/DEVB replied that members' views about the provision of rain/sun shelters were noted and would be taken into account at the detailed design stage. In response to Ir Dr LO's enquiry on whether the proposed performance stage at the Park would be provided with a cover, Head/EKEO/DEVB advised that it was not necessary. She explained that under inclement weather conditions, few people would perform at the stage as there would be few people staying at the central lawn.

31. Considering that the Park was located near commercial buildings, Mr YIU Si-wing opined that it might function as a "city lung" in the area. Noting that under the proposed design, most of the trees would be provided at the periphery of the Park, he suggested that the Administration should plant some trees at the central lawn to make more rest places with shade. In addition, jogging facilities should be provided at the central lawn. Head/EKEO/DEVB responded that the Administration would consider Mr YIU's suggestions. She advised that the central lawn would serve as a

place for people to stay and sit as well as for staging different kind of activities. A sitting-out area with soft landscaping and rain shelters would be provided at the Park.

32. The Chairman asked the Administration to give details about the design and space requirements of the proposed toilet block and baby care room, and the justifications for providing these facilities near private/commercial buildings.

(Post-meeting note: The Administration's supplementary information was circulated to members on 29 April 2015 vide LC Paper No. CB(1)803/14-15(01).)

33. Miss CHAN Yuen-han suggested that, to make a more efficient use of land resources, the Administration should construct multi-storey structures at the proposed Park to provide workshop areas/units at an affordable rent level for young people engaged in creative and cultural work. Many of these young people were forced to move out from the industrial buildings in Kowloon East because of the rising rents. Moreover, to meet the needs of these young people, sports facilities such as ball courts should be provided in the area.

34. Head/EKEO/DEVB replied that the provision of multi-storey structures at the Park would compromise its overall design. She assured members that the Administration would continue to identify possible sites in Kwun Tong to cater for different uses as far as practicable. Miss CHAN requested the Administration to re-consider her suggestions and provide a written response.

(Post-meeting note: The Administration's supplementary information was circulated to members on 29 April 2015 vide LC Paper No. CB(1)803/14-15(01).)

Accessibility of the proposed Park

35. Mr CHAN Kam-lam opined that the existing pedestrian access to the Playground was narrow and illegal parking on the roads nearby was serious. He enquired about the measures to be adopted by the Administration to improve the surrounding area of the proposed Park to facilitate public participation in the activities held at the Park in future. Miss CHAN Yuen-han said that the Administration should enhance the connectivity between the Playground and the major transport nodes in Kwun Tong.

36. Head/EKEO/DEVB replied that the Administration was conducting a study on the improvement of the pedestrian environment in Kwun Tong, including the beautification of back lanes in the district. Under the proposal on the conversion of the Playground to the Park, the back lane adjoining the Playground would be repaved. The Administration would provide information about the accessibility to and connectivity of the proposed Park with major transport nodes.

(Post-meeting note: The Administration's supplementary information was circulated to members on 29 April 2015 vide LC Paper No. CB(1)803/14-15(01).)

Management of the Park

37. Dr Kenneth CHAN enquired about the Government department that would take up the management of and programme planning for the Park. He opined that the management approach to be adopted by the concerned department was vital to the effective use of the space in the Park in future. Head/EKEO/DEVB replied that LCSD was the department responsible for the management of public park facilities. There were cases in which EKEO collaborated with LCSD in organizing activities in the open spaces in Kowloon East. The Chairman asked the Administration to provide details about the management of the Park, including the government department(s) that would take up management and programme planning; and if more than one department would be involved, the delineation of the responsibilities among these departments.

(Post-meeting note: The Administration's supplementary information was circulated to members on 29 April 2015 vide LC Paper No. CB(1)803/14-15(01).)

Information given in the discussion paper

38. Dr Kenneth CHAN said that to facilitate the relevant committees' examination of the proposal to upgrade the project to Category A, the Administration should provide a detailed breakdown of the estimated cost of the project. Mr Alan LEONG said that the Administration's paper was too brief. He queried whether the Administration should apply for the proposed funding only after firming up the details of the project.

39. Head/EKEO/DEVB advised that the proposed design was currently at a conceptual stage. More details about the project proposal, including a

breakdown of the proposed funding would be provided in the relevant paper on the proposal when it was submitted to the Public Works Subcommittee ("PWSC") for consideration. The Administration would take into account the views given by members when working out the detailed design of the project.

40. Ms Emily LAU was concerned about the inadequacy of information given in the discussion papers recently provided by the Administration. She opined that the Administration should improve the contents of discussion papers, especially those on funding proposals, to make them informative enough for members' consideration. She suggested that the Chairman should convey members' concerns in this respect to the Administration. The Chairman noted Ms LAU's views.

(Post-meeting note: The Clerk, at the instruction of the Chairman, wrote to the Development Bureau on 25 February 2015 to convey members' concerns on the inadequacy of information given in the discussion papers provided to the Panel.)

Submission of the proposal to the Public Works Subcommittee

41. The Chairman sought members' views on the Administration's proposal that PWP Item No. 3450RO be submitted to PWSC. Members agreed that the proposal be submitted to PWSC for consideration.

V Three PWP Items related to proposed developments in Area 54, Tuen Mun (666CL, 681CL and 99WC)

(LC Paper No. CB(1)546/14-15(04) -- Administration's paper on 666CL -- Formation, roads and drains in Area 54, Tuen Mun -- phase 1; and 681CL -- Formation, roads and drains in Area 54, Tuen Mun -- phase 2

LC Paper No. CB(1)554/14-15(01) -- Administration's paper on 99WC -- Water supply to Northwestern Tuen Mun)

42. Principal Assistant Secretary (Works)2, Development Bureau ("PAS/DEV(W)2") advised the Panel that the Administration proposed to upgrade part of three public works projects, i.e. PWP Items Nos. 666CL,

681CL and 99WC ("the proposed projects"), to Category A. The proposed projects covered formation of land, construction of roads and drains, laying of water mains, etc., for the public housing development in Area 54, Tuen Mun ("Area 54"). The estimated total cost of the three proposed projects was \$1.1 billion in money-of-the-day prices. Under the proposed projects, two public housing sites, i.e. Site 1&1A and Site 3/4 (East), would be formed. The Housing Department would provide about 7 000 public housing flats in phases at the two sites. Subject to the Panel's support, the Administration would seek endorsement from PWSC and funding approval from FC for the proposals.

43. With the aid of a powerpoint presentation, Deputy Head of Civil Engineering Office (Port & Land), Civil Engineering and Development Department ("DH(CEO)(P&L)/CEDD") and Chief Engineer/Design, Water Supplies Department elaborated on the details of the proposed projects, including the scopes, the relevant implementation timetables and the stakeholders consulted.

(Post-meeting note: A soft copy of the powerpoint presentation materials was circulated to members vide LC Paper No. CB(1)580/14-15(02) by email on 25 February 2015.)

44. The Chairman reminded members that in accordance with Rule 83A of RoP of LegCo, they should disclose the nature of any direct or indirect pecuniary interests relating to the subjects under discussion at the meeting before they spoke on the subjects.

Scopes and implementation timetables of the proposed projects

45. Noting that the proposed projects would take four years to complete, Mr YIU Si-wing enquired whether there was room to compress the project timeframe to facilitate an early delivery of the formed land for public housing development. DH(CEO)(P&L)/CEDD replied that the works under the proposed projects mainly included the formation of public housing sites and the construction of road works. The Administration planned to complete the site formation works in about two years so that the formed land could be made available for the Housing Department to commence the construction of buildings. He advised that the proposed timetable was already a compressed one. After completing the site formation works, the Administration would proceed to carry out the associated infrastructure works.

46. Mr Frederick FUNG enquired whether the land between the two proposed public housing sites could be used for public housing development.

DH(CEO)(P&L)/CEDD replied that there were currently a village and some container yard facilities in that area. Moreover, land developers had submitted applications for residential developments at some private land lots in the area. In response to Mr FUNG's enquiry on whether the private development projects would be in conflict with the Administration's planned developments, DH(CEO)(P&L)/CEDD advised that those projects were consistent with the planning intention of the relevant Outline Zoning Plan in force.

47. Noting that the sites under the proposed projects were irregular in shape, Ir Dr LO Wai-kwok asked why the project areas did not include more land lots, such as the land near the middle of Site 3/4 (East). DH(CEO)(P&L)/CEDD replied that there were burial grounds, in particular, about 28 graves or urn graves, in the vicinity of the proposed works sites. After considering the views of the owners of the graves, the Administration proposed to exclude some land where the burial grounds were located from the project areas.

48. Mr CHAN Kin-por expressed support for the proposed projects. Taking in view that the proposals would be subject to the examination of PWSC and FC but there might be filibustering at the meetings of these committees, he enquired about the Administration's plans for handling possible delay in securing the funding approval for the proposals. In reply, DH(CEO)(P&L)/CEDD said the Administration hoped that the funding approval for the proposals could be obtained as soon as possible. The proposed projects were essential to the development of public housing at Area 54. Disapproval of the proposals would affect the Administration's progress in achieving the target of delivering 480 000 housing units within 10 years. Mr CHAN opined that the Administration should maintain communication with members of PWSC and FC and solicit their support for the proposals.

Provision of transport and community facilities

49. Mr LEUNG Che-cheung said that he was supportive of the proposed projects. He stressed the importance for the Administration to provide adequate supporting facilities to tie in with the public housing development at the proposed sites and to enhance the connectivity between the sites and other transport nodes in Tuen Mun, such as the West Rail stations. He asked about the views of the Tuen Mun District Council ("DC") on the matter. He opined that, as there were already a number of existing housing estates, such as Po Tin Estate and Siu Hong Court, as well as some rural villages in the vicinity of Area 54, the Administration should ensure that the new development would be in harmony with these older residential areas. Adequate public open space should be provided for the local residents. Noting that under the proposed projects, new roads linking up the proposed sites with the existing road network would be constructed, he enquired about the measures to mitigate the adverse environmental and transport impacts that would possibly be made by the additional traffic generated by the new developments.

50. DH(CEO)(P&L)/CEDD replied that when the Administration briefed the Tuen Mun DC on the proposed projects, DC members had expressed concern on the accessibility of the proposed sites, including the connectivity between the new housing development in Area 54 and the West Rail stations. He advised that, apart from the construction of roads, feeder services would be provided by various modes of public transport to tie in with the population intake. The walking distance between the proposed residential areas and the nearby West Rail station or bus terminus would be about 10 minutes. He said that the Administration acknowledged the importance of achieving a balanced development in Area 54. In 1999, the then Territory Development Department had completed a planning and development study on potential housing sites in Area 54. The study recommended a development proposal for Area 54, which included public housing, schools, government, institution and community ("GI/C") facilities and associated infrastructure works. Since then, CEDD had conducted two reviews to update the recommendation of the study having regard to the latest development of the local communities in the area. He advised that the planned infrastructures in Area 54 had taken into account the views of local residents. In working out the design of the proposed public housing projects, the Housing Department had considered the impact of the projects on the surrounding environment.

51. Miss Alice MAK shared Mr LEUNG Che-cheung's concern on the provision of adequate facilities in Area 54. In her view, given that Site 2 had been formed for housing development and other land sites in the area would

be made available subsequently, the Administration should start the construction of the new roads in the area for early completion to tie in with the timing of population intake. She asked about the implementation details of the construction works for the proposed new road L7.

52. DH(CEO)(P&L)/CEDD advised that the proposed projects included the construction of Road L54A and Road L54D to dovetail with the proposed public housing development in Area 54. The construction of Road L7 was proposed to cater for future developments in the peripheral areas of Area 54. While land had been reserved for Road L7, the Administration did not have a timetable for the construction works at this stage. As regards Site 2, DH(CEO)(P&L)/CEDD said that the Administration had started works on widening an existing road, namely Tsing Lun Road, near the site. In response to Miss MAK's enquiry about the provision of community facilities in Area 54, DH(CEO)(P&L)/CEDD advised that pursuant to the Hong Kong Planning Standards and Guidelines, the Administration would provide a community hall/sports centre at Site 4A(West).

53. The Chairman said that as the land formation works to be carried out at various works sites in Area 54 would be undertaken at different times, and some new residents would be moving in when construction works were in progress in other parts of the development, the Administration should ensure a good interface of different parts of the proposed projects and take appropriate measures to mitigate the traffic and environmental impacts of the construction works on both the existing and the future residents.

54. Mr CHAN Han-pan sought clarification about the sections of Road L54A where the proposed noise barriers would be installed. DH(CEO)(P&L)/CEDD replied that noise barriers would be installed at the southern part of some sections of Road L54A. He advised that, when planning the installation of noise barriers, the Administration had taken into account the result of the traffic impact assessment as well as the predicted traffic noise levels as set out in the result of the relevant environmental impact assessment.

55. Mr CHAN Han-pan opined that the traffic flow in Area 54 might increase in future following the construction of the proposed new roads and widening of some existing roads. To mitigate the traffic noise impact on the nearby residences including the village houses at the north of Road L54A, noise barriers should be installed at suitable locations at the northern part of Road L54A, say, near Tong Hang Road and Siu Hang Tsuen. Chief Engineer/Land Works, Civil Engineering and Development Department ("CE(LW)/CEDD") responded that according to the result of the

relevant environmental impact assessment, the village houses, which were of fairly low height, in the vicinity of Area 54 could be protected from the traffic noise by short noise barriers. The Administration therefore considered it more visually pleasant in providing taller planters along the road section next to these houses to serve as traffic noise mitigation measures. On the question why noise barriers would not be installed at the southern part of the section of Road L54A near Site 4A, CE(LW)/CEDD explained that the site was reserved for the construction of a community hall/sports centre, which was not a noise sensitive development.

56. The Chairman and Mr LEUNG Che-cheung opined that, as the planned population intake of a number of residential developments in the North West New Territories (such as Area 54, Hung Shui Kiu, etc.) had been scheduled for 2023, it was important for the Administration to pay due regard to the possible impact of an upsurge in population by that time on the living environment and the traffic in the area. They stressed that the Administration should adopt a holistic approach in addressing such impact.

57. Mr CHAN Han-pan suggested that, as the proposed projects included the provision of cycle tracks, the Administration should provide bicycle parking facilities at suitable locations, such as the proposed community hall and the proposed public transport interchange, to cater for the need of the residents. In response to Mr CHAN's enquiry on whether bicycle parking facilities would be provided under the proposed projects, CE(LW)/CEDD replied in the negative. The Chairman requested the Administration to provide supplementary information on its plans, if any, to provide such facilities under other projects to be carried out in Area 54.

(Post-meeting note: The Administration's supplementary information was circulated to members on 2 April 2015 vide LC Paper No. CB(1)705/14-15(01).)

Land acquisition

58. Mr CHAN Kin-por enquired about the progress of the land resumption exercise for the implementation of the proposed projects and whether it had been carried out smoothly. Miss Alice MAK expressed concern on the rehousing and compensation arrangements for those residents who were not land owners. She asked about the measures to be taken by the Administration to address their housing needs.

59. DH(CEO)(P&L)/CEDD replied that the implementation of the proposed projects required the resumption of land of about 92 011 square metres, involving 120 land owners. More than 50% of these land owners had confirmed in writing their acceptance of the compensation offers. As regards the 231 households which were largely not land owners, the Administration would offer public housing to them where eligible and in accordance with the established rehousing policy. For those households not eligible for public housing, the Administration would continue to communicate with them on the possible options to address their needs.

Heritage implications

60. Noting that the proposed works sites covered the sites of archaeological interest at Siu Hang Tsuen and Kei Lun Wai, Ir Dr LO Wai-kwok enquired about the findings of the relevant archaeological investigation. DH(CEO)(P&L)/CEDD replied that since the completion of the land resumption for the proposed works in July 2014, the Administration had been undertaking archaeological investigation at the proposed works sites and so far had not discovered any significant archaeological remains. He said that as a precautionary measure, the relevant works contracts for the proposed projects would include requirements for the contractors to inform the Antiquities and Monuments Office ("AMO") in case of discovery of antiquities or supposed antiquities during the course of construction works and to seek agreement from AMO on the required follow-up actions. CE(LW)/CEDD supplemented that the archaeological investigation included more than 20 drill holes and test pits, and its scope covered both Site 1&1A and Site 3/4 (East).

Impact on trees

61. Mr YIU Si-wing noted that of the 2 219 trees within the boundaries of the proposed projects, 1 887 trees would be felled. He enquired whether consideration had been given to transplanting some of these trees and whether public parks were suitable locations for the transplant. DH(CEO)(P&L)/CEDD replied that natural slopes with dense tree coverage were found in the proposed works sites and most of the trees were not important trees. To provide sufficiently large sites for public housing development, the Administration proposed to remove these trees. As a compensatory measure, the Administration would incorporate planting proposals as part of the proposed works. As regards the suggestion of transplanting the affected trees, DH(CEO)(P&L)/CEDD advised that of the trees to be felled, about 1 200 were fruit trees with low amenity value and the places suitable for transplanting them were limited. The remaining 600

affected trees were not suitable for transplanting having regard to their conservation values and growth rates.

62. Expressing regret over the proposed removal of an important tree which was a *Delonix regia*, Dr Kenneth CHAN enquired whether the Administration had identified the tree before finalizing the boundary of the relevant works site and whether consideration had been given to adjusting the site boundary to avoid affecting the tree. DH(CEO)(P&L)/CEDD replied that the tree was not one in the Register of Old and Valuable Trees. It was an important tree because its trunk diameter exceeded 1 metre. He advised that the boundaries of the works sites and the alignment of the new roads under the proposed projects were finalized pursuant to the relevant Outline Zoning Plan. Without compromising the provision of a sufficiently large site for developing public housing and the associated infrastructures, the Administration had strived to reduce the amount of land to be resumed as far as possible. The Administration had identified three large trees at the proposed works sites and had successfully retained two of them in-situ by changing the plans for the proposed community hall/sports centre. The third tree, which was the important tree referred to by Dr CHAN, would be in conflict with the proposed alignment of a road. If the proposed road was to be realigned to avoid affecting the tree, much more land would have to be resumed. DH(CEO)(P&L)/CEDD further explained that retaining the important tree in-situ would impose safety hazard, taking in view its health condition and its close proximity to a proposed road and a proposed sidewalk. Moreover, the tree was not suitable for transplanting given its poor health and serious decays.

63. Referring to Enclosure 6 of LC Paper No. CB(1)546/14-15(04), which stated that the health condition of the important tree was poor, Dr Kenneth CHAN enquired about the government department responsible for maintaining the tree. CE(LW)/CEDD advised that the tree was originally located at a private land lot. The Administration had closely monitored the conditions of the tree when planning the proposed projects. Following the land resumption in July 2014, the land lot had been taken over by the Administration and managed by the Lands Department. Dr CHAN remarked that in the absence of tree legislation to regulate the proper maintenance of trees on private land, it was important for the Administration to strengthen its efforts in tree management.

New Engineering Contract form

64. Dr Kenneth CHAN asked about the reasons for adopting the New Engineering Contract ("NEC") form instead of the conventional contract form for the proposed projects. Having regard to the fact that, unlike other public works projects currently carried out under the NEC form, the proposed projects covered mainly site formation works, he asked about the merits and limitations of adopting the NEC form for the proposed projects in project cost control and risk control.

65. DH(CEO)(P&L)/CEDD replied that merits of the NEC form included the promotion of mutual trust and co-operation between the contracting parties. As a trial in the past two years, CEDD had applied the NEC form in some contracts. CEDD would continue the trial of NEC form in its new public works projects as far as possible.

66. CE(LW)/CEDD advised that a public works contract under the NEC form integrated partnering features in its provisions requiring the contracting parties to provide early warning to each other as soon as they had identified risks which could increase the total construction cost and/or delay contract completion. Under the pain share/gain share mechanism, the Administration and the contractor would share the difference between the actual project cost and the final target cost of the contract. He continued that, for the proposed projects, the Administration would adopt an "open book" approach to contract administration so as to keep track of the contractor's actual expenditure on the contract.

67. Mr LEUNG Kwok-hung queried why the Administration had not applied the NEC form to the implementation of the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link project. He opined that, as the NEC form put in place the early warning mechanism, the cost overrun of the project could have been avoided if such form had been used. He further said that, taking in view that the cost overrun of a project to develop the Liantang/Heung Yuen Wai Boundary Control Point ("LT/HYW BCP") was mainly due to the poor ground conditions at the works sites, the cost overrun could be avoided if the Administration had put in place the early warning mechanism under the relevant contract.

68. Principal Assistant Secretary (Works)3, Development Bureau said that by adopting the NEC form in public works projects, the Administration expected that the contracting parties would share a common goal and act together to deal with the risks. The Administration had adopted the NEC form in some pilot projects since 2009 and the trial use of the NEC form

would be extended to more public works contracts. The Administration would conduct a review on the use of the NEC form for public works contracts at an appropriate time when more experience was gained in using the NEC form.

69. The Chairman recapitulated that Dr Kenneth CHAN had requested the Administration to provide information on: (a) the difference between the NEC form and conventional contracts, and the factors of consideration and merits for adopting the NEC form in the proposed projects instead of implementing them under conventional contracts; (b) how, in implementing the proposed projects under the NEC form, the Administration would manage/mitigate project risks, control/monitor project costs, handle and assess the relevant contractors' claims for extra payments/monetary compensation, prevent and deal with project cost overrun; and (c) the possible limitations of the NEC form in addressing the issues in (b) in taking forward the proposed projects.

(Post-meeting note: The Administration's supplementary information was circulated to members on 2 April 2015 vide LC Paper No. CB(1)705/14-15(01).)

Submission of the proposal to the Public Works Subcommittee

70. The Chairman sought members' views on the Administration's proposals that PWP Item Nos. 666CL, 681CL and 99WC be submitted to PWSC. Members agreed that the three proposals be submitted to PWSC for consideration.

VI PWP Item No. 181WF -- In-situ reprovisioning of Sha Tin Water Treatment Works (South Works) -- advance works

(LC Paper No. CB(1)546/14-15(05) -- Administration's paper on 181WF -- In-situ reprovisioning of Sha Tin water treatment works (South Works) -- advance works

LC Paper No. CB(1)546/14-15(06) -- Paper on the in-situ reprovisioning of Sha Tin water treatment works (South Works) prepared by the Legislative Council Secretariat (Background brief)

71. Principal Assistant Secretary (Works)³, Development Bureau advised the Panel that the Administration intended to upgrade part of PWP Item No. 181WF to Category A for the advance works of the in-situ reprovisioning of Sha Tin water treatment works ("Sha Tin WTW") (South Works) at an estimated cost of \$1,660.9 million in money-of-the-day prices. Subject to the Panel's support, the Administration would seek the endorsement of PWSC and the funding approval of FC for the project.

72. With the aid of a powerpoint presentation, Chief Engineer/Project Management (Acting), Water Supplies Department ("CE/WSD(PM)(Atg)") briefed members on the details of the proposal.

(Post-meeting note: A soft copy of the powerpoint presentation materials was issued to members vide LC Paper No. CB(1)580/14-15(03) by email on 25 February 2015.)

73. The Chairman reminded members that in accordance with Rule 83A of RoP of LegCo, they should disclose the nature of any direct or indirect pecuniary interests relating to the subjects under discussion at the meeting before they spoke on the subjects.

Water demand forecast

74. The Panel noted that under the proposed project, the treatment capacity of Sha Tin WTW (South Works) would be upgraded from 360 000 cubic metres (m³)/day to 550 000 m³/day to meet the increasing demand arising from the new housing developments in the combined supply zone of Sha Tin WTW and Tai Po WTW. Ms Cyd HO sought details about: (a) the water demand forecast for the next decade, including the methodology adopted by the concerned departments for population projections and the water consumption amount per capita estimated by WSD taking into account the impact of tourism as well as the results of the water conservation campaign; and (b) the number of population that Sha Tin WTW could serve after the completion of the reprovisioning works for both the South Works and the North Works.

75. Assistant Director/New Works, Water Supplies Department ("AD/WSD(NW)") said that water demand varied with demographic changes and economic activities. For the population projections, WSD would make reference to the information provided by the Planning Department and the Census and Statistics Department in making a forecast on water demand. He undertook to provide the information requested by Ms Cyd HO after the meeting.

(*Post-meeting note:* The Administration's supplementary information was circulated to members vide LC Paper No. CB(1)811/14-15(01) on 4 May 2015.)

Felling of trees within the project boundary

76. Dr Kenneth CHAN expressed dissatisfaction on the Administration's recommendation of felling three important trees (*Aquilaria sinensis*/incense trees) within the project boundary in view of their poor health condition and the wounds in the trees caused by felling. He enquired which Government department(s) were responsible for managing the existing trees within the project boundary. The Chairman requested the Administration to provide the details and number of prosecutions taken against the illegal felling of/damages to the trees on government land and the follow-up actions adopted to protect them.

77. AD/WSD(NW) said that the land where the three important trees concerned were located was government land. There were legislations to prohibit illegal felling of trees. Under the Forests and Countryside Ordinance (Cap. 96), offenders would be liable to a fine of \$25,000 and imprisonment for 1 year. While the law enforcement agency, namely the Agriculture, Fisheries and Conservation Department ("AFCD"), had strengthened its inspection at illegal tree-felling blackspots, the vast number of trees across the territory brought difficulties to law enforcement. AD/WSD(NW) further advised that about 100 to 200 illegal tree-felling cases were reported per annum, while AFCD planted over 10 000 incense trees (*Aquilaria sinensis*) every year.

(*Post-meeting note:* The Administration's supplementary information was circulated to members vide LC Paper No. CB(1)811/14-15(01) on 4 May 2015.)

Project cost

78. Mr IP Kwok-him considered that the reprovisioning of Sha Tin WTW (South Works) was necessary as its plant and equipment were approaching the end of their service life. He enquired about the total cost of the reprovisioning project, i.e. covering both the advance works and the main works.

79. AD/WSD(NW) replied that the project cost estimate of the advance works was \$1.67 billion. As for the main works, of which a detailed design was underway, the project cost estimate was not yet available but a rough estimate was between \$8 billion to \$9 billion, bringing the total cost of the reprovisioning project to about \$10 billion.

Contingency measures to avoid interruption of water supply

80. Given that the expansion works of Tai Po WTW to take up part of the loading of Sha Tin WTW were essential to the reprovisioning of Sha Tin WTW (South Works), Mr IP Kwok-him enquired about: (a) in the event that the expansion works of Tai Po WTW could not be completed on schedule (by May 2017), the impact of the delay on the proposed reprovisioning project; and (b) the likelihood of the expansion works to be over-budget. Moreover, as the supply zone of Sha Tin WTW covered a large area of Hong Kong, Mr IP asked if the Administration had any contingency plan to avoid interruption of water supply to the area concerned in case the North Works could not function normally during the reprovisioning of the South Works.

81. AD/WSD(NW) advised that the progress of the expansion works of Tai Po WTW was satisfactory. The works would be completed within budget as the result of the relevant tendering exercise was available before funding approval. He further explained that in order to ensure a reliable water supply from the North Works during the reprovisioning of the South Works, WSD had already carried out improvement works for the North Works. In the event that the North Works could not function properly, Tai Po WTW would supplement the supply zone of Sha Tin WTW. Besides, Tai Po Tau WTW could also be used if necessary. He stressed that the use of other WTWs to supplement the supply zone of Sha Tin WTW could only serve as an interim measure and the chance of the non-functioning of the North Works was slim.

Public consultation

82. Ms Emily LAU asked about the views of the community on the proposal. Considering that it was insufficient to consult the District Council only, she urged the Administration to gather views direct from the residents in the vicinity of the project so as to minimize public resistance, if any, to the proposal.

83. AD/WSD(NW) advised that the Development and Housing Committee of the Sha Tin District Council had been consulted on the proposal on 30 October 2014. Members of the Committee had no objection to the proposal but had requested the Administration to minimize any possible impact of the construction works on the neighbourhood. CE/WSD(PM)(Atg) added that members of the public were allowed to make comments on the proposal during the public inspection period for the environmental impact assessment report. The residents in the vicinity had not made any comments on the proposal, while some green groups had expressed concerns over the ecological mitigation measures for the proposed project. The Administration considered that the proposal would not have significant impact on the neighbourhood.

Other issues

84. Ir Dr LO Wai-kwok said that he supported the implementation of the project. Expressing appreciation on the proposal to construct a hydro-turbine house in Sha Tin WTW as an energy conservation measure, he sought details on its operation.

85. AD/WSD(NW) replied that the proposed hydro-turbine house would make use of the residual kinetic energy in the inflow of raw water from High Island Reservoir to generate electricity. He added that a similar hydro-turbine house was already in use in Tuen Mun WTW to generate electricity from the inflow of water from Tai Lam Chung Reservoir.

86. Referring to the proposed relocation of the Sha Tin sewage treatment works to caverns, Ms Cyd HO asked if the Administration would explore a similar arrangement for Sha Tin WTW.

87. AD/WSD(NW) replied that the Administration was conducting a feasibility study on the relocation of waterworks facilities, namely, Diamond Hill fresh water and salt water service reservoirs, to caverns. However, the relocation of Sha Tin WTW to caverns would have two constraints. First, irrespective of the treatment process adopted, it was necessary to add

chlorine to the treated water to prevent growth of bacteria while the treated water was being conveyed to the consumers via the water mains. Chlorine was an active and toxic gas. If it was accumulated in caverns it would be more hazardous to life. The Civil Engineering and Development Department had commenced a study which would look at ways to overcome the problem of accumulation of chlorine in housing WTWs of smaller sizes in rock caverns. Secondly, as Sha Tin WTW were located at a strategic location and connected with a network of major raw and treated water tunnels and mains, it was difficult to find a suitable site to reprovision the WTW together with the ancillary transfer facilities.

88. In concluding the discussion, the Chairman said that the Panel supported the Administration's proposal to seek the endorsement of PWSC for part-upgrading PWP Item No. 181WF to Category A.

VII Any other business

89. There being no other business, the meeting ended at 5:27 pm.

Council Business Division 1
Legislative Council Secretariat
14 May 2015