

立法會
Legislative Council

LC Paper No. CB(1)494/19-20
(These minutes have been seen by
the Administration)

Ref : CB1/PS/2/16

Panel on Development and Panel on Home Affairs

**Joint Subcommittee to Monitor the Implementation of
the West Kowloon Cultural District Project**

**Minutes of meeting held on
Monday, 25 November 2019, at 2:30 pm
in Conference Room 2 of the Legislative Council Complex**

- Members present** : Hon Jeffrey LAM Kin-fung, GBS, JP (Chairman)
Hon Jimmy NG Wing-ka, BBS, JP (Deputy Chairman)
Hon Claudia MO
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, SBS, JP
Hon MA Fung-kwok, SBS, JP
Hon CHAN Chi-chuen
Dr Hon Helena WONG Pik-wan
Hon Holden CHOW Ho-ding
Hon Tanya CHAN
Hon Vincent CHENG Wing-shun, MH, JP
Hon Tony TSE Wai-chuen, BBS
- Member attending** : Hon CHAN Hak-kan, BBS, JP
- Members absent** : Hon Abraham SHEK Lai-him, GBS, JP
Hon CHU Hoi-dick
Hon Junius HO Kwan-yiu, JP
Hon KWONG Chun-yu

**Public officers
attending**

: Agenda items IV and V

Mrs Cherry TSE LING Kit-ching, JP
Permanent Secretary for Home Affairs

Ms YING Fun-fong, JP
Project Manager (Home Affairs Bureau)

Mrs Angelina CHEUNG FUNG Wing-ping, JP
Deputy Secretary for Home Affairs (2)

Mr Kirk YIP Hoi-ying
Principal Assistant Secretary for Home Affairs
(West Kowloon Cultural District)

Agenda item V

Ms Alice PANG, JP
Project Manager (South)
Civil Engineering and Development Department

Mr Edmund CHAN Ping-wa
Chief Engineer/South 2
Civil Engineering and Development Department

**Attendance by
invitation**

: Agenda items IV and V

Mr Duncan PESCOD, GBS, JP
Chief Executive Officer
West Kowloon Cultural District Authority

Mr Jeremy STOWE
Chief Projects Officer
West Kowloon Cultural District Authority

Agenda item IV

Ms Suhanya RAFFEL
Museum Director, M+
West Kowloon Cultural District Authority

Ms Alison FRIEDMAN
Acting Executive Director, Performing Arts
and Artistic Director, Performing Arts
West Kowloon Cultural District Authority

Dr Louis NG Chi-wa
Museum Director, Hong Kong Palace Museum
West Kowloon Cultural District Authority

Agenda item V

Mr SM LIN
General Manager, Construction Projects
West Kowloon Cultural District Authority

Clerk in attendance : Ms Doris LO
Chief Council Secretary (1)2

Staff in attendance : Mr Raymond CHOW
Senior Council Secretary (1)10

Mr Keith WONG
Council Secretary (1)2

Ms Christina SHIU
Legislative Assistant (1)2

Miss Joey LAW
Clerical Assistant (1)2

Action

I Election of Chairman and Deputy Chairman (if required)

Election of Chairman

Mr Jeffrey LAM, the Chairman of the Joint Subcommittee in office, invited nominations for the chairmanship of the Joint Subcommittee for the 2019-2020 legislative session.

2. Mr Jimmy NG nominated Mr Jeffrey LAM and the nomination was seconded by Mr Frankie YICK. Mr LAM accepted the nomination.

3. As Mr Jeffrey LAM was nominated for the chairmanship, Mr Jimmy NG, the Deputy Chairman in office, presided over the election and called for other nominations.

4. Ms Tanya CHAN nominated Dr Helena WONG and the nomination was seconded by Mr CHAN Chi-chuen. Dr WONG accepted the nomination.

5. There being no other nomination, Mr Jimmy NG announced a vote by secret ballot. The result of the vote was that five members voted for Mr Jeffrey LAM and three members voted for Dr Helena WONG. Mr NG declared that Mr Jeffrey LAM was elected as the Chairman of the Joint Subcommittee. Mr LAM then took the chair.

Election of Deputy Chairman

6. The Chairman invited nominations for the deputy chairmanship of the Joint Subcommittee for the 2019-2020 legislative session. Ms Tanya CHAN nominated Dr Helena WONG and the nomination was seconded by Mr CHAN Chi-chuen. Dr WONG accepted the nomination.

7. Mr Vincent CHENG nominated Mr Jimmy NG and the nomination was seconded by Mr Frankie YICK. Mr NG accepted the nomination.

8. There being no other nomination, the Chairman announced a vote by secret ballot. The result of the vote was that four members voted for Dr Helena WONG and five members voted for Mr Jimmy NG. The Chairman declared that Mr Jimmy NG was elected as the Deputy Chairman of the Joint Subcommittee.

II Information paper(s) issued since the meeting on 10 June 2019

(LC Paper No. CB(1)1246/18-19(01) — West Kowloon Cultural District Authority's response to the letter dated 23 April 2019 from Hon Tanya CHAN on issues relating to the construction works of the Hong Kong Palace Museum [LC Paper No. CB(1)936/18-19(01)]

- LC Paper No. CB(1)1282/18-19(01) — Joint letter dated 25 July 2019 from Hon Tanya CHAN and Hon Jeremy TAM Man-ho on the incident of land subsidence at a construction site of the West Kowloon Cultural District
- LC Paper No. CB(1)1283/18-19(01) — West Kowloon Cultural District Authority's response to the joint letter dated 25 July 2019 from Hon Tanya CHAN and Hon Jeremy TAM Man-ho on the incident of land subsidence at a construction site of the West Kowloon Cultural District [LC Paper No. CB(1)1282/18-19(01)]
- LC Paper No. CB(1)1297/18-19(01) — Letter dated 30 July 2019 from Dr Hon Helena WONG Pik-wan on the incident of land subsidence at a construction site of the West Kowloon Cultural District
- LC Paper No. CB(1)1320/18-19(01) — Administration's response to the letter dated 30 July 2019 from Dr Hon Helena WONG Pik-wan on the incident of land subsidence at a construction site of the West Kowloon Cultural District [LC Paper No. CB(1)1297/18-19(01)]
- LC Paper No. CB(1)1355/18-19(01) — Letter dated 29 August 2019 from Dr Hon Helena WONG Pik-wan on the incident of land subsidence at a construction site of the West Kowloon Cultural District

LC Paper No. CB(1)1355/18-19(02) — West Kowloon Cultural District Authority's response to the letter dated 29 August 2019 from Dr Hon Helena WONG Pik-wan on the incident of land subsidence at a construction site of the West Kowloon Cultural District [LC Paper No. CB(1)1355/18-19(01)]

9. Members noted that the above information papers had been issued since the meeting on 10 June 2019.

III Schedule of meetings for the 2019-2020 session and items for discussion

(LC Paper No. CB(1)149/19-20(01) — List of items for discussion proposed by the Administration)

Schedule of meetings

10. The Chairman referred members to the proposed schedule of meetings for the 2019-2020 legislative session tabled at the meeting. Members agreed that meetings of the Joint Subcommittee would be held on 6 January 2020, at 10:45 am; and on 30 March 2020, 27 April 2020 and 1 June 2020, at 4:30 pm.

(Post-meeting note: The schedule of meetings of the Joint Subcommittee for the 2019-2020 legislative session was circulated to members vide LC Paper No. CB(1)190/19-20 on 26 November 2019.)

Items for discussion at future meetings

11. Members noted the list of items proposed by the Administration for discussion by the Joint Subcommittee in the 2019-2020 legislative session (LC Paper No. CB(1)149/19-20(01)). They also agreed to discuss the following items at the next meeting of the Joint Subcommittee to be held on Monday, 6 January 2020, from 10:45 am to 12:45 pm:

- (a) Cultural software development for the West Kowloon Cultural District; and
- (b) Update on the progress of venue operation of the West Kowloon Cultural District.

(Post-meeting note: The agenda for the meeting of the Joint Subcommittee on 6 January 2020 was circulated to members vide LC Paper No. CB(1)191/19-20 on 26 November 2019.)

IV Update on the progress of the West Kowloon Cultural District development

(LC Paper No. CB(1)149/19-20(02) — West Kowloon Cultural District Authority's paper on update on the progress of the West Kowloon Cultural District development

LC Paper No. CB(1)149/19-20(03) — Paper on the progress of the hardware development in the West Kowloon Cultural District prepared by the Legislative Council Secretariat (Updated background brief))

12. The Joint Subcommittee deliberated (index of proceedings attached at **Annex**).

(Post-meeting note: Further to a response given at the meeting to Hon Tanya CHAN in respect of her concern over the delays in receiving payments by a number of subcontractors previously employed by the Hsin Chong Construction Company Limited under the M+ project, the West Kowloon Cultural District Authority ("WKCD") provided supplementary information on the latest position of its follow-up on these outstanding cases after the meeting. The supplementary information was circulated to members vide LC Paper Nos. CB(1)228/19-20(01) and (02) on 10 December 2019.)

V Update on the construction of L1 and L2 Works Contracts for the Lyric Theatre Complex and the Extended Basement

(LC Paper No. CB(1)149/19-20(04) — West Kowloon Cultural District Authority's paper on update on the construction of L1 and L2 Works Contracts for the Lyric Theatre Complex and the Extended Basement

LC Paper No. CB(1)149/19-20(05) — Paper on the development of Lyric Theatre Complex prepared by the Legislative Council Secretariat (Updated background brief))

13. The Joint Subcommittee deliberated (index of proceedings attached at **Annex**).

Admin &
WKCD

14. The Administration and WKCD were requested to provide the full investigation report of the flooding incident on 25 July 2019 at the construction site of L1 Works Contract for the Lyric Theatre Complex and the Extended Basement.

VI Any other business

15. There being no other business, the meeting ended at 4:30 pm.

Panel on Development and Panel on Home Affairs

**Proceedings of meeting of the Joint Subcommittee to Monitor
the Implementation of the West Kowloon Cultural District Project
held on Monday, 25 November 2019, at 2:30 pm
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)/Discussion	Action required
Agenda Item I – Election of Chairman and Deputy Chairman (if required)			
000658-001924	Mr Jeffrey LAM Mr Jimmy NG Mr Frankie YICK Ms Tanya CHAN Mr CHAN Chi-chuen Dr Helena WONG Mr Vincent CHENG	Election of Chairman and Deputy Chairman	
Agenda Item II – Information paper(s) issued since the meeting on 10 June 2019			
001925-001945	Chairman	Members noted the information papers issued since the last meeting.	
Agenda Item III – Schedule of meetings for the 2019-2020 session and items for discussion			
001946-002316	Chairman Dr Helena WONG Ms Tanya CHAN	Deliberations on the proposed schedule of meetings and items for discussion in the 2019-2020 session	
Agenda Item IV – Update on the progress of the West Kowloon Cultural District development			
002317-004740	Chairman Administration West Kowloon Cultural District Authority ("WKCDA")	Briefing by the Administration and powerpoint presentation by WKCDA [LC Paper Nos. CB(1)149/19-20(02) and CB(1)186/19-20(01)]	
004741-005449	Chairman Ms Claudia MO Administration WKCDA	Ms MO lamented about the protracted development of the West Kowloon Cultural District ("WKCD") project, on which a whole lot of money had been spent yet its completion was still not in sight. She asked about: (a) why the Administration and WKCDA had not mentioned in their presentation just made about the flooding incident on 25 July 2019 at the construction site of the Lyric Theatre Complex ("LTC") and Extended Basement L1 Works Contract ("L1 Works Contract"), which was very worrying given the site's proximity to the harbour, and whether WKCDA would guarantee that only leakage but no more flooding would occur at the site in future; and	

Time marker	Speaker(s)	Subject(s)/Discussion	Action required
		<p>(b) any additional funding would be sought from the Finance Committee ("FC") for the WKCD project, and its completion schedule.</p> <p>The Administration advised that WKCDA was prepared to give a detailed account of the said flooding incident at the next agenda item. As regards the progress of the WKCD project, given that the Development Plan and planning application for minor relaxation of the development intensity of the WKCD were approved by the Chief Executive-in-Council in January 2013 and the Town Planning Board in end-2014 respectively, WKCDA should not be held accountable for any delay in the planning process before then.</p> <p>WKCDA indicated that:</p> <p>(a) the delivery of the L1 Works Contract had strictly followed all statutory procedures. In addition to the supervision by the statutory authorities and professionals employed by the appointed contractor, WKCDA had employed a team of an Authorized Person and other registered building professionals to carry out statutory duties under the Buildings Ordinance (Cap. 123);</p> <p>(b) proximity of the construction site to the harbour, challenging below-ground condition and deep excavation involved made the LTC and Extended Basement project complicated. Occurrences of water leakage and seepage at the construction site of L1 Works Contract were expected and had been monitored and dealt with regularly;</p> <p>(c) the flooding incident on 25 July 2019 occurred early in the morning, and a sinkhole appeared outside of the cofferdam. Water leakage was brought under control by grouting works and stopped the same morning. An additional clutch-pipe-pile vertical steel barrier system was installed to strengthen the water cut-off performance of the cofferdam; and</p> <p>(d) the safety of staff and workers was the priority at all times. The Authority reaffirmed that there were no safety issues or injuries resulting from the said flooding incident, and the Authority remained satisfied that the ongoing safety risk onsite was manageable. The flooding incident also had no</p>	

Time marker	Speaker(s)	Subject(s)/Discussion	Action required
		<p>impact on the construction works of LTC and the Extended Basement. The Authority and the appointed contractor would ensure that the construction works would continue to be carried out in a safe and effective manner.</p>	
005450-010206	Chairman Dr Helena WONG WKCDA	<p>Dr WONG urged for the early arrangement of a site visit to WKCD. She then asked about:</p> <ul style="list-style-type: none"> (a) the reasons why the Xiqu Centre, which was just opened in January 2019, had so quickly entered its defects liability period, and the defects identified; (b) the tendering and financing arrangements as well as the tender assessment criteria of the Art Commerce and Exhibitions ("ACE") development package; and (c) progress and effectiveness of measures undertaken by WKCDA on cultural software development to dovetail with the delivery of the WKCD project. <p>WKCDA said that it had previously extended an invitation to Members to visit the site and has been working with the LegCo Secretariat to confirm the date of a site visit. WKCDA then advised that:</p> <ul style="list-style-type: none"> (a) as a normal contractual arrangement, a one-year defects liability period of the Xiqu Centre had started after the practical completion of the project, during which the appointed contractor was required under the works contract to rectify defects identified, mostly minor ones; (b) strong interest had been received in the Expression of Interest exercise of the ACE development package completed in August 2019. The preparation of the tender documentation was underway and tender invitation was expected to be issued in the fourth quarter of 2019/the first quarter of 2020. It was estimated that the tender would be awarded in around the third quarter of 2020; (c) tenderers had to submit their financial proposals for the ACE development package in the tender returns and the proposals should fully comply with Build-Operate-Transfer ("BOT") terms under the Enhanced Financial Arrangement for WKCD; and (d) WKCDA had made use of the site prior to the opening of new venues to organize programmes like 	

Time marker	Speaker(s)	Subject(s)/Discussion	Action required
		<p><i>Freespace Happening</i> and <i>Freespace Jazz Fest</i>, which attracted half a million of visitors over the last four years, and would provide more programmes in tandem with the gradual commissioning of WKCD facilities. WKCDA had also taken part in international events like the <i>Venice Biennale</i>. More details on the cultural software development for WKCD would be provided at the next meeting of the Joint Subcommittee to be held on 6 January 2020.</p>	
010207-010738	<p>Chairman Mr CHAN Chi-chuen WKCDA</p>	<p>Mr CHAN enquired about:</p> <p>(a) the impact of the recent movements of opposition to the proposed legislative amendments on the ongoing construction progress of the WKCD project and the utilization of the opened venues; whether any programmes had to be cancelled/rescheduled and whether the programme organizers or WKCDA made the cancellation/rescheduling decision;</p> <p>(b) whether WKCDA would consider providing a hire charge concession for programme organizers during this difficult period; and</p> <p>(c) the latest hiring position of and details of programmes held at the Freespace.</p> <p>WKCDA responded that:</p> <p>(a) the recent social incidents had had a small impact on the construction works of the WKCD project (e.g. difficulties in transporting construction materials to the site due to traffic disruptions) and affected some performances at the WKCD venues. The Authority was keeping a close eye on that situation. As the safety of people getting to and from the venues was always a concern of WKCDA, WKCDA had worked with the programme organizers as far as possible to reschedule programmes but some programmes had had to be cancelled. Rescheduling of a number of programmes had successfully been arranged. Special arrangements had been put in place to refund the tickets to those not able to attend the rescheduled programmes and for those affected by cancellations;</p>	

Time marker	Speaker(s)	Subject(s)/Discussion	Action required
		<p>(b) WKCDA had already provided a hire charge concession to certain hirers. For example, the xiqu-related arts groups could hire the facilities in the Xiqu Centre at concessionary rates; and</p> <p>(c) Freespace was available for hire application a few months in advance of its opening in June 2019. Since its opening, Freespace had held programmes organized by WKCDA, hired programmes or programmes in partnership with local arts groups. Bookings of the venue in 2020, 2021 and beyond had been confirmed.</p>	
010739-011708	Chairman Mr Tony TSE WKCDA	<p>Mr TSE appreciated WKCDA's efforts in nurturing local young talents by organizing the Young Architects and Designers Competition for the development of the Competition Pavilion and hope that WKCDA could organize more design competitions of this kind. He further enquired about:</p> <p>(a) why the expected date of obtaining the Occupation Permit ("OP") for the M+ building had been deferred from the first quarter of 2020 (as stated in the discussion paper submitted by WKCDA to the Joint Subcommittee in June 2019) to the second quarter of 2020 (as stated in the present discussion paper), and whether WKCDA had a clear grasp of the delivery schedule of the M+ project; and</p> <p>(b) whether the out-turn cost to complete the M+ project would be higher than the original contract sum of \$5.944 billion due to the termination of the employment of Hsin Chong Construction Company Limited ("HCC") under the M+ Main Contract.</p> <p>The Chairman also requested WKCDA to ensure a timely completion of the M+ project, and give an account of the reasons for the delay if the project could not be delivered on schedule.</p> <p>WKCDA replied that:</p> <p>(a) the Authority intended to organize more design competitions in future under sponsorship so as to foster community support for local young talents;</p> <p>(b) while the final cost of the M+ project could only be determined upon completion of the M+ building, WKCDA expected that the cost would be higher than \$5.944 billion. Due to legal issues arising</p>	

Time marker	Speaker(s)	Subject(s)/Discussion	Action required
		<p>from the M+ project, the Authority could not go into details on the project cost at the moment; and</p> <p>(c) the Authority anticipated in June 2019 that the M+ building could obtain OP in around March 2020. However, the works were delayed for about four to six weeks due to the complexity of the M+ project and uncertainties which had arisen during construction, hence the Authority subsequently adjusted the expected date of obtaining OP to end April/early May 2020. Based on the latest works progress, the M+ building was targeted to obtain OP in early April 2020 subject to satisfactory statutory inspection results. Following the issuance of OP, it would then take further nine to 12 months to complete the fitting-out works, etc. before the M+ museum could be opened to the public.</p>	
011709-012720	Chairman Ms Tanya CHAN WKCDA	<p>Ms CHAN enquired about:</p> <p>(a) given that a number of subcontractors previously employed by HCC under the M+ project had been in touch with her office over delays in receiving payments, the latest position of the follow-up by WKCDA on these outstanding cases;</p> <p>(b) the total number of M+ works contracts signed between HCC and contractors/subcontractors and whether all of them had been novated after the appointment of Gammon Construction Limited ("Gammon") as the management contractor to oversee the construction of the M+ project;</p> <p>(c) whether (i) the development of New Exit Road ("NER") was a recent decision made by the Administration, and (ii) the construction cost of NER would be borne by the Administration;</p> <p>(d) whether the tender documentation of the ACE development package would set out that the operation phase of the project under BOT should be fixed at 30 years, or if tenderers were allowed to submit alternative proposals;</p> <p>(e) given that a consultancy on the financial situation of WKCDA would be completed by end-2019, whether the subject matter could be discussed by the Joint Subcommittee earlier instead of in April 2020 as proposed;</p>	

Time marker	Speaker(s)	Subject(s)/Discussion	Action required
		<p>(f) whether WKCDA was confident that the Hong Kong Palace Museum ("HKPM") could be completed on time in 2021 and opened in 2022, and the defects liability period of this project; and</p> <p>(g) the progress of investigating the possibility of installing a waterfront vineyard in WKCD.</p> <p>WKCDA advised that:</p> <p>(a) there were eight outstanding cases where subcontractors previously employed by HCC under the M+ project had yet to receive payments. These cases were under the final stage of assessment and payments would be made upon the submission and verification of documents provided by concerned subcontractors;</p> <p>(b) as reported to the Joint Subcommittee in June 2019, WKCDA had issued over 100 novation agreements and deeds of transfers to the Blue Pole Limited. The latest figure was over 200 as at end-October 2019 and there would unlikely be any further novation of subcontractors required;</p> <p>(c) the Administration had entrusted WKCDA with the NER design consultancy which was commenced with a view to improving the connectivity of the newly completed Museum Drive. The design consultancy had been awarded and subject to the availability of public funding, the construction of NER would commence in around end-2021;</p> <p>(d) the tender documentation of the ACE development package would set out that the BOT period of the project should include a development phase not longer than 5 year and an operation phase of at least 30 years. Tenderers could propose different durations for the development/operation phase for consideration by WKCDA in tender assessment;</p> <p>(e) WKCDA had commenced a consultancy to study its long-term financial situation and the consultancy report would be submitted to the WKCDA Board for its consideration. The Authority considered it appropriate for the Joint Subcommittee to discuss the subject matter in April 2020 as the views of the WKCDA Board on the matter and the latest Annual Report of WKCDA would be available for members' information at that time; and</p>	

Time marker	Speaker(s)	Subject(s)/Discussion	Action required
		<p>(f) WKCDA believed that HKPM could be completed as scheduled as, unlike other complicated construction projects in WKCD which had to be built above the railway or a huge basement, the HKPM project was quite straight-forward.</p>	
012721-013223	Chairman Administration WKCDA	<p>On an earlier request by a member for a site visit to WKCD, the Chairman advised that in around July this year, WKCDA had proposed a number of dates for a site visit. As no Joint Subcommittee meeting was held at that time, the matter was not considered by the Joint Subcommittee. He would work with WKCDA to arrange a site visit to WKCD as early as practicable.</p> <p>The Chairman then asked about the impact of the backlog of outstanding funding proposals to be approved by FC on the progress of the construction projects in WKCD pending the funding approval of FC.</p> <p>WKCDA indicated that:</p> <p>(a) among those public infrastructure works pending FC's funding approval, the integrated basement in Zones 2A, 2B and 2C ("IBZ2") was crucial for the topside developments such as the Music Centre, the Musical Theatre, the Medium Theatre and hotel/office/residential facilities, whereas a delay in the completion of the Artist Square Bridge ("ASB") would have an impact on the operation of the M+ building; and</p> <p>(b) the commercial developments atop the integrated basement could provide WKCDA with the financial capability to take forward the WKCD project.</p> <p>The Administration added that:</p> <p>(a) under the "City Park" conceptual plan, the integrated basement should be built to enable traffic to be put underground. As the integrated basement had not been envisaged when the upfront endowment of \$21.6 billion was granted to WKCDA in 2008 and the road infrastructure in the basement should be regarded as part of the public infrastructure works, the Government had committed to funding the general enabling works of the main integrated basement;</p> <p>(b) the construction of ASB would enhance the accessibility of the M+ building; and</p>	

Time marker	Speaker(s)	Subject(s)/Discussion	Action required
		(c) given the importance of IBZ2 and ASB in the development of WKCD, the Administration urged Members to approve the relevant funding proposals as soon as practicable.	
Agenda Item V – Update on the construction of L1 and L2 Works Contracts for the Lyric Theatre Complex and the Extended Basement			
013224-014937	Chairman Administration WKCDA	Briefing by the Administration and powerpoint presentation by WKCDA [LC Paper Nos. CB(1)149/19-20(04) and CB(1)186/19-20(02)]	
014938-015723	Chairman Dr Helena WONG Administration WKCDA	<p>Dr WONG requested the Administration and WKCDA to provide the full investigation report of the flooding incident on 25 July 2019 to allow members to understand the cause(s) of the incident and which party(ies) should be held responsible for the incident. She further asked about:</p> <p>(a) given that the Contract Administrator had advised Gammon, the appointed contractor of L1 Works Contract, that it was not entitled to an Extension of Time ("EoT") as a result of the flooding incident, how WKCDA would handle any works delay of L1 Works Contract; and</p> <p>(b) regarding the installation of 630 Vibration Isolation Springs at the basement to protect LTC from any surrounding ground noise and vibration, whether these springs were permanent structure, and the follow-up actions in case of their malfunctioning.</p> <p>The Chairman also enquired if any additional cost from the Administration and WKCDA was required for the remedial works arising from the flooding incident.</p> <p>The Administration replied that:</p> <p>(a) WKCDA and the Contract Administrator were of the preliminary view that the appointed contractor should bear the risk of flooding under L1 Works Contract, and had been required to follow up the risk allocation and responsibility of the matter under the Contract;</p> <p>(b) the possible causes of the flooding incident as stated in the investigation report had been summarized and listed in paragraph 14 of Annex to the discussion paper (LC Paper No. 149/19-20(04));</p>	Admin & WKCDA (paragraph 14 of the minutes refers)

Time marker	Speaker(s)	Subject(s)/Discussion	Action required
		<p>(c) the Buildings Department was reviewing the investigation report and WKCDA had been required to liaise closely with the Buildings Department to finalize the report; and</p> <p>(d) the Administration would ensure the continuation of works to minimize the impact on the project caused by the flooding incident.</p> <p>WKCDA added that:</p> <p>(a) the Contract Administrator had received a submission from Gammon for an EoT as a result of the flooding incident and was currently assessing the submission. As no EoT had been awarded so far, Gammon would be subject to penalty under L1 Works Contract for any works delay; and</p> <p>(b) the Vibration Isolation Springs were permanent structure installed under the LTC building and space had been reserved for the inspection of these springs.</p>	
015724-020148	Chairman Mr Tony TSE WKCDA	<p>Mr TSE urged the Administration and WKCDA to:</p> <p>(a) update the Joint Subcommittee on the outcome of the investigation on the flooding incident on 25 July 2019 regarding the party(ies) responsible, cost and time implications on the LTC and the Extended Basement project, etc. once available; and</p> <p>(b) strengthen the monitoring of the quality and progress of the construction projects in WKCD.</p> <p>WKCDA advised that:</p> <p>(a) L1 Works Contract had provided for a mechanism to deal with works delay and dispute, pursuant to which the contractor might make submissions to the Contract Administrator. The contractor would be subject to penalty for works delay if failed to demonstrate any entitlement for EoT. The works progress was constantly being monitored and depended on various factors including the EoT submission by the contractor; and</p> <p>(b) minor water leakage and seepage had been found at the construction site of L1 Works Contract throughout the construction period as the cofferdam</p>	

Time marker	Speaker(s)	Subject(s)/Discussion	Action required
		<p>did allow water seepage and WKCDA had looked into these incidents. As the flooding incident on 25 July 2019 was a more significant one, a full investigation report was required.</p>	
020149-020319	Chairman WKCDA	<p>The Chairman requested WKCDA to provide more information on the flooding incident, including the cause(s) of the flooding incident on 25 July 2019, safety of the construction site after the incident and likelihood of recurrence of similar incidents in future.</p> <p>WKCDA replied that it would provide the information as requested and arrange a site visit for members so that the Authority could explain the situation on site.</p>	
Agenda Item VI – Any other business			
020320-020328	Chairman	Closing remarks	