

立法會
Legislative Council

LC Paper No. CB(4)1425/16-17
(These minutes have been seen by
the Administration)

Ref : CB4/PL/TP/1

Panel on Transport

Minutes of meeting held on
Friday, 24 February 2017, at 10:45 am
in Conference Room 1 of the Legislative Council Complex

Members present : Hon CHAN Han-pan, JP (Chairman)
Dr Hon KWOK Ka-ki (Deputy Chairman)
Hon Abraham SHEK Lai-him, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Starry LEE Wai-king, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon Frankie YICK Chi-ming, JP
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon LEUNG Che-cheung, BBS, MH, JP
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Elizabeth QUAT, JP
Hon POON Siu-ping, BBS, MH
Hon CHUNG Kwok-pan
Hon Alvin YEUNG

Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Dr Hon Junius HO Kwan-yiu, JP
Hon HO Kai-ming
Hon LAM Cheuk-ting
Hon Holden CHOW Ho-ding
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Hon CHAN Chun-ying
Hon CHEUNG Kwok-kwan, JP
Hon LUK Chung-hung
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, MH, JP
Dr Hon CHENG Chung-tai
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Hon Nathan LAW Kwun-chung
Dr Hon YIU Chung-yim

Members absent : Hon WONG Kwok-kin, SBS, JP
Dr Hon Helena WONG Pik-wan
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Tanya CHAN

[According to the Judgment of the Court of First Instance of the High Court on 14 July 2017, LEUNG Kwok-hung, Nathan LAW Kwun-chung, YIU Chung-yim and LAU Siu-lai have been disqualified from assuming the office of a member of the Legislative Council, and have vacated the same since 12 October 2016, and are not entitled to act as a member of the Legislative Council.]

Public Officers attending : **Agenda item IV**

Mr YAU Shing-mu, JP
Under Secretary for Transport and Housing

Ms Ivy LAW
Deputy Secretary for Transport and Housing
(Transport) 3

Miss Crystal YIP
Principal Assistant Secretary for Transport
and Housing (Transport) 1

Miss Linda SO
Principal Assistant Secretary for Transport
and Housing (Transport) 6

Mr Chris CHAN
Assistant Commissioner/Planning
Transport Department

Mr Raymond CHUNG
Chief Engineer/Strategic Roads
Transport Department

Ms Candy KWOK
Principal Transport Officer/New Territories
Transport Department

Mr Dannis LEUNG
Chief Transport Officer/Planning/Taxi
Transport Department

Agenda item V

Mr YAU Shing-mu, JP
Under Secretary for Transport and Housing

Ms Rebecca PUN, JP
Deputy Secretary for Transport and Housing
(Transport) 1

Mr Daniel CHUNG Kum-wah, JP
Director of Highways

Mr Aaron BOK Kwok-ming
Regional Highway Engineer/New Territories
Highways Department

Agenda item VI

Mr Andy CHAN
Deputy Secretary for Transport and Housing
(Transport)2
Transport and Housing Bureau

Mr Philip HAR
Principal Assistant Secretary for Transport and
Housing (Transport)4
Transport and Housing Bureau

Ms Vivian HO
Assistant Secretary for Transport and Housing
(Transport)4A
Transport and Housing Bureau

Ms Stella LEE
Assistant Commissioner/Management & Paratransit
Transport Department

Mr Christopher CHIU
Principal Transport Officer/Management
Transport Department

Clerk in attendance : Ms Doris LO
Chief Council Secretary (4)6

Staff in attendance : Ms Macy NG
Senior Council Secretary (4)6

Miss Katherine CHAN
Council Secretary (4)6

Ms Emily LIU
Legislative Assistant (4)6

Action

I. Information papers issued since the last meeting

(LC Paper No. CB(4)469/16-17(01) - Letter dated 23 January
2017 from Hon Christopher
CHEUNG Wah-fung on
withdrawal of membership

LC Paper Nos. CB(4)483/16-17(01) - Letter from Hon Holden
and (02) CHOW requesting to hold a
joint meeting with the
Panel on Administration of

Justice and Legal Services to discuss the terms of contracts under the Shatin to Central Link project and the Administration's response

- LC Paper No. CB(4)511/16-17(01) - Letter dated 6 February 2017 from Hon James TO Kun-sun on withdrawal of membership
- LC Paper No. CB(4)536/16-17(01) - Letter dated 8 February 2017 from Hon HUI Chi-fung on withdrawal of membership)

Members noted the above papers issued since the last meeting.

II. Items for discussion at the next meeting

- (LC Paper No. CB(4)578/16-17(01) - List of outstanding items for discussion
- LC Paper No. CB(4)578/16-17(02) - List of follow-up actions)

2. Members agreed that the next regular meeting scheduled for 17 March 2017 would be advanced to start from 10:00 am for up to 12:30 pm, and that the following items be discussed at that meeting:

- (a) 6870TH – Feasibility Study on Route 11 (between North Lantau and Yuen Long);
- (b) 6461TH — Central Kowloon Route — Main Works; and
- (c) Public Transport Strategy Study Role and Positioning Review—Personalized and point-to-point transport services.

3. Mr Jeremy TAM relayed Ms Tanya CHAN's request for holding a joint meeting with the Panel on Environmental Affairs ("EA Panel") to

discuss the impact of the seawall extensions in the Hong Kong-Zhuhai-Macao Bridge ("HZMB") Hong Kong Link Road ("HKLR") reclamation site.

4. The Chairman said that in light of members' concerns about the said incident, an additional item on "Latest progress of the works of HZMB and the Hong Kong projects" had already been included in the Agenda of the meeting today to facilitate members' follow-up on the incident, as well as the construction progress of HZMB and the Hong Kong projects. He also drew members' attention that issues relating to the environmental impact of the above incident would be discussed by EA Panel at its meeting to be held on 27 February 2017, and members of the Panel on Transport had been invited to join the discussion.

5. The Deputy Chairman referred to his letter concerning the illegal parking problem at bus stops, which was tabled at the meeting, and requested the Panel to discuss the matter at the next regular meeting or at a special meeting. The Chairman instructed that the Administration should be requested to provide a written response on the matter. Besides, he drew members' attention that an item on "Progress of Parking Policy Review" had been included under the list of outstanding items for discussion of relevant issues by the Panel.

(Post-meeting note: The Deputy Chairman's letter on illegal parking problem at bus stops was circulated to members vide LC Paper No. CB(4)623/16-17(01) on 27 February 2017.)

III. Matters arising from the meeting on 20 January 2017

(LC Paper No. CB(4)488/16-17(01) - Wording of a motion relating to the new franchise for the bus network of The Kowloon Motor Bus Company (1933) Limited moved by Hon Michael TIEN Puk-sun

LC Paper No. CB(4)488/16-17(02) - Wording of a motion relating to the new franchise for the bus network of The Kowloon Motor Bus Company (1933) Limited moved by Hon CHAN Han-pan

- LC Paper No. CB(4)488/16-17(03) - Wording of a motion relating to the new franchise for the bus network of The Kowloon Motor Bus Company (1933) Limited moved by Hon HO Kai-ming
- LC Paper No. CB(4)488/16-17(04) - Wording of a motion relating to the new franchise for the bus network of The Kowloon Motor Bus Company (1933) Limited moved by Dr Hon Fernando CHEUNG Chiu-hung
- LC Paper No. CB(4)488/16-17(05) - Wording of a motion relating to the new franchise for the bus network of The Kowloon Motor Bus Company (1933) Limited moved by Hon Claudia MO)

Motions

6. The Chairman said that at the last meeting on 20 January 2017, five motions were raised by Panel members under the agenda item on "New franchise for the bus network of The Kowloon Motor Bus Company (1933) Limited". However, they had not been dealt with owing to insufficient meeting time. Pursuant to the decision made at the last meeting, he proceeded to deal with the five motions.

7. The Chairman put to vote the following motion proposed by Mr Michael TIEN –

鑒於專營公司釐定票價優惠受到《公共巴士服務條例》第230章第13條和《公共巴士服務規例》第230A章第III部第4條和第5條規管，必須得到運輸署署長准許，而申請和批核時間極長；可是，港鐵享有提供票價優惠的絕對自主權；因此，本人促請政府盡快批出九巴長途月票和特惠站的優惠

申請，以及與九巴商討推行全日制學童月票的可行性，讓專營巴士在"一鐵獨大"的環境下，有公平的競爭空間繼續服務市民，讓大眾受惠。

(Translation)

Given that in offering fare concessions, a grantee is regulated under section 13 of the Public Bus Services Ordinance (Cap. 230) and regulations 4 and 5 of Part III of the Public Bus Services Regulations (Cap. 230A) and has to obtain the prior permission of the Commissioner for Transport, and it takes an extremely long time to process and approve an application, but the MTR Corporation Limited enjoys absolute autonomy in the provision of fare concessions. In this connection, I urge the Government to expeditiously approve the fare concession applications made by The Kowloon Motor Bus Company (1933) Limited ("KMB") in respect of monthly passes for long-haul routes and fare savers and discuss with KMB the feasibility of introducing monthly passes for full-time students to ensure a fair competitive environment for franchised buses to continue to serve the public for the benefit of the community under the "hegemony of the railway".

8. The Chairman announced that a total of 14 members voted for the motion, none voted against it, and one member abstained from voting. The Chairman declared that the motion was carried.

9. The Chairman then put to vote the following motion that was proposed in his name –

本會促請政府與九巴公司商討延續專營權時，要求該公司承諾：

1. 為全日制學生提供不論長途或短途的票價優惠，及取消回程才可享有優惠的限制，
2. 推出更多跨公共交通工具（例如：地鐵、渡輪、小巴等）的轉乘優惠；以及
3. 推出月票計劃以回應市民調低車費減輕交通費用負擔的期望。

(Translation)

This Panel urges the Government, while discussing the franchise renewal with The Kowloon Motor Bus Company (1933) Limited, to request the company to undertake to:

1. provide full-time students with fare concessions for both long-haul and short-haul routes, and lift the restriction of confining fare concessions to return trips;
2. introduce more inter-modal interchange fare concessions (such as with MTR, ferries, light buses); and
3. introduce a monthly pass scheme in response to the public aspiration for fare reduction and alleviation of the burden of travelling expenses.

10. The Chairman announced that a total of 15 members voted for the motion, none voted against it and none abstained from voting. The Chairman declared that the motion was carried.

11. The Chairman then put to vote the following motion that was proposed by Mr HO Kai-ming and seconded by Mr LUK Chung-hung –

鑒於九巴與當局商討新專營權時所作出的服務改善及票價優惠未符合市民的實際需要，故本會要求政府批出新專營權前，必需要求九巴提供更為切合市民需要的票價優惠，並全面提高服務水平，當中包括為全日制學生提供半價優惠、設立更多巴士轉乘站、研究推出巴士月票、加強實時到站資訊、改善巴士脫班問題等；與此同時，九巴亦應改善巴士車長的工作環境及待遇，例如改善站頭設施、改變以兼職聘用車長的模式等，以進一步確保行車安全。

(Translation)

As the service improvement and fare concession initiatives undertaken for implementation by The Kowloon Motor Bus Company (1933) Limited ("KMB") when discussing the new franchise with the authorities are unable to meet the actual needs of the public, this Panel requests that the Government must, before granting the new franchise, request KMB to provide fare concessions which can better meet the needs of the public and upgrade its overall service standard, including providing half-fare concessions for full-time students, setting up more bus-bus interchanges, exploring the introduction of monthly bus passes, enhancing real-time arrival information, and ameliorating the

problem of bus lost trips. Meanwhile, KMB should also improve the working environment and remuneration of bus drivers, such as by improving terminus facilities, changing the practice of offering part-time employment to drivers, in order to further ensure safe operation of buses.

12. The Chairman announced that a total of 17 members voted for the motion, none voted against it and none abstained from voting. The Chairman declared that the motion was carried.

13. The Chairman then put to vote the following motion proposed by Dr Fernando CHEUNG –

本會促請政府與九巴公司商討延續專營權時，要求該公司改善以下措施以促進傷健共融：

1. 為殘疾人士陪同者提供票價優惠；
 2. 確保所有巴士站為無障礙；
 3. 於巴士站提供發聲資訊，包括報號及車站改動訊息；及
 4. 開放數據，讓公眾有多渠道獲交通訊息，
- 並將以上措施實施於其他公共巴士上。

(Translation)

That this Panel urges the Government, while discussing the franchise renewal with The Kowloon Motor Bus Company (1933) Limited, to request the company to implement the following improvement measures to promote inclusion of persons with disabilities:

1. to provide fare concessions to escorts of persons with disabilities;
 2. to ensure that all bus stops are barrier free;
 3. to provide at bus stops audible information, including information on bus number and bus stop changes; and
 4. to open up data so that the public can access transport information through various means,
- and extend the above measures to other public buses.

14. The Chairman announced that a total of 16 members voted for the motion, none voted against it and none abstained from voting. The Chairman declared that the motion was carried.

15. The Chairman then put to vote the following motion proposed by Ms Claudia MO –

本事務委員會促請政府當局，在審批九巴新專營權時，加入規管路訊通的相關條款，包括限定在車上播放節目的音量、時段及範圍，以及把其製作的節目納入受《廣播條例》的《電視通用業務守則》監管，確保其時事節目內容持平公正。

(Translation)

That this Panel urges the Administration, when examining the new franchise to be granted to The Kowloon Motor Bus Company (1933) Limited, to include in the franchise the relevant terms to regulate Roadshow, including restrictions on the volume, time and audible range of broadcast of programmes on board a bus, and to bring the programmes it produced under the regulation of the Generic Code of Practice on Television Programme Standards issued under the Broadcasting Ordinance to ensure that the contents of Roadshow's current affairs programmes are fair and impartial.

16. The Chairman announced that eight members voted for the motion, 11 members voted against it and none abstained from voting. The Chairman declared that the motion was negatived.

IV. Proposals on technical legislative amendments on traffic arrangements for the Hong Kong-Zhuhai-Macao Bridge

(LC Paper No. CB(4)578/16-17(03) - Administration's paper on proposals on technical legislative amendments on traffic arrangements for the Hong Kong-Zhuhai-Macao Bridge

LC Paper No. CB(4)578/16-17(04) - Paper on transport arrangements of the Hong Kong-Zhuhai-Macao Bridge prepared by the Legislative Council Secretariat (updated background brief)

17. At the invitation of the Chairman, Under Secretary for Transport and Housing ("USTH") briefed members on the Administration's proposal to introduce technical amendments to relevant transport-related legislation to provide a legal basis for the traffic arrangements for HZMB. Such legislative amendments involved issues relating to the operation of drop gates, management of two new government tunnels (i.e. the Scenic Hill Tunnel and the Airport Tunnel), "driving on the right" ("right-driving") arrangement on HKLR, permitted operating areas for New Territories taxis and Lantau taxis, and additional taxi fare under the two-way toll collection of the Lantau Link.

18. With the aid of a powerpoint presentation (LC Paper No. CB(4)653/16-17(01)), Assistant Commissioner/Planning ("AC/P") of the Transport Department illustrated the rationales for adopting the right-driving arrangement on HKLR, and the relevant traffic arrangements at the Hong Kong Boundary Crossing Facilities ("HKBCF") for facilitating safe switching between the right-driving arrangement with the "driving on the left" ("left-driving") arrangement.

Views on adopting "driving on the right" arrangement on Hong Kong Link Road

Rationales

19. The Deputy Chairman expressed grave concern about the adoption of the right-driving arrangement on HKLR, which in his view would undermine the principle of "One country, two systems", given that HKLR was located in Hong Kong waters. He was disappointed that the Administration had not revealed this proposal when it sought funding approval in respect of HZMB and related local projects from the Legislative Council ("LegCo") in the past, and he was unconvinced by the Administration's explanation about the technical constraints on the switching of driving arrangements at the boundary between the Mainland and Hong Kong. Ms Claudia MO further asked if the technical constraints on the switching of driving arrangements at the boundary were due to a design fault of HZMB or a lack of careful consideration at the design stage.

20. USTH indicated that if HKBCF could have been located at the boundary of the Mainland and Hong Kong, it would be the best option to implement the change of driving arrangements at the connection point of the two places while vehicles passed through HKBCF. However, HKBCF was situated at the northeast waters of the Hong Kong International Airport instead of at the boundary, due to considerations about the environmental implications on waters near Tai O. Further, given that the connection point

of the HZMB Main Bridge ("Main Bridge") and HKLR at the boundary was an expressway with a speed limit of 100 km, switching of driving arrangements at the connection point was not preferable as vehicles would need to change lanes while moving at high speed. Taking into account road safety concerns, the Administration had proposed to provide suitable road facilities to the north of the vehicle clearance plaza of HKBCF to facilitate switching between the left-driving arrangement and the right-driving arrangement. Under this arrangement, HKLR that connected HKBCF and the Main Bridge would adopt the right-driving arrangement.

21. AC/P stressed that the Administration had paid high regard to road safety when formulating the proposal for interface between the left-driving and right-driving arrangements on HZMB, and the issue had been duly considered during the design stage of HZMB and related local projects.

Interface with driving arrangements of Hong Kong and Macao

22. Mr KWONG Chun-yu pointed out that as both Hong Kong and Macao adopted the left-driving arrangement, drivers travelling between Hong Kong and Macao across the Main Bridge would need to change from the left-driving arrangement to right-driving arrangement on the Main Bridge, and then change back to the left-driving arrangement in Hong Kong/Macao. Mr KWONG and other members including Mr Andrew WAN, Dr CHENG Chung-tai, Mr Jeremy TAM and Mr Nathan LAW queried why left-driving arrangement was not adopted on the Main Bridge to bring convenience to drivers of Hong Kong and Macao. They enquired whether the Hong Kong Special Administrative Region ("SAR") Government had ever explored with the Mainland authorities on the option of adopting left-driving arrangement on the Main Bridge. Mr Jeremy TAM and Mr Nathan LAW further suggested that if the left-driving arrangement was to be adopted on the Main Bridge, the switching between left-driving and right-driving arrangements could take place at the Zhuhai Boundary Crossing Facilities.

23. In response, USTH and Deputy Secretary for Transport and Housing (Transport) 3 ("DS(T)3") indicated that it was expected that the major traffic flow along HZMB would be between Hong Kong and Zhuhai. Given the different driving arrangements among Hong Kong, Zhuhai and Macao, switching between left-driving and right-driving arrangements across HZMB would become necessary. Regarding the driving arrangement along the Main Bridge, USTH explained that as it was located in the Mainland waters and was within the Mainland jurisdiction, right-driving arrangement was adopted under the territoriality principle. On Dr CHENG Chung-tai's further enquiry regarding the funding arrangements of the Main Bridge, USTH

advised that the governments of the three sides (i.e. Mainland, Hong Kong and Macao) had agreed to contribute to the construction costs of the Main Bridge, and Hong Kong was not sharing the largest portion of the costs.

24. The Chairman pointed out that Hong Kong people travelling to Macao via HZMB would likely choose to park their cars at the parking facilities at the Zhuhai and Macao BCF instead of driving into Macao, while he believed that similar road facilities to enable safe interface between the left-driving and right-driving arrangements would be put in place at Zhuhai and Macao BCF.

25. On Mr HO Kai-ming's enquiry regarding the licence/permit arrangements for cross-boundary vehicles travelling between Macao and Hong Kong, DS(T)3 advised that when HZMB was commissioned, relevant licence/permit arrangements for cross-boundary vehicles travelling between the Hong Kong and Macao would be introduced as appropriate.

Road safety concerns

26. Given that Hong Kong drivers were not familiar with the right-driving arrangement, Mr LAU Kwok-fan expressed concerns about the inconvenience caused to Hong Kong drivers under the proposed right-driving arrangement on HKLR and whether they would inadvertently fall foul of the law under this arrangement. In this regard, he enquired about the relevant publicity and education work to be undertaken by the Administration.

27. In response, AC/P advised that there would be suitable road facilities to the north of the vehicle clearance plaza at HKBCF to ensure safe switching between the two driving arrangements, and drivers would not need to change lanes in the middle of an expressway. DS(T)3 added that the Administration would take forward publicity on the right-driving arrangement on HKLR as appropriate, after the relevant legislative amendments had been passed.

28. Mr HO Kai-ming enquired about international examples of traffic arrangements involving the switching between right-driving arrangement and left-driving arrangement along a carriageway/bridge connecting two places; and statistics on traffic accidents involving mainland drivers/mainland vehicles adjusting to the left-driving arrangement after entering Hong Kong. AC/P agreed to provide supplementary information after the meeting.

(Post-meeting note: The Administration's written response was issued vide LC Paper No. CB(4)990/16-17(01) on 9 May 2017.)

29. Mr Andrew WAN stressed that to ensure road safety, it was important to erect appropriate road signs to alert drivers well in advance before they were to switch between left-driving and right-driving arrangements. In reply, DS(T)3 assured members that drivers would be notified in advance as appropriate when they were required to follow the right-driving arrangement.

30. Mr LAM Cheuk-ting considered the traffic arrangement proposed by the Administration appropriate, as it had duly addressed road safety issues, and taken into account the actual situation including the heavy vehicle flow between Hong Kong and the Mainland upon commissioning of HZMB.

31. The Chairman and Mr LEUNG Che-cheung both considered it appropriate to arrange interface of the left-driving and right-driving arrangements at HKBCF, so that with suitable road facilities, drivers would be diverted to the correct lanes after passing the customs clearance facilities. They considered that changing of driving arrangements at the connection point which was a high speed expressway was not desirable due to safety concerns.

32. USTH reiterated that road safety had been the key consideration in deciding the traffic arrangement at HZMB. He said that with appropriate road traffic design, drivers would find it convenient switching between the left-driving and right-driving arrangements.

Law enforcement against traffic offences and rescue arrangement in case of traffic accidents

33. Given that HZMB straddled across the boundaries of three places, the Deputy Chairman, Mr LAU Kwok-fan and Mr LAM Cheuk-ting enquired about how the law of the relevant jurisdictions would be effectively enforced on HZMB. They were concerned about the grey area in exercising jurisdiction, for example, in case a traffic accident had occurred on one side, but the vehicle concerned then crossed the boundary to the other side along HZMB. Mr LAM Cheuk-ting also expressed concern about the rescue arrangement in case of a traffic accident. Mr LEUNG Che-cheung enquired about the police district that would oversee law enforcement within the boundary of Hong Kong on HZMB.

34. USTH advised that the three governments would follow the territoriality principle to handle all issues in accordance with the respective local laws. As such, in case of a traffic accident occurred within the boundary of Hong Kong, Hong Kong legislation would apply. He further advised that to prepare for the commissioning of HZMB, the three

governments had been actively studying and discussing the cross-boundary transport arrangements, including traffic management, enforcement coordination, and rescue and emergency plan, etc. As regards the designation of police district, he said that the Police would look into this matter and make relevant arrangements in due course.

Suggestion of including simplified Chinese on traffic signs and road markings

35. Given that some drivers using HZMB came from the Mainland, Ms Claudia MO and Mr Andrew WAN urged the Administration to consider, in addition to traditional Chinese and English, including simplified Chinese on traffic signs and road markings. Mr POON Siu-ping enquired whether including simplified Chinese on traffic signs would involve any legislative amendments, and whether there were other means to enable mainland drivers to familiarize themselves with the road traffic regulations in Hong Kong. The Chairman suggested the Administration to consider introducing electronic road signs.

36. Mr HO Kai-ming, however, considered that drivers with driving permits of both Hong Kong and the Mainland should have adequate knowledge of the respective local traffic regulations. In his view, it should not be an issue of concern regarding whether both traditional Chinese and simplified Chinese were to be shown on traffic signs.

37. In response, DS(T)3 and AC/P advised that bilingual traffic signs in traditional Chinese and English were adopted in Hong Kong. The inclusion of simplified Chinese on prescribed traffic signs would require legislative amendments and would need to be further considered by the Administration. DS(T)3 stressed that driving safety would always be the major concern of traffic arrangements, and the Administration would explore various means to provide necessary traffic information to road users, including but not limited to providing relevant information on the website.

Other concerns

38. Mr LEUNG Che-cheung enquired if any legislative amendments would be required for the provision of cross-boundary shuttle bus services connecting the boundary crossing facilities of Hong Kong, Zhuhai and Macao. USTH replied in the negative, and advised that under the proposed arrangements, cross-boundary shuttle buses would be allowed to pick up passengers within the boundary control point areas of Hong Kong, Zhuhai, and Macao, such that the passengers could transfer to other local public transportation.

39. Mr Michael TIEN enquired whether parking facilities would be provided at the closed area of cross boundary facilities of the three places to facilitate park-and-ride by drivers of vehicles without cross-boundary vehicle licence. The Chairman suggested that the relevant issues should be discussed under the next agenda item on "Latest progress of the works of HZMB and the Hong Kong projects".

V. Latest progress of the works of the Hong Kong-Zhuhai-Macao Bridge and the Hong Kong projects

(LC Paper No. CB(4)584/16-17(01) - Information paper on the latest progress of the works of the Hong Kong-Zhuhai-Macao Bridge and the Hong Kong projects provided by the Administration

LC Paper No. CB(4)621/16-17(01) - Letter dated 23 February 2017 from the Transport and Housing Bureau in response to the letters from Dr Hon KWOK Ka-ki and Hon Jeremy TAM Man-ho, Hon Claudia MO, Hon Michael TIEN Puk-sun and Hon CHU Hoi-dick on the Hong Kong-Zhuhai-Macao Bridge and the Hong Kong projects (Chinese version only)

LC Paper No. CB(4)621/16-17(02) - Information paper on Hong Kong-Zhuhai-Macao Bridge Hong Kong Link Road reclamation works provided by Highways Department

LC Paper Nos. CB(4)598/16-17(01) to (03) - Letters from Dr Hon KWOK Ka-ki and Hon Jeremy TAM Man-ho, Hon Claudia MO and Hon

Michael TIEN Puk-sun on the incident of the collapse of seawalls in the Hong Kong-Zhuhai-Macao Bridge Hong Kong Link Road project

LC Paper No. CB(4)617/16-17(01) - Letter from Hon CHU Hoi-dick on the Hong Kong-Zhuhai-Macao Bridge and the Hong Kong projects)

40. At the invitation of the Chairman, USTH briefed members on the latest work progress of HZMB and its Hong Kong projects. He said that the HZMB Main Bridge project was expected to be completed in December 2017, and the associated Hong Kong projects were targeted to achieve readiness for commissioning by end-2017. Besides, the governments of the Guangdong Province, Hong Kong SAR and Macao SAR ("the three governments") strived to complete the HZMB project by end-2017 for early simultaneous commissioning, subject to factors such as the implementation of cross-boundary transport arrangements.

41. With the aid of a powerpoint presentation (LC Paper No. CB(4)653/16-17(02)), Regional Highway Engineer/New Territories of the Highways Department ("HyD") illustrated the non-dredged reclamation method adopted for the HKLR project, and explained in details the incident of seawall extensions at two locations in the HKLR reclamation site on 26 October and 6 November 2014 respectively ("the incident"), as well as the remedial works that had been carried out by the contractor.

(At 12:08 pm, the Chairman suggested and the meeting raised no objection to extending the meeting to 2:00 pm.)

Seawall extensions in the Hong Kong Link Road reclamation site

Impact on safety

42. The Deputy Chairman, Ms Claudia MO and Mr Nathan LAW were gravely concerned about the safety risks arising from the incident, including whether the reclaimed land was structurally safe for supporting the superstructure, lest there would be the risk of fatal incidents. The Deputy Chairman asked whether the Administration would engage an independent

consultant with international reputation to ascertain the safety of HKLR before commissioning. Expressing concerns over the safety and environmental impacts of the incident, Mr YIU Si-wing asked if the Administration had assessed the risk of re-occurrence of similar incidents before completion of the HKLR project.

43. USTH stressed that as mentioned at HyD's press conference on 20 February 2017, the incident did not cause any casualties or have safety and environmental impacts. Director of Highways ("DHy") advised that the contractor was responsible for the detailed design and the construction works of the HKLR project under a design and build ("D&B") contract, whilst continuous supervision was carried out by consulting engineers appointed by HyD to ensure that the works had attained the required standard of quality. After the incident, HyD had employed an internationally renowned expert to carry out an independent review of the incident and verify the contractor's strengthening measures to ensure that the overall performance of the seawall was in compliance with the contract requirements. In view that the reclamation works were near completion, it was anticipated that the risk of re-occurrence of similar incident would be minimal.

44. Mr KWONG Chun-yu considered it necessary for the Administration to make available the final report of the independent review conducted by the expert for public scrutiny and understanding of the causes of the incident. On his enquiry regarding whether the incident would give rise to an increase in the maintenance costs of HKLR in future, DHy replied in the negative.

Impact on construction costs

45. The Deputy Chairman, Ms Claudia MO and Mr KWONG Chun-yu enquired about the additional construction costs arising from the incident. The Deputy Chairman further asked if additional funding were or would be sought from the LegCo to meet the additional costs. Referring to a funding proposal submitted to the Finance Committee ("FC") in early 2016 seeking its approval to increase the approved project estimate ("APE") of 845TH — HZMB HKBCF—Reclamation and Superstructures to cover additional costs of the project, Mr CHAN Chi-chuen and Mr LEUNG Kwok-hung queried if the additional costs arising from the incident were already covered by the increased APE amount, say, under the \$43.6 million additional costs for "Reclamation at the east coast of the Airport Island for roads connecting the Airport" under the funding proposal.

46. DHy explained that under the relevant D&B contract, the contractor was responsible for resolving all the difficulties and technical problems

encountered during the design and construction stages at its own costs, including any additional costs incurred for the remedial works carried out after the incident. Under the D&B arrangement, the contractor was not required to report to HyD on the actual costs of the remedial works carried out after the incident. Hence, HyD did not have information on the additional costs arising from the incident. USTH reiterated that no additional funding was required or sought for covering the associated costs. He also explained that reclamation at the east coast of the Airport Island for roads connecting the Airport was under a separate construction contract, and the cost overrun for that part was not related to the incident.

Impact on works progress

47. Mr LEUNG Che-cheung expressed concern that the remedial works arising from the incident had put strain on the manpower of the contractor and the works progress of HKLR. He asked if the Administration would request the contractor to deploy more manpower to ensure timely completion of the construction works.

48. DHy advised that as per the works contract, the contractor was bound to complete the construction works by the contractual completion date and the anticipated completion date of the works would be end-2017. Any delay in completion could be liable for monetary compensation (liquidated damages) under the contract. He added that under the D&B contract, the contractor was responsible for arranging sufficient manpower to resolve the construction difficulties and challenges encountered. At the request of Mr LEUNG Che-cheung, DHy agreed to provide supplementary information on the terms of liquidated damages in the construction works contract of the HKLR project that could be applied against the contractor concerned in the event of delays in completion of the works.

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Responsibilities of the Administration in the incident

49. Members noted that dredged reclamation method was originally proposed in the Environmental Impact Assessment ("EIA") Report of the HKLR project and the EIA Report was approved by the Environmental Protection Department ("EPD") in 2009. Subsequently, HyD decided to adopt a new non-dredged construction method for the reclamation works and submitted an application to EPD for variation of the Environmental Permit. Mr LUK Chung-hing, Mr LAU Kwok-fan and Mr LEUNG Kwok-hung doubted why and which party made the decision of changing to the non-dredged reclamation method, despite the associated risks such as settlement and lateral extension of the reclaimed land. Mr LUK was

concerned about whether there were liabilities or fault on the part of HyD, if it had made the decision of adopting the non-dredged method. He was worried that the contractor would file claims against HyD for the additional construction costs arising from the incident. Mr LAM Cheuk-ting queried if the Administration had, as mentioned in some media reports, tried to shift the responsibilities to the contractor.

50. DHy explained that the Administration had proposed to change from dredged to non-dredged reclamation method to minimize impacts arising from the reclamation works to the environment. It was because non-dredged reclamation method would avoid dredging hence disposal of marine deposit. He further advised that HyD had clearly stated in the tender documents that non-dredged reclamation method should be adopted. The contractor should be well aware of the associated difficulties and challenges before submitting the tender. He reiterated that the contractor should resolve all technical difficulties at the design and construction stages at its own costs under the D&B arrangement. So far HyD had not received any claims by the contractor regarding the additional construction costs arising from the incident.

51. Referring to media reports saying that the seawall had collapsed and led to the formation of a "new reclamation area", Mr LAM Cheuk-ting requested a formal response from the Administration regarding whether the media reports were inaccurate. Mr Nathan LAW and Dr CHENG Chung-tai expressed concern about how the Administration would monitor the proper removal of the large "new reclamation area" by the contractor.

52. USTH confirmed that there had been no collapse of seawall in the HKLR reclamation site. DHy further explained that a temporary rockfill platform was built at the reclamation area for construction of the seawall. Prior to the complete consolidation of the reclamation area, the contractor had proposed to enlarge the temporary rockfill platform at the location in front of the seawall to strengthen the stability and ensure the seawall could be constructed at the location as per the original design. The approximately 9.8-hectare temporary rockfill platform as seen on site was however claimed in some media reports as a "new reclamation area". He reiterated that upon completion of the consolidation of reclamation works and the construction of a permanent seawall in the coming months, the temporary rockfill platform, including the enlarged part, would then be removed. On Mr LAM Cheuk-ting's further enquiry about the disposal of the materials generated from the removal of the temporary rockfilled platform, USTH advised that such materials would be used as filled materials in other works projects under the established practice.

Lack of transparency in disclosing the incident

53. Members generally expressed disappointment about the lack of transparency of the Administration in revealing the incident despite wide public concerns about the HZMB and its Hong Kong projects. It was not until the media had reported on the incident that the Administration informed the public about the incident.

54. Ms Claudia MO criticized the Administration for deliberately covering up the incident for as long as two years and demanded that the Secretary for Transport and Housing ("STH") should be held accountable for this. The Deputy Chairman queried why the Administration had not informed LegCo about the incident when it reported the progress of and sought additional funding for the HKLR project. Dr CHENG Chung-tai pointed out that even at the media session held after inspecting the works progress of HKBCF and HKLR on 9 February 2017, there was still no mentioning of the incident by STH. He asked whether and when HyD reported the incident to the Transport and Housing Bureau and STH after the incident was brought to its attention. He was concerned that the Administration had covered up other incidents relating to the HZMB Hong Kong projects. Mr Nathan LAW queried why the Administration had not informed LegCo about the foreseeable risks and difficulties in delivering the HKLR project when it sought funding from LegCo in 2011. He was disappointed that there was no aerial photograph available for showing the condition of the concerned site after the incident had occurred in 2014. Mr CHAN Chi-chuen criticized the Administration for underestimating public concerns over the incident. Quoting the wide public concerns over the other incident of the lateral movement of the HKBCF artificial island in 2015, Mr Jeremy TAM and Mr LEUNG Kwok-hung urged the Administration to be more proactive in releasing relevant information to better meet public expectations.

55. USTH stressed that the Administration had all along been proactive in reporting incidents that involved casualties, major cost overrun or serious delay. Yet, the incident in question only involved changes in works conditions and thus did not entail the need for reporting to the public. He indicated that in light of public concerns over the incident after it had been reported by the media on 19 February 2017, HyD held a press conference the next day to give an account on the incident. DHy supplemented that the extensions at two locations of the seawall were observed by the resident site staff engaged by HyD on 26 October and 6 November 2014 respectively. HyD had immediately followed up with the contractor and reported to THB at its regular progress meetings.

56. Mr KWONG Chun-yu asked whether HyD had informed EPD about the incident. DHy advised that the monthly Environmental Monitoring and Audit report submitted by HyD to EPD had included designated environmental monitoring data relating to the works including the remedial works carried out after the incident. The environmental impact of the incident had already been reflected in the objective monitoring data submitted to EPD.

57. Mr Michael TIEN, Mr Frankie YICK, Mr LEUNG Che-chung and Mr LUK Chung-hung shared the views that the Administration should have better gauged public concerns over incidents that would affect the works progress and costs of the HZMB and Hong Kong projects, given the significant value of the projects in fostering economic development of Hong Kong, Macao and the Western Pearl River Delta region and due to the large amount of public money involved. They urged the Administration to enhance awareness and increase transparency in timely disclosing such incidents.

58. DHy reiterated that it was assessed that there was no need to report to the public about the incident given its nature. That said, the Administration would consider members' views when handling other incidents in future.

Construction costs and commissioning date of the Hong Kong-Zhuhai-Macao Bridge Main Bridge and associated the Hong Kong projects

59. Given that STH disclosed earlier that the HZMB Main Bridge would involve cost overrun and the amount would be shared among the three governments, the Deputy Chairman and Mr CHU Hoi-dick enquired about the exact amount of the cost overrun and the share to be borne by Hong Kong. Mr CHU further enquired about the details of the contributions by the three governments on the construction costs of the Main Bridge, as well as the financing arrangements by bank loans for the remaining costs. He also asked about the participation of Hong Kong in the HZMB Authority, and hoped that the discussions of the Authority would be reported to LegCo.

60. USTH advised that the total contributions from the three sides were RMB 15.73 billion. The contribution of the Hong Kong side of HKD 9.28 billion (in money-of-the-day prices) was approved by FC in 2009. The HZMB Authority would obtain bank loans in its capacity as a legal entity to finance the remaining costs of about RMB 22 billion. The income of HZMB would be used to repay the bank loans after commissioning. As regards the cost overrun, the contractors of the Main Bridge had submitted applications to the HZMB Authority for adjustment to the project estimate

due to increased costs. HZMB Authority had recently compiled a revised report on the project estimate which was being reviewed by a consultant engaged by the Joint Works Committee of the Three Governments ("JWC"). As such, the exact amount to be shared among the three governments was to be determined. He assured members that the Administration would report to LegCo timely when there was a definite estimate and to give an account for the required financial arrangement as discussed by the three governments. He advised that HyD had participated in the work of the HZMB Authority in overseeing the works of the project, and it also had representatives in JWC.

61. Noting that there were still certain difficulties to be overcome so as to complete the HZMB project for commissioning by end-2017, Mr YIU Si-wing asked about when the actual commissioning date of HZMB could be fixed, so that the transport trade and relevant stakeholders could accordingly plan for relevant investments.

62. USTH advised that the tunnel section of the HZMB Main Bridge was expected to be connected in around mid-2017 and the bridge deck surfacing works were in progress. Yet, the progress of the above works might still be affected by inclement weather and other factors. He added that challenges were also faced by the Zhuhai and Macao sides in implementing respective local works. Nevertheless, the three sides strived to complete the HZMB project by end-2017 for early simultaneous commissioning. He further indicated that the actual commissioning date of HZMB would be decided by the State Council.

Parking spaces provided at boundary crossing facilities

63. Mr Michael TIEN noted that the relevant authorities of the Mainland and Macao SAR intended to reserve some parking spaces at their boundary crossing facilities for drivers from the other places without cross-boundary vehicle licences to park their vehicles before going through immigration clearance. He asked whether the same arrangement would be made at HKBCF.

64. In reply, USTH said that the planned 650 parking spaces which would be provided at HKBCF would be designated for use by local private cars. The Development Bureau would explore providing parking facilities for inbound private cars in the feasibility study of the topside development. He indicated that the government of Macao SAR was also working towards the same direction with a view to providing parking spaces for inbound private cars from Hong Kong at its boundary crossing facilities. At the request of the Chairman and Mr Michael TIEN, USTH agreed to provide supplementary

information on the details and progress of the study on designating car parking areas at HKBCF to allow parking of inbound private cars from the Mainland and Macao.

(Post-meeting note: The Administration's written response was issued vide LC Paper No. CB(4)990/16-17(02) on 9 May 2017.)

Motions

65. After discussion, Mr Michael TIEN moved the following motion –

鑒於港珠澳大橋連接香港、珠海、澳門三地，為進一步加深和拉近三方的交通運輸、物流交易、經貿發展等關係，本委員會促請政府研究在三地口岸的停車場劃一部分為禁區，讓三地市民登記預留車位並自行駕車到另一方的口岸時停泊，然後辦理過境手續，達至「連人帶車過橋」，以便利三地跨境交通，從而確保港珠澳大橋車流量穩定增長。

(Translation)

Given that Hong Kong-Zhuhai-Macao Bridge ("HZMB") connects Hong Kong, Zhuhai and Macao, for the furtherance of deeper and closer relations among the three places on transport, logistics transactions, economic and trade developments, etc., this Panel urges the Government to conduct a study on designating part of the car parks in the respective boundary control points of the three places as closed areas to allow residents of the three places to make advance reservation for parking spaces in a boundary control point of another place and drive their own vehicles there for parking before completing clearance procedures. In this way, residents can drive their own vehicles across HZMB, which will facilitate cross-boundary transport of the three places and in turn ensure stable growth in the traffic flow of HZMB.

66. The Chairman put the motion to vote. A total of nine members voted for the motion, two members voted against it and none abstained from voting. The Chairman declared that the motion was carried.

67. Ms Claudia MO then moved the following motion –

本委員會就港珠澳大橋香港接線填海工程海堤事故，強烈譴責當局刻意隱瞞長達兩年，同時要求運房局局長張炳良就此問責。

(Translation)

In respect of the incident relating to the seawall in the Hong Kong-Zhuhai-Macao Bridge Hong Kong Link Road reclamation works, this Panel strongly condemns the Administration for deliberately concealing the incident for as long as two years and demands at the same time that the Secretary for Transport and Housing should be held accountable for this.

68. The Chairman put the motion to vote. A total of four members voted for the motion, six members voted against it and none abstained from voting. The Chairman declared that the motion was negated.

Site visit

69. The Chairman consulted members on the need to conduct a site visit to the construction sites of HKLR and HKBCF to better understand the works progress. Members agreed.

(Post-meeting note: The site visit to HKLR and HKBCF of HZMB was scheduled for Tuesday, 28 March 2017 from 8:45 am to 1:15 pm. Members were invited vide LC Paper No. CB(4)665/16-17 issued on 8 March 2017 to join the site visit.)

VI. Star Ferry's fare increase application

(LC Paper No. CB(4)578/16-17(07) - Administration's paper on Star Ferry's application for fare increases

LC Paper No. CB(4)578/16-17(08) - Paper on Star Ferry's fare increase application prepared by the Legislative Council Secretariat (background brief))

70. At the invitation of the Chairman, Deputy Secretary for Transport and Housing (Transport) 2 ("DS(T)2") briefed members on the application for fare increases by The "Star" Ferry Company, Limited ("Star Ferry") in respect of its "Central – Tsim Sha Tsui" and "Wan Chai – Tsim Sha Tsui" routes. In its application, Star Ferry sought to increase the fares of the two ferry services in two phases, with an increase of some 17.5% in February 2017 and a further increase of 6.5% in February 2018 (i.e. cumulative fare increases, with compounding effect, of around 25.2%). After seeking members' views on the application, the Administration would consult the Transport Advisory Committee, and then submit its recommendations to the Executive Council. The new fares would be subject to negative vetting by LegCo.

71. The Chairman reminded members that in accordance with Rule 83A of the Rules of Procedure of LegCo, they should disclose the nature of any direct or indirect pecuniary interests relating to the subject under discussion at the meeting before they spoke on the subject. Mr Frankie YICK declared that he was a non-remunerated director of Star Ferry.

Fare increase application

72. Mr YIU Si-wing agreed with implementing fare increases to maintain the financial viability and sustainable operation of Star Ferry. It was because Star Ferry had been a collective memory of the community and a popular tourist attraction, and such ferry service should be maintained. He suggested that in tandem with the fare increases, the Administration should liaise with Star Ferry on improving its service and the facilities, including the conditions of its vessels and the piers to better serve its passengers.

73. DS(T)2 advised that the Administration had all along been according high priority in ensuring the provision of a proper and efficient ferry service by Star Ferry, and service improvements would be a key requirement during the discussion with Star Ferry on the renewal of its franchise, which would expire on 31 March 2018. He further informed members that the Administration launched a two-month public consultation on 23 February 2017 on the arrangements of the new franchise for the Star Ferry. The Government would strive for the most favourable terms for the public as far as possible in a pragmatic manner. The outcome would be reported to the Panel in due course.

74. Mr Kenneth LAU acknowledged the need for fare adjustments due to rising operating costs, yet he was of the view that any fare increases of the Star Ferry should be carefully considered. Star Ferry had been offering the most economical option for commuters to travel across the harbour for

interchanging to other public transport modes. Its low fares should be maintained. Further, he asked if the ferry service was covered under the Public Transport Fare Concession Scheme for the Elderly and Eligible Persons with Disabilities ("Concession Scheme") administered by the Labour and Welfare Bureau, so that such eligible persons could use the ferry service at \$2.

75. In response, DS(T)2 advised that the ferry service was covered under the Concession Scheme, where Star Ferry was reimbursed for the difference between fares for persons with disabilities and \$2, whereas for elderly passengers aged 65 or above, Star Ferry had been offering free rides to them since 1993. On Mr LAU's further enquiry, DS(T)2 explained that the revenue foregone by Star Ferry in offering free rides to elderly passengers aged 65 or above (i.e. the amount of full adult fare) could be reimbursed by the Government under the Elderly Concessionary Fares Scheme administered by the Transport Department, subject to a cap of the lower of the actual revenue foregone and the sum of pier rentals and vessel licence fees.

76. Mr Jeremy TAM had no objection to increasing fares by Star Ferry to help maintain the ferry service. Mr TAM however was of the view that the rates of the fare increases appeared to be on the high side, and the increases in two phases at an interval of just one year were too frequent. He asked if the Administration had vigorously reviewed the financial position of Star Ferry to ensure that there was a genuine need for the increases, and requested the Administration to examine the possibility of moderating the rate of fare increases and spreading out the two phases of fare increases.

77. In response, DS(T)2 explained that under the established policy, the Administration would take into account various criteria, including the financial position of the ferry operator, the forecasts of changes in operating cost, revenue and return of the ferry operator, etc., when considering the applications for fare increases for ferry services including Star Ferry. The Administration noted the view of Mr Jeremy TAM and would take it into account when processing the application for fare increases. On Mr TAM's further enquiry, DS(T)2 confirmed that as for other public transportation, the fuel duty of Star Ferry was waived.

VII. Any other business

78. There being no other business, the meeting ended at 1:38 pm.

Council Business Division 4
Legislative Council Secretariat
18 July 2017