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**GOVERNMENT SECRETARIAT
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Translation

本函檔號 Our Ref: HAB/CR/1-160/7/25C Pt. 1
來函檔號 Your Ref : CB4/PAC/R70

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13 June 2018

Mr Anthony Chu
Clerk to Public Accounts Committee
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Mr Chu,

**Public Accounts Committee
Consideration of Chapter 1 of the Director of Audit's Report No. 70
Management of restored landfills**

As requested in your letter dated 30 May 2018, our response is set out in the Annex for reference.

Yours sincerely,

(Original signed)

(Ms Linda LAW)
for Secretary for Home Affairs

- c.c. Secretary for Environment (fax no. 2537 7278)
Director of Environment Protection (fax no. 2891 2512)
Director of Leisure and Cultural Services (fax no. 2691 4661)
Director of Architectural Services (fax no. 2810 7341)
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Director of Audit (fax no. 2583 9063)

Public Accounts Committee
Consideration of Chapter 1 of the Director of Audit's Report No. 70
Management of restored landfills

Response of Home Affairs Bureau in respect of Kwai Chung Park

Question V(a): with reference to paragraph 3.8, LCSD informed HAB in January 2015 that it was unable to arrange funding (\$0.6 million according to information provided by ArchSD) for the landfill gas hazard assessment. The funding request was declined by HAB. Subsequently in March 2018, LCSD informed Audit that cost for technical assessment was normally not required to be borne by LCSD (Note 44 refers). Please explain:

- (i) the above discrepancy in statements made by LCSD on funding for technical assessment;**
- (ii) whether it was the responsibility of HAB or LCSD to provide the required funding for the assessment;**
- (iii) reasons for declining the funding request by HAB;**

In general, when taking forward recreation and sports projects, the Leisure and Cultural Services Department (LCSD), upon confirmation of the proposed project scope, will prepare a Project Definition Statement (PDS) for the Home Affairs Bureau (HAB)'s consideration and issuance to the Architectural Services Department (ArchSD), so as to facilitate ArchSD to commence technical feasibility study and complete the Technical Feasibility Statement (TFS). HAB or LCSD may allocate funding to ArchSD to carry out the study and assessment as needed.

2. In July 2014, ArchSD advised this Bureau that as the Kwai Chung Park could not accommodate the golf driving range with 30 golf driving bays as proposed in the PDS, we should revise the PDS for the Kwai Chung Park project. We should also arrange funding for carrying out the Landfill Gas Hazard Assessment (LGHA) to facilitate ArchSD to finalise the TFS. In light of ArchSD's advice, HAB requested LCSD to explore revising the project scope and

consider providing funding for the LGHA. LCSD subsequently advised that it was unable to arrange the funding required immediately and sought assistance from HAB. In view that the proposed project scope was required to be revised and we considered the LGHA concerned formed part of the technical feasibility study which should be carried out after confirmation of the project scope, we did not arrange the funding at that time.

(iv) reasons for not conducting the assessment even though EPD’s landfill gas hazard assessment guidance required that the project proponent should conduct such assessment to assess potential landfill gas hazards and recommend appropriate mitigation measures during the design, construction and operation stage for any development located within 250 metres around a landfill site (Note 43 refers);

3. We considered that one of the crucial factors for taking forward the Kwai Chung Park project was to confirm the proposed project scope so as to facilitate ArchSD to commence technical feasibility study, including the carrying out of LGHA, according to the proposed project scope.

4. As mentioned above, as ArchSD stated in July 2014 that the site could not accommodate the proposed golf driving range with 30 golf driving bays, we considered it necessary to follow up on the proposed project scope first and revise the PDS and thus did not provide funding for the LGHA at that time.

Question V(b) : ArchSD informed HAB/LCSD in May 2014 and May 2017 that a landfill gas hazard assessment should be conducted before proceeding with the Technical Feasibility Statement to confirm the technical feasibility of the proposed project (paragraphs 3.7 and 3.10 refer), and expressed concern in May 2017 on whether the project could be launched before 2022. Please provide the following information:

(i) reasons for HAB/LCSD to seek clarification from EPD and ArchSD in June 2017 on the “order of precedence” of the landfill gas hazard assessment and justifications for conducting such assessment at detailed planning stage given ArchSD’s advice on the possible adverse implications on time and cost if the significant changes were necessary due to the findings and mitigation measures to be proposed by the landfill gas hazard assessment (paragraph 3.11(b) refers);

5. In response to a meeting between Legislative Council (LegCo) members and Kwai Tsing District Council members scheduled for 23 June 2017, the LCSD prepared a draft reply for this Bureau in mid-May 2017. Since the draft reply had quoted the views of ArchSD and Environmental Protection Department (EPD) on LGHA and technical feasibility study, we requested LCSD to confirm with both departments the accuracy of the information in early June 2017. Subsequently, ArchSD and EPD clarified that LGHA could be divided into two stages. The preliminary LGHA should normally be carried out after confirmation of the proposed project scope or issuance of PDS and during the stage of technical feasibility study for completion of the TFS, and the detailed LGHA could be carried out at the detailed design stage.

(ii) the Administration's priority in developing the Park as announced in 2017 Policy Address and a development timeline for individual procedure.

6. Kwai Chung Park project was included in the Policy Address of January 2017 as one of the 26 projects under the Five-Year Plan for Sports and Recreation Facilities and resources have been reserved. On 18 May 2018, we issued the PDS to ArchSD and also reserved the funding for ArchSD to carry out LGHA during the stage of technical feasibility study. Taking into account the various preparatory work and procedures, e.g. detailed design, District Council consultation of design etc, we target to seek funding approval from the Finance Committee of LegCo in legislative year 2020-2021 for commencement of works by end-2021.