

ITEM FOR PUBLIC WORKS SUBCOMMITTEE OF FINANCE COMMITTEE

HEAD 703 – BUILDINGS

Law and Order – Judiciary

32LJ – Additional courtrooms and associated facilities at lower ground fourth floor in the High Court Building

Members are invited to recommend to the Finance Committee the upgrading of **32LJ** to Category A at an estimated cost of \$105.2 million in money-of-the-day prices for the construction of additional courtrooms and associated facilities at lower ground fourth floor in the High Court Building.

PROBLEM

There is a problem of shortage of courtrooms and associated facilities in the High Court. Additional courtrooms and associated facilities are required in order to alleviate the problem, and to facilitate greater efficiency in deployment of judicial resources.

PROPOSAL

2. The Director of Architectural Services, with the support of the Judiciary Administrator, proposes to upgrade **32LJ** to Category A at an estimated cost of \$105.2 million in money-of-the-day (MOD) prices for the construction of additional courtrooms and associated facilities at lower ground fourth floor (LG4/F) in the High Court Building (HCB).

/PROJECT

PROJECT SCOPE AND NATURE

3. The proposed site occupies an area of 1 780 square metres¹ (m²) at LG4/F in the HCB. The scope of the project comprises -

- (a) six civil courtrooms (size ranging from 65 m² to 100 m²);
- (b) five consultation rooms²;
- (c) a court lobby;
- (d) offices for staff providing support to Judges;
- (e) equipment rooms; and
- (f) ancillary facilities including an entrance hall, toilet facilities, an air-conditioning plant room, etc.

4. The total area of the proposed facilities is around 790 m². The project will provide the basic infrastructure for courtrooms and associated facilities necessary for court operation, including audio-visual and digital sound recording systems, information technology and other electronic facilities, security system and devices. There will be separate accesses for public and restricted areas. Since there are already a baby-care room and toilet facilities for the disabled on LG4/F of the HCB, additional provision is not required in this project.

5. A site and location plan, a floor plan, an artist's impression and a barrier-free access plan for the project are at **Enclosures 1 to 4**. Subject to the funding approval of the Finance Committee, the Architectural Services Department (ArchSD) plans to commence construction in the fourth quarter of 2020 for completion in phases in the third quarter of 2023.

/JUSTIFICATION

¹ Including an area of about 200 m² on lower ground fifth floor of the HCB for re-provisioning an air-conditioning plant room.

² There are currently three consultation rooms on LG4/F of the HCB.

JUSTIFICATION

6. The HCB was built in 1984 and has been operating for over 35 years. At present, there are 46 courtrooms comprising –

- (a) 36 courtrooms, mostly of around 180 m² in size, for conducting court hearings of criminal and civil cases within the jurisdiction of the Court of Appeal and the Court of First Instance (CFI);
- (b) three civil courtrooms, ranging from 85 m² to 110 m² in size, for conducting court hearings of civil cases within the jurisdiction of the CFI; and
- (c) seven Masters' courtrooms, each of about 60 m² in size, for hearing interlocutory and summary applications in chambers, and conducting assessments of damages and interpleader trials.

Besides courtrooms, the HCB also accommodates associated court facilities including Judges' chambers, consultation rooms, witness waiting rooms, court registries as well as other offices and ancillary facilities for support services and administrative staff.

7. Over the years, there is a shortage of courtrooms in the High Court. While the construction of three civil courtrooms in 2012 has alleviated the problem, the civil caseload particularly those related to appeal cases has continued to grow since then. In 2019, the total number of civil cases was 19 647 which was 12% higher than 17 495 in 2012 in particular those related to substantive civil appeal cases (597 cases) was 111% more when compared with that in 2012 (283 cases).

8. The Judiciary considers that with increasing caseload and complexity of cases, the existing 39 criminal/civil courtrooms in the High Court are grossly inadequate to meet existing and future court services requirements. The situation is unsatisfactory since this would impose constraints on the arrangements for court hearings and is not conducive to the efficient administration of justice. The shortage of courtrooms also poses limitations on the

/room

room for appointing additional Deputy Judges to help shorten the waiting time of court cases. This has added extra burden regarding the administering of the use of courtrooms and listing of cases for hearings in the High Court. The situation would be aggravated if the caseload and/or workload (which is outside the Judiciary's control) further increases in the coming years. The provision of additional civil courtrooms and associated facilities is much needed to cope with the increased caseload and workload as well as to facilitate greater efficiency in the deployment of judicial resources.

Relocation of the High Court Library

9. Having regard to space and physical constraints of the HCB, ceiling height required of courtrooms, as well as court users' convenience, there is no alternative site in the HCB that is suitable for the construction of the proposed court facilities. In order to release the space required for construction of the additional courtrooms and associated facilities in the HCB, the High Court Library (HC Library) has to be relocated from LG4/F of the HCB to the first floor of the High Block, Queensway Government Offices (QGO).

10. The relocation of the HC Library would not have significant effect on the existing level of services provided to library users. Being conveniently located at the QGO which is in close proximity to the HCB, the new HC Library will occupy an area of around 860 m², which is 80 m² less than its existing area. Although the reduction of area and headroom upon relocation to QGO may affect the capacity of accommodating book collections, the HC Library will deploy more mobile shelving systems to achieve more efficient use of space.

11. To make way for the construction of additional courtrooms and associated facilities on LG4/F of the HCB, the HC Library is expected to be able to be relocated to the QGO in the fourth quarter of 2020, upon the provision of space at the QGO by the Government Property Agency. The accommodation at the QGO for the HC Library is a separate minor building works project under separate funding.

/Long-Term

Long-Term Accommodation Needs

12. To meet the long-term accommodation needs of the High Court, the Judiciary, with the support of the Government, plans to construct a new HCB with improved court facilities at Site 5 of the new Central Harbourfront (i.e. adjacent to the Legislative Council Complex). As the new High Court project is still at the initial planning stage, there is an imminent need to construct additional courtrooms and associated facilities in the existing HCB to meet operational needs of the High Court in the interim.

FINANCIAL IMPLICATIONS

13. The ArchSD estimates the capital cost of the project to be \$105.2 million in MOD prices, broken down as follows –

	\$ million
	(in MOD prices)
(a) Site works and demolition	8.8
(b) Building	32.3
(c) Building services	29.8
(d) External works	6.6
(e) Additional energy conservation, green and recycled features	0.7
(f) Furniture and equipment ³	3.8
(g) Consultants' fees for	5.4
(i) contract administration	4.1
(ii) management of resident site staff (RSS)	1.3
	/(h)

³ The estimated cost is based on an indicative list of furniture and equipment required.

		\$ million (in MOD prices)
	(h) Remuneration of RSS	8.2
	(i) Contingencies	9.6
	Total	105.2

14. The ArchSD proposes to engage consultants to undertake contract administration and site supervision for the project. A detailed breakdown of the estimate for consultants’ fees and RSS costs by man-months is at **Enclosure 5**. The construction floor area (CFA) of this project is about 1 780 m². The estimated construction unit cost, represented by the building and building services costs, is \$34,888 per m² of CFA in MOD prices. The ArchSD considers this unit cost comparable to that of similar projects built by the Government.

15. Subject to funding approval, the ArchSD plans to phase the expenditure as follows –

Year	\$ million (in MOD prices)
2020 – 2021	1.0
2021 – 2022	15.4
2022 – 2023	26.6
2023 – 2024	38.8
2024 – 2025	10.1
2025 – 2026	8.0
2026 – 2027	5.3
	105.2

16. The ArchSD has derived the MOD estimates on the basis of the Government's latest set of assumptions on the trend rate of change in the prices of public sector building and construction output for the period 2020 to 2027. The ArchSD will deliver the construction works through a lump-sum contract as the scope of the works can be clearly defined in advance. The contract will provide contractual terms for price adjustment.

17. The Judiciary estimates the annual recurrent expenditure arising from this project to be \$1.7 million.

PUBLIC CONSULTATION

18. The Judiciary has consulted the Civil Court Users' Committee⁴, the Criminal Court Users' Committee⁴, The Hong Kong Bar Association and The Law Society of Hong Kong on the project. The two Committees and the two legal professional bodies generally supported the project.

19. The Legislative Council Panel on Administration of Justice and Legal Services was consulted on the project on 25 May 2020. Members expressed support for the project.

ENVIRONMENTAL IMPLICATIONS

20. The project is not a designated project under the Environmental Impact Assessment Ordinance (Cap. 499). It will not cause long-term environmental impact. The ArchSD has included in the project estimate the cost to implement suitable mitigation measures to control short-term environmental impacts.

/21.

⁴ The Civil Court Users' Committee and the Criminal Court Users' Committee are appointed by the Chief Justice and chaired by High Court Judges to discuss matters of concern to users of the civil and criminal courts respectively, including all matters of practice and procedure, and the administration of the courts. Members comprise judges, representatives of the legal profession, representatives of other court users and lay members.

21. During construction, the ArchSD will control noise, dust and site run-off nuisances to within established standards and guidelines through the implementation of mitigation measures in the contract. These measures include the use of silencers, mufflers, acoustic lining or shields for noisy construction activities, and frequent cleaning of the site.

22. At the planning and design stages, the ArchSD has considered measures to reduce the generation of construction waste where possible (e.g. using metal site hoardings and signboards so that these materials can be recycled or reused in other projects). In addition, the ArchSD will require the contractor to reuse inert construction waste on site or in other suitable construction sites as far as possible in order to minimise the disposal of inert construction waste at public fill reception facilities⁵. The ArchSD will encourage the contractor to maximise the use of recycled or recyclable inert construction waste, and the use of non-timber formwork to further reduce the generation of construction waste.

23. At the construction stage, the ArchSD will require the contractor to submit for approval a plan setting out the waste management measures, which will include appropriate mitigation means to avoid, reduce, reuse and recycle inert construction waste. The ArchSD will ensure that the day-to-day operations on site comply with the approved plan. The ArchSD will require the contractor to separate the inert portion from non-inert construction waste on site for disposal at appropriate facilities. The ArchSD will control the disposal of inert and non-inert construction waste at public fill reception facilities and landfills respectively through a trip-ticket system.

24. The ArchSD estimates that the project will generate in total about 1 170 tonnes of construction waste. Of these, the ArchSD will deliver 990 tonnes (84.6%) of inert construction waste to public fill reception facilities for subsequent reuse. The ArchSD will dispose of the remaining 180 tonnes (15.4%) of non-inert construction waste at landfills. The total cost for disposal of construction waste at public fill reception facilities and landfill sites is estimated to be \$ 0.1 million for this project (based on a unit charge rate of \$71 per tonne for disposal at public fill reception facilities and \$200 per tonne at landfills as stipulated in the Waste Disposal (Charges for Disposal of Construction Waste) Regulation (Cap. 354N)).

/HERITAGE

⁵ Public fill reception facilities are specified in Schedule 4 of the Waste Disposal (Charges for Disposal of Construction Waste) Regulation (Cap. 354N). Disposal of inert construction waste at public fill reception facilities requires a licence issued by the Director of Civil Engineering and Development.

HERITAGE IMPLICATIONS

25. This project will not affect any heritage site, i.e. all declared monuments, proposed monuments, graded historic sites/buildings, sites of archaeological interest and government historic sites identified by the Antiquities and Monuments Office.

LAND ACQUISITION

26. This project does not require any land acquisition.

ENERGY CONSERVATION, GREEN AND RECYCLED FEATURES

27. This project will adopt various forms of energy efficient features, in particular -

- (a) demand control of supply air; and
- (b) heat energy reclaim of exhaust air.

28. For greening features, the ArchSD will provide green roof at appropriate areas for environmental and amenity benefits.

29. The total estimated additional cost for adoption of the above energy conservation and green measures is around \$0.7 million (including \$0.04 million for energy efficient features), which has been included in the cost estimate of this project. The energy efficient features will achieve 3.5% energy savings in the annual energy consumption with a payback period of about eight years.

BACKGROUND INFORMATION

30. The project **32LJ** was upgraded to Category B in September 2017. The ArchSD engaged consultants to undertake various services, including architectural lead consultancy services and quantity surveying services at a total cost of about \$6.5 million. The services and works by the consultants were funded under block allocation **Subhead 3100GX** "Project feasibility studies, minor investigations and consultants' fees for items in Category D of the Public Works Programme". All the above consultancy services have been completed.

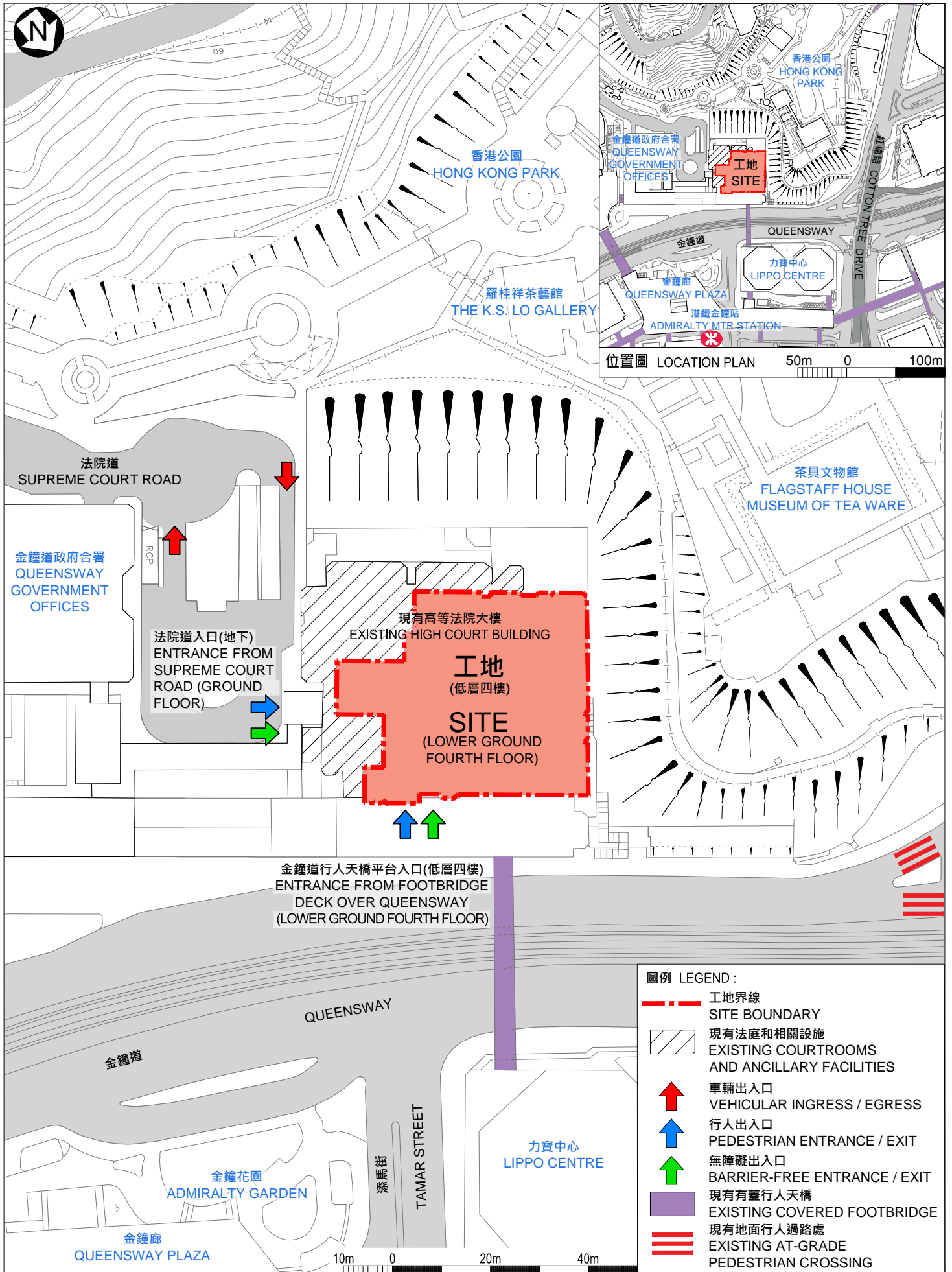
/31.

31. The proposed works will not involve any tree removal.

32. The ArchSD estimates that the proposed works will create about 40 jobs (35 for labourers and 5 for professional or technical staff) providing a total employment of 1 100 man-months.

33. The ArchSD invited tenders for the proposed works in October 2019. After assessing the returned tender prices for the contract, the ArchSD has updated the project estimate. The ArchSD considers that the latest estimate, which is 3.6% less than our earlier estimate as stated in the paper to the Legislative Council Panel on Administration of Justice and Legal Services in May 2020 (LC Paper No. CB(4)583/19-20(02)), has reflected the prevailing market situation and the latest estimate should be adequate to deliver the proposed works.

Judiciary Administration
June 2020

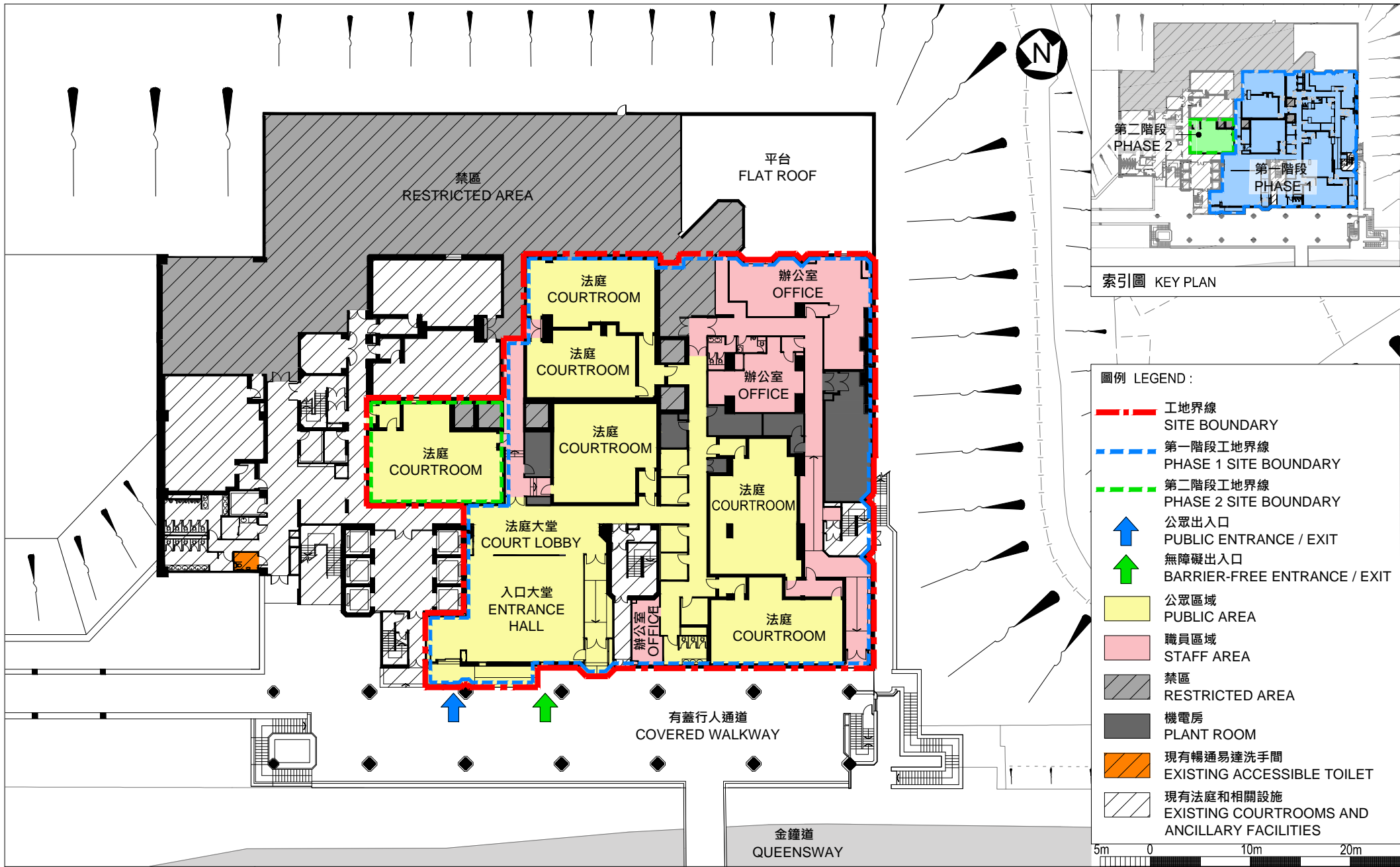


工地平面圖
SITE PLAN

32LJ
 高等法院大樓低層四樓增建法庭及相關設施
 ADDITIONAL COURTROOMS AND ASSOCIATED FACILITIES AT
 LOWER GROUND FOURTH FLOOR IN THE HIGH COURT BUILDING



ARCHITECTURAL
 SERVICES
 DEPARTMENT 建築署



低層四樓平面圖
LOWER GROUND
FOURTH FLOOR PLAN

32LJ
高等法院大樓低層四樓增建法庭及相關設施
ADDITIONAL COURTROOMS AND ASSOCIATED FACILITIES AT
LOWER GROUND FOURTH FLOOR IN THE HIGH COURT BUILDING



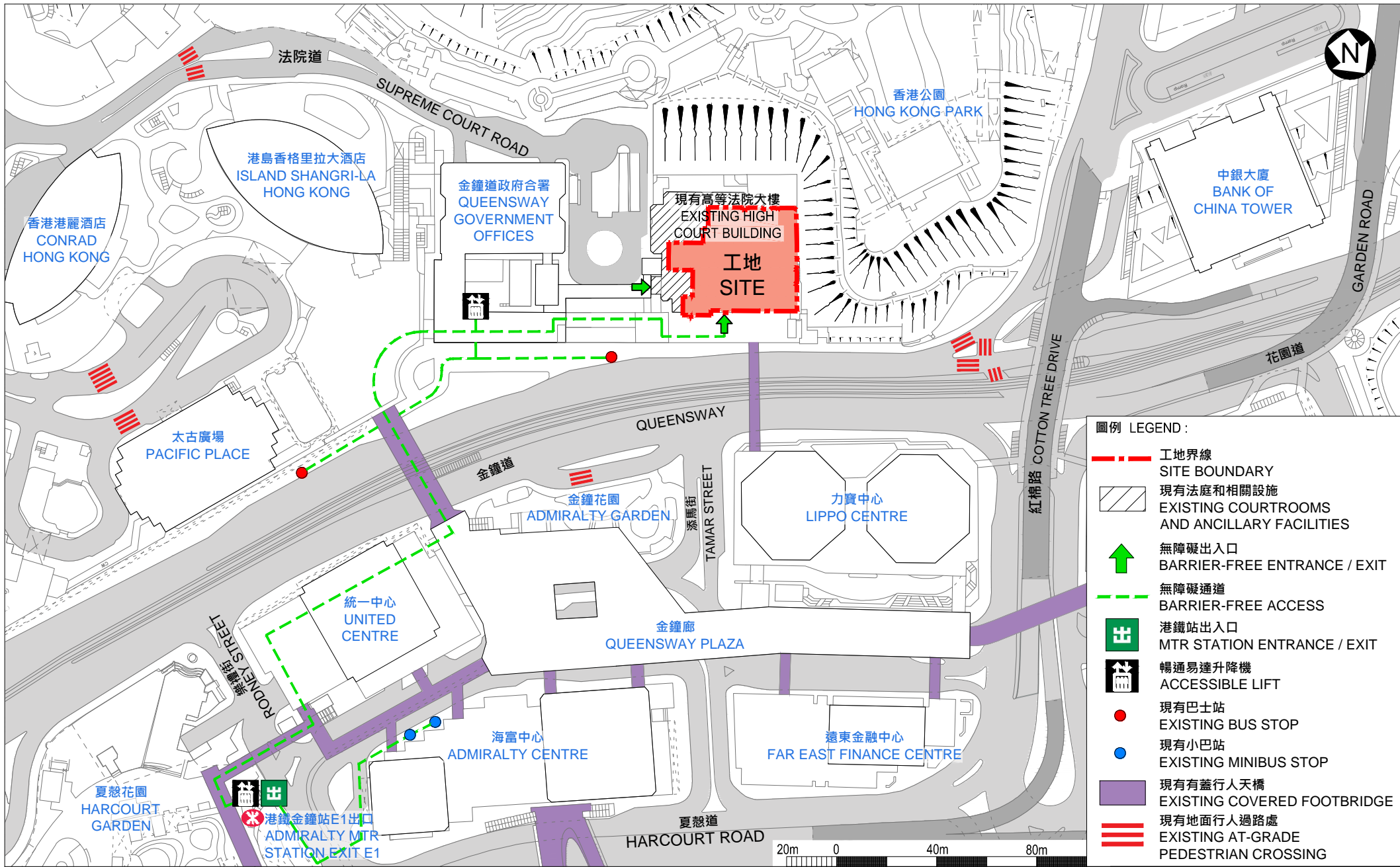
完工後從現有有蓋行人通道望向高等法院低層四樓入口的透視圖

PERSPECTIVE VIEW TO THE ENTRANCE AT LOWER GROUND FOURTH FLOOR IN THE HIGH COURT BUILDING FROM EXISTING COVERED WALKWAY AFTER COMPLETION

構思圖
ARTIST'S IMPRESSION

32LJ
高等法院大樓低層四樓增建法庭及相關設施
ADDITIONAL COURTROOMS AND ASSOCIATED FACILITIES AT
LOWER GROUND FOURTH FLOOR IN THE HIGH COURT BUILDING

 ARCHITECTURAL
SERVICES
DEPARTMENT 建築署



無障礙通道平面圖
PLAN OF BARRIER-FREE ACCESS

32LJ
 高等法院大樓低層四樓增建法庭及相關設施
 ADDITIONAL COURTROOMS AND ASSOCIATED FACILITIES AT LOWER GROUND FOURTH FLOOR IN THE HIGH COURT BUILDING



**32LJ – Additional courtrooms and associated facilities at lower ground
fourth floor in the High Court Building**

**Breakdown of the estimates for consultants' fees and resident site staff costs
(in September 2019 prices)**

		Estimated man-months	Average MPS* salary point	Multiplier (Note 1)	Estimated fee (\$ million)
(a) Consultants' fees for contract administration (Note 2)	Professional	–	–	–	3.0
	Technical	–	–	–	0.4
				Sub-total	<u>3.4 #</u>
(b) Resident site staff (RSS) costs (Note 3)	Professional	–	–	–	–
	Technical	164	14	1.6	7.9
				Sub-total	<u>7.9</u>
Comprising -					
	(i) Consultants' fees for management of RSS			1.1#	
	(ii) Remuneration of RSS			6.8#	
				Total	<u>11.3</u>

* MPS = Master Pay Scale

Notes

1. A multiplier of 1.6 applied to the average MPS salary point to estimate the cost of RSS supplied by the consultants. (As at now, MPS salary point 14 = \$30,235 per month).
2. The consultants' fees for contract administration is calculated in accordance with the existing consultancy agreement for the provision of contract administration and site supervision of **32LJ**. The assignment will only be executed subject to Finance Committee's funding approval to upgrade **32LJ** to Category A.
3. The consultants' staff cost for site supervision is based on the estimate prepared by the Director of Architectural Services. The ArchSD will only know the actual man-months and actual costs after completion of the construction works.

Remarks

The cost figures in this Enclosure are shown in constant prices to correlate with the MPS salary point of the same year. The figures marked with # are shown in money-of-the-day prices in paragraph 13 of the main paper.