

**Minutes of 901st Meeting of the
Town Planning Board held on 7.12.2007**

Present

Permanent Secretary for Development
(Planning and Lands)
Mr. Raymond Young

Chairman

Dr. Peter K.K. Wong

Vice-Chairman

Mr. Michael K.C. Lai

Mr. Nelson W.Y. Chan

Mr. David W.M. Chan

Mr. Leslie H.C. Chen

Dr. Lily Chiang

Professor David Dudgeon

Professor Peter R. Hills

Mr. Edmund K.H. Leung

Professor N.K. Leung

Dr. C.N. Ng

Dr. Daniel B.M. To

Mr. Stanley Y.F. Wong

Mr. Alfred Donald Yap

Ms. Sylvia S.F. Yau

Mr. B.W. Chan

Mr. Walter K.L. Chan

Ms. Maggie M.K. Chan

Mr. Y.K. Cheng

Mr. Felix W. Fong

Ms. Anna S.Y. Kwong

Dr. James C.W. Lau

Ms. Starry W.K. Lee

Mr. K.Y. Leung

Principal Assistant Secretary (Transport)

Transport and Housing Bureau

Ms. Ava Chiu

Deputy Director of Environmental Protection

Dr. Michael Chiu

Director of Planning

Mrs. Ava S.Y. Ng

Deputy Director of Planning/District

Miss Ophelia Y.S. Wong

Secretary

Absent with Apologies

Dr. Greg C.Y. Wong

Ms. Carmen K.M. Chan

Professor Nora F.Y. Tam

Mr. Tony C.N. Kan

Professor Bernard V.W.F. Lim

Mr. Raymond Y.M. Chan

Professor Paul K.S. Lam

Director of Lands

Miss Annie Tam

Assistant Director(2), Home Affairs Department
Ms. Margaret Hsia

In Attendance

Assistant Director of Planning/Board
Mr. S. Lau

Chief Town Planner/Town Planning Board
Ms. Brenda K.Y. Au

Senior Town Planner/Town Planning Board
Miss Winnie B.Y. Lau (a.m.)

Town Planner/Town Planning Board
Mr. Tony Y.C. Wu (p.m.)

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 900th Meeting held on 23.11.2007

[The meeting was conducted in Cantonese.]

1. The minutes of the 900th meeting held on 23.11.2007 were confirmed without amendments.

Agenda Item 2

[Open Meeting]

Matters Arising

[The meeting was conducted in Cantonese.]

(i) Town Planning Appeal Decision Received

Town Planning Appeal No. 1 of 2007

Temporary Open Storage of Building Materials for a period of 3 Years

in "Agriculture" Zone, Lot 160B5 in DD 38, Sha Tau Kok Road,

Man Uk Pin, Sha Tau Kok

(Application No. A/NE-MUP/52)

2. The Secretary informed the Board of the captioned appeal's decision. A copy each of the Summary of Appeal and the Town Planning Appeal Board (TPAB)'s decision had been sent to Members before the meeting. The appeal was in relation to Application No. A/NE-MUP/52 for temporary open storage of building materials for a period of 3 years on a site zoned "Agriculture" ("AGR") on the Man Uk Pin Outline Zoning Plan (the Site). The appeal was heard by the TPAB on 29.8.2007 and dismissed on 23.11.2007 based on the following considerations:

- (a) the TPAB accepted the evidence of the Town Planning Board (the Board) as to the planning intention and policy to maintain the rural characteristics in areas zoned "AGR" and to encourage rehabilitation

and active use of good quality agricultural land;

- (b) it was a sensible policy to limit proliferation of open storage in Category 3 areas to which the Site belonged. As no previous permission had ever been granted for the Site for temporary storage use, in accordance with the Board's Guidelines No. 13D, no new permission should be granted to limit proliferation of open storage uses;
- (c) the use of the Site for open storage and recycling used sanitary wares was likely to generate environmental nuisance and was incompatible with the planning intention for the area;
- (d) the approval of the application would set an undesirable precedent for other similar applications, and the cumulative effect would be a general degradation of the environment of the area;
- (e) there was no change in planning circumstances since the rejection of the application;
- (f) the received public comment raised the concern on environmental pollution and health of the villagers and urged the Board to adhere to the planning principle; and
- (g) the Appellant could submit evidence or put forth technical submissions to address the concerns raised by the Agriculture, Fisheries and Conservation Department and the Environmental Protection Department, but did not do so.

(ii) Appeal Statistics

3. The Secretary reported that as at 7.12.2007, 13 cases were yet to be heard by the TPAB. Details of the appeal statistics were as follows:

Allowed:	20
Dismissed:	106

Abandoned/Withdrawn/Invalid:	125
Yet to be Heard:	13
Decision Outstanding:	3
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Total:	267

- (iii) Hearing of Fook Lee Holdings Ltd.'s further objection (No. F3) to the proposed amendments to the draft Wan Chai North Outline Zoning Plan No. S/H25/1 and its representation (No. R2) in respect of the draft North Point Outline Zoning Plan No. S/H8/21

4. The Secretary said that the Board on 23.11.2007 considered Fook Lee Holdings Ltd. (FLHL)'s request for postponing the hearings of the captioned further objection and representation to 11.1.2008 as FLHL's legal adviser would not be available for the whole month of December due to a judicial appointment. Members agreed to accede to the request for deferment. Since there were original objections related to FLHL's further objection to the proposed amendments to the draft Wan Chai North Outline Zoning Plan (OZP) No. S/H25/1, the Board's agreement to deferring the hearing of the further objection was subject to no objection from the related original objectors.

5. The Secretary went on to report that all related original objectors had been advised of the deferment requested by FLHL, and none had raised objection. Hence, the hearings of Fook Lee's further objection and representation in respect of the draft Wan Chai North and North Point OZPs respectively would be held on 11.1.2008.

[Mr. Nelson W.Y. Chan and Dr. C.N. Ng arrived to join the meeting at this point.]

Part I

Agenda Item 3

[Open Meeting]

Proposed Amendments to the Draft Wan Chai North Outline Zoning Plan No. S/H25/1
Consideration (Hearing) of Further Objections No. F4 and F6
(TPB Papers No. 7970 and 7971)

[The meeting was conducted in Cantonese and English.]

Original Objections

No. 1-11, 13, 14, 16-48, 50, 51, 53-62, 64-75, 77-87, 89-94, 96, 97, 99-101, 103-112, 114-118, 120, 122-155, 158-169, 171-175, 177-221, 224, 226-228, 230-237, 239, 240, 244-258, 260, 262-263, 265-272, 274-287, 289-292, 294-298, 301-312, 315-325, 328-333, 335, 337-339, 341-348, 351-356, 358-366, 368, 370-372, 374-378, 380-384, 386-90, 392-394, 396-399, 401, 402, 405, 406, 408, 409, 411-416, 418, 420,421, 423-426, 428-445, 447-452, 454, 455,457- 462, 466-468, 471-479, 481-518, 520- 530, 532, 534-536, 538-542, 544-559, 562, 563, 564, 566-568, 571, 572, 574, 576, 577, 579-583, 586, 588, 592, 595, 596, 601, 602, 605, 606, 608-618, 621, 622, 624, 629, 630, 633--651, 653, 655, 656, 658-660, 662, 665, 666-669, 671-682, 685-687, 689, 690, 692-695, 697-711, 713-725, 727--739, 741-744, 746-778

Agenda Item 4

[Open Meeting]

Draft Wan Chai North Outline Zoning Plan No. S/H25/1 - Consideration of Written
Representations
(TPB Paper No. 7974)

[The meeting was conducted in Cantonese.]

6. The Chairman said that as agreed by the Board on 23.11.2007, the Board would only decide on all the further objections and representations after completing the hearings of Fook Lee Holdings Ltd.'s further objection and representation in respect of the draft Wan Chai North and North Point Outline Zoning Plans (OZPs) respectively on

11.1.2008. Hence, the meeting today would only hear the other further objections and representations without deliberation.

7. The Secretary briefly explained the arrangement for the meeting. The hearing of the further objections and representations would be divided into 5 parts. Part I covered 2 further objections and 6 representations mainly concerning the reclamation extent and the Trunk Road project. Part II covered the further objection and representation related to the A-King Slipway site. Part III concerned 2 further objections in relation to the “Other Specified Uses” annotated ‘Helipad’ zone. Part IV dealt with 3 further objections and a representation against the “Other Specified Uses” annotated “Central-Wan Chai Bypass Exhaust Vent” zone whereas Part V dealt with a representation relating to a specific site (i.e. the land north of Harbour Heights).

[Dr. Daniel B.M. To and Ms. Starry W.K. Lee arrived to join the meeting at this point.]

8. Dr. Daniel B.M. To declared interest as the Government had consulted the Eastern District Council on the Wan Chai Development Phase II project. Members considered that his interest was indirect and remote and agreed that he could remain in the meeting.

9. Mr. K.Y. Leung declared interest as he was the Chairman of the former Sub-committee on Wan Chai Development Phase II Review of the Harbour-front Enhancement Committee. Mr. Leslie H.C. Chen also declared interest for being a Member of the Harbour-front Enhancement Committee. Members considered that their interests were indirect and agreed that they could remain in the meeting.

10. Professor N.K. Leung declared interest as he was the Chairman of the Council for the Hong Kong Academy for Performing Arts (HKAPA) which was situated at the Wan Chai waterfront. Having noted that HKAPA was neither an original nor a further objector and the HKAPA site was not the subject of any proposed amendment to the draft Wan Chai North OZP, Members considered that his interest was indirect and remote and agreed that he could remain in the meeting.

11. The Secretary said that the following Members had also declared interests for Agenda Item 3:

Dr. Greg C.Y. Wong) for having current business dealings with Sun
Mr. Raymond Y.M. Chan) Hung Kai Properties Ltd. which (i) lodged
Mr. Y.K. Cheng) Further Objection No. 6 (as an owner of Central
Mr. Donald Alfred Yap) Plaza); (ii) lodged Original Objection No. 374;
Mr. Felix W. Fong) and (iii) was the parent company of World Trade
Centre, the owners of which lodged Original
Objection No. 375. Dr. Greg C.Y. Wong also
had current business dealings with Sino Land
Company Ltd. which was another owner of
Central Plaza. Mr. Felix W. Fong had also
declared interest for being a member of the
Democratic Alliance for Betterment of Hong
Kong (DAB) which lodged Original Objection
No. 559.

Dr. Lily Chiang } for being members of the Liberal Party which
Dr. James C.W. Lau } lodged Original Objection No. 370

Ms. Maggie M.K. Chan] for being members of the DAB which lodged
Ms. Starry W.K. Lee] Original Objection No. 559

Professor Bernard V.W.F.) for being respectively the past president and
Lim) current council member of the Hong Kong
Ms. Anna S.Y. Kwong) Institute of Architects which lodged Original
Objection No. 778

12. Members noted that Dr. Greg C.Y. Wong, Professor Bernard V.M.F. Lim and Mr. Raymond Y.M. Chan had tendered apologies for not attending this meeting, and Dr. Lily Chiang, Mr. Y.K. Cheng, Mr. Felix W. Fong, Ms. Anna S.Y. Kwong and Dr. James C.W. Lau had not yet arrived. Mr. Alfred Donald Yap, Ms. Maggie M.K. Chan and Ms. Starry W.K. Lee left the meeting temporarily at this point.

13. The Chairman said that two further objectors and four original objectors would attend the meeting. Sufficient notice had been given to the remaining original

objectors who could be contacted. While some responded that they would not attend the hearing, some did not reply. Members agreed to proceed with the hearing in the absence of the remaining original objectors.

14. The Chairman informed the meeting that Original Objector No. 30 had tabled a document at the meeting.

15. The following Government team (including representatives of the concerned Government departments, the study consultants, and Outside Counsel) and further/original objectors were invited to the meeting:

Mr. Nicholas Cooney	Outside Counsel
Mr. Raymond Chan	Senior Assistant Law Officer (Civil Law), Department of Justice
Ms. Phyllis Li	Chief Town Planner/Special Duties, Planning Department (PlanD)
Miss Katy Fung	Senior Town Planner/Special Duties, PlanD
Mr. L.T. Ma	Project Manager (HK Island & Islands), Civil Engineering and Development Department (CEDD)
Mr. Bosco Chan	Chief Engineer/Hong Kong (2), CEDD
Mr. C.K. Lam	Senior Engineer/Project Management (HK Island and Islands), CEDD
Mr. M.L. Wan	Deputy Project Manager/Major Works(2), Highways Department (HyD)
Mr. T.F. Leung	Chief Engineer/Railway Planning 2, HyD
Mr. C. Y. Wong	Senior Engineer 1/Central Wanchai Bypass, HyD
Mr. S.L. Law	Senior Engineer 3/Central Wanchai Bypass, HyD
Mr. K.K. Lau	Deputy Commissioner for Transport/Planning & Technical Services, Transport Department (TD)
Mr. C. Y. Chan	Senior Engineer/Housing and Planning, TD
Miss Alison Wong	Senior Operations Officer,

Civil Aviation Department (CAD)

Captain Johnny Lee Helicopter Operations Inspector, CAD
Mr. Eric Ma)
Mr. Peter Cheek) Maunsell Consultant Asia Ltd.
Ms. Carmen Au)
Mr. Freeman Cheung ENSR Asia (HK) Ltd.

Further Objection No. 4

Mr. Paul Zimmerman Further Objector's representative

Further Objection No. 6

Mr. Ian Brownlee)
Mr. Kim Chin) Further Objector's representatives
Mr. Roger Nissim)

Original Objection No. 30

Mr. Law Chiu Ning Objector
Mr. Tong Kam Bor Objector's representative

Original Objection No. 368

Mr. Shu Lok Shing Objector

Original Objections No. 374 and 375

Mr. Ian Brownlee) Objectors' representatives
Mr. Roger Nissim)

16. The Chairman extended a welcome and briefly explained the hearing procedures. The Chairman also advised the further/original objectors that the meeting today would only hear the further objections and consider the written representations. Deliberation of the cases was scheduled for 11.1.2008 after hearing the further objection lodged by the Fook Lee Holdings Ltd. postponed to the said date. He then invited the Government team to brief Members on Further Objection No. 4.

17. With the aid of a Powerpoint presentation, Ms. Phyllis Li, Mr. K.K. Lau and Mr. Peter Cheek made the following main points and as detailed in Paper No. 7970:

Background

- (a) on 27.7.2007, the proposed amendments to the Wan Chai North Outline Zoning Plan (OZP) to meet/partially meet the original objections were notified in the Gazette. Of the 10 further objections received, one (No. F5) was subsequently withdrawn. Written representations from two original objectors (No. 368 and 751) were received;

Subject of Further Objection

- (b) Further Objection No. 4, lodged by the Designing Hong Kong Harbour District (DHKHD), was mainly against the proposed reclamation, the Trunk Road project and the slip roads of the Central-Wan Chai Bypass (CWB) and the related surface roads and all “Government, Institution or Community” (“G/IC”) sites;
- (c) to meet/partially meet the original objections, the section of the Trunk Road falling within the Wan Chai North OZP would be in tunnel form, the proposed reclamation was reduced to the absolute minimum required for the construction of the Trunk Road, and the proposed land uses were adjusted;

Grounds of Further Objection

Extent of Surface Roads (including Slip Roads)

- (d) DHKHD objected to the extent of surface roads including the slip roads near the Hong Kong Convention and Exhibition Centre (HKCEC), and considered that land take for the surface roads would result in inaccessible land, thus sterilizing land;
- (e) there was no apparent effort of the public and the Board to reduce the land take;

- (f) the Government and the Board had yet to prove that there was no alternative measure to reduce traffic demand;
- (g) there was a lack of development control and planning review to reduce traffic demand;
- (h) there should be alternative engineering and design standards for roads to minimize land take;
- (i) slip roads would attract new traffic and increase traffic congestion;

Reclamation

- (j) there was no evidence that the Board had considered all reasonable alternatives to reclamation between the HKCEC and ex-Public Cargo Working Area (ex-PCWA);
- (k) there was no cogent and convincing material for temporary reclamation;

Transport on the new waterfront

- (l) land should be reserved for a tramline on the new waterfront, and water taxi facilities should be provided;

Land Uses

- (m) the existing and planned GIC uses (including the proposed coach park) could not improve the mix and diversity of land uses in Wan Chai North;
- (n) the Golden Bauhinia Square (GBS) should be relocated;
- (o) the proposed Wan Chai Heliport should be expanded;

- (p) there was no priority for marine supporting and water dependent land uses;
- (q) the OZP failed to address the issue of inadequate street activities in Wan Chai North;
- (r) there should not be continued display of advertising billboards along the waterfront;

Assessment of Further Objection

Compliance with the Protection of the Harbour Ordinance (PHO) and the concerned Court of Final Appeal (CFA) judgment

- (s) it was the Government's policy to ensure that planning and land use objectives were geared towards the mission to protect the Victoria Harbour (the Harbour), and to enhance it for the enjoyment of citizens and visitors alike;
- (t) the Government had strictly abided by the PHO and the judgment of the CFA. In accordance with the judgment, the Government had prepared a Report on Cogent and Convincing Materials to Demonstrate Compliance with the Overriding Public Need Test (CCM Report). The CCM Report was submitted to the Board for consideration on 3.4.2007 and on the same day, the Board also agreed that the Recommended Outline Development Plan (RODP) of the Wan Chai Development Phase II (WDII) Review served as the basis for amending the draft OZP No. S/H25/1;
- (u) cogent and convincing materials had been produced for demonstrating compliance with the PHO. The CCM Report demonstrated the overriding public need for the Trunk Road, the need for reclamation for the Trunk Road, that there was no 'no reclamation' option (in other words, there was no reasonable alternative to reclamation), and that the

extent of reclamation was the minimum required to meet the overriding need; and

Overriding public need for the Trunk Road

- (v) Hong Kong needed a reliable and efficient road network to sustain growth. The CWB provided the missing link at the northern shore of Hong Kong Island of the territorial network of free flowing strategic roads. The existing Gloucester Road was heavily overloaded and could not even cope with the present needs, let alone future demand.

18. Mr. Paul Zimmerman clarified at this point that DHKHD had never objected to “a Trunk Road”. Hence, spending time in discussing the need for a Trunk Road during the hearing of Further Objection No. 4 was not necessary. The Chairman said that the information would serve as useful background to facilitate Members’ consideration.

19. Mr. K.K. Lau, Mr. Peter Cheek and Ms. Phyllis Li continued with the presentation and made the following main points:

Overriding public need for the Trunk Road (Cont’d)

- (a) the need for the CWB had been confirmed by TD’s traffic forecast using scientific modeling techniques and latest planning parameters;
- (b) the Expert Panel on Sustainable Transport Planning and Central-Wan Chai Bypass (the Expert Panel) appointed by the Sub-Committee of WDII Review of the Harbour-front Enhancement Committee (HEC Sub-committee) had re-affirmed the function of the CWB and had advised that it should be built as a medium term measure to relieve the traffic congestion as part of a sustainable transport solution;

Alternative traffic measures considered

- (c) the Expert Panel had further recommended that alternative traffic

management measures should be explored. This was in line with TD's policy to tackle the traffic problems under a 'three-pronged approach', i.e. managing road use to maximize utilization of the limited road space, expanding and improving public transport, and improving the road network;

- (d) while demand management measures (e.g. high First Registration Tax and Annual Licence Fee) had already resulted in a very low car ownership rate in Hong Kong (being 50 cars per 1,000 population as compared with 350 cars for London) and traffic management measures (e.g. one-way gyratory road system, bus lane, bus gates, no-stopping zones) were already in place to maximize utilization of the limited road space, these alone could not effectively solve the traffic problems;
- (e) the use of railways as the back-bone of the passenger transport system and reduction of bus trips to Central as measures to expand and improve public transport had already been taken into account in determining the overriding public need for the Trunk Road. Indeed, there had already been a high usage of public transport (90% of daily trips by public transport). Bus trips to Central had been reduced by 17% since 1999, and buses only constituted 4% of traffic into Central;
- (f) road pricing had also been considered. Overseas experience (London and Singapore) revealed that the Electronic Road Pricing (ERP) system had to be implemented with an alternative route or bypass to divert the through traffic and provide motorists with options. Demand management measures alone would not be effective to solve traffic problems. The Expert Panel also considered that road pricing alone was not a feasible solution for the current problem. ERP could complement the Trunk Road, but not replace it;

The Need for Reclamation

- (g) having established the overriding need for the Trunk Road, the next step was to consider whether reclamation was needed to meet this

overriding need. Three alternative alignments of the Trunk Road, namely, the Inland, Offshore and Foreshore Alignments, had been examined to determine if there were any that did not require reclamation. The former two were found infeasible. The Inland Alignment was physically obstructed by existing developments and infrastructure in Wan Chai North and would conflict with planned railway infrastructures in Wan Chai North. The Offshore Alignment was physically obstructed by the HKCEC Extension and was also in conflict with the Cross Harbour Tunnel (CHT). The Foreshore Alignment, which would run along the water channel in between the two phases of the HKCEC, pass underneath the CHT and Causeway Bay Typhoon Shelter (CBTS) and then connect with the Island Eastern Corridor (IEC), was the feasible Trunk Road routing;

- (h) alternative trunk road ideas to avoid reclamation had also been examined in depth. These included tunnelling under the MTR Tsuen Wan Line, deep bored tunnel options, southerly alignments through Causeway Bay using existing land areas, double decking over Gloucester Road, full flyover idea and shallow water idea. The conclusion of the study, which was fully reported in the CCM Report, was that there was no 'no reclamation' alignment, in other words, there was no reasonable alternative to reclamation. Some reclamation would be required at the western and eastern ends of the Trunk Road. At the western end, reclamation was necessary at areas where the tunnel crossed over the existing MTR Tsuen Wan Line tunnel to the west of the HKCEC and for slip road connections in Wan Chai. At the eastern end, the Trunk Road had to rise to ground level to connect with the existing elevated IEC in North Point;

Minimum Reclamation

- (i) having concluded that there was a need for reclamation, the extent of reclamation had to be demonstrated to be the minimum required to meet the overriding public need. Based on the Foreshore Alignment, various options (the tunnel option and the flyover option) and

variations of alignment had been assessed to determine the alignment which would affect the minimum area of the Harbour and serve best to protect and preserve the Harbour. After thorough studies, the Trunk Road Tunnel Option Variation 1 was recommended, and the HEC Sub-committee endorsed it as the basis for the preparation of the Concept Plan for WDII and consequently the draft revised Wan Chai North OZP;

- (j) the Trunk Road Tunnel Option Variation 1 had been subjected to detailed examination of the engineering requirements to determine the minimum extent of reclamation. The recommended alignment would overcome various constraints. For the horizontal alignment, the major constraint areas included the connection to be made with the tunnel under Central Reclamation Phase III (CRIII), the foundations of the HKCEC and its Extension, the CHT, the existing sewage treatment plant along the Wan Chai shoreline and the interface with the foundation of the IEC;
- (k) for the vertical alignment, to the west of the HKCEC, the alignment needed to pass above the MTR Tsuen Wan Line tunnel and thus had to be entirely above seabed. The top of the tunnel, which would be above water level, would constitute reclamation itself. Reclamation would also be required to protect the tunnel structure. Along the Wan Chai shoreline, even though the maximum tunnel gradient permitted was adopted, the tunnel could only drop beneath the seabed at a location close to the west of the breakwater of the ex-PCWA. The tunnel had to rise up above seabed at the east of the CBTS to the ground level portal and for connection with the IEC;
- (l) reclamation was required for the construction of the section of the tunnel above the seabed. This reclamation would provide protection to the tunnel structure. Otherwise, if the tunnel structure were to be left exposed above the seabed level, it would be at risk of damage from ship impact, and the consequences of structural damage to the road tunnel would be severe and not tolerable;

- (m) the width of reclamation was determined by the width of seawall in front of the tunnel and the separation required between the diaphragm wall of the tunnel and the foundation of the seawall;
- (n) taking into account the alignment and all the technical requirements, the minimum reclamation required in WDII Review area was about 12.7 ha. In Wan Chai North, reclamation would be required at the water channel south of the HKCEC Extension (1.6 ha) and along the Wan Chai shoreline to the east of the HKCEC Extension (4.1 ha) which included reclamation for reprovisioning the Wan Chai Ferry Pier;

Temporary reclamation

- (o) temporary reclamation was temporary works and would not cause irreversible impact on the Harbour. Temporary reclamation served to enable the construction of the Trunk Road tunnel below seabed at the concerned locations without permanent reclamation. It did not serve any land use planning purpose;
- (p) in view of the need to achieve the end product of minimum reclamation and least affected area of the Harbour, phased temporary reclamation was needed to provide a dry working platform for the construction of the Trunk Road tunnel across the seabed of the ex-PCWA and CBTS. Temporary reclamation works would be done in several stages in order to minimize the disturbance to the CBTS and to maintain adequate water flow so as to minimize water quality impacts;
- (q) alternative construction methods (i.e. immersed tube and deep bored tunnel constructions) to avoid temporary reclamation had been considered but found to be technically infeasible. Cut-and-cover was the practically feasible construction method;
- (r) regarding public engagement, the need for temporary works including temporary reclamation for constructing the Trunk Road was covered in

the “Report on Trunk Road Alignments and Harbourfront Enhancement” (the Trunk Road Report) submitted to the then HEC Sub-committee for consideration in April 2006. Such need was also repeated in the CCM Report to which the Trunk Road Report was annexed;

- (s) the proposed extent of temporary reclamation was the minimum required to enable the construction of the Trunk Road. The temporary reclamation would be removed and the seabed would be reinstated at the end of construction;

Proposed surface roads and slip roads

- (t) the proposed surface roads were required to facilitate the traffic circulation in Wan Chai North, to cater for improvements of local traffic movements and to provide essential connections with the Trunk Road tunnel. The surface roads would be built within existing land areas or over the top of the Trunk Road tunnel. No additional reclamation was required over and above that already required for the Trunk Road construction;
- (u) the proposed slip roads were required to provide essential connections with the CWB tunnel and to alleviate the traffic congestion problems along the east-west Connaught Road Central/Harcourt Road/Gloucester Road corridor (the Corridor). They would also improve the efficiency of the local road network by diverting traffic flow away from the heavily trafficked spots, especially Fleming Road;

Controlling developments in Wan Chai North and other areas

- (v) traffic modelling undertaken by the TD and submitted to the Expert Panel demonstrated that a dual 3-lane Trunk Road with slip roads and Road P2 would be required even if there were no new developments in WDII and all the not-yet-started developments in CRIII were stopped. The Expert Panel supported this conclusion;

- (w) new developments would be prudently controlled. At the strategic level, the HK2030 Study advocated a planning concept of prudent use of land resources by planning for more developments around railway stations as well as better utilising development opportunities in the existing built-up areas where infrastructure capacities permitted. At the district planning level, developments would only be approved if it could be established that, inter alia, the developments would be commensurate with the infrastructural capacity of the area;
- (w) after meeting specific infrastructural needs, all land formed in Wan Chai North for the construction of the Trunk Road would be dedicated for well-received harbourfront enhancement uses, primarily including waterfront open space and low-rise low-density waterfront related recreational, commercial and leisure uses;
- (x) traffic assessment had been undertaken to confirm the feasibility of the WDII development proposals;

Need for GIC uses and diversity of land uses

- (y) the proposed “G/IC” sites were required to meet the community needs of the district and/or the region and the territory including re-provisioning the existing salt water pumping station, sports facilities and public transport interchange (PTI) and the floating Tin Hau Temple, and providing a coach park at Convention Avenue;
- (z) different character precincts and a diversity of uses had been proposed on the new waterfront for public enjoyment and creation of activity nodes;
- (aa) within Wan Chai North, new pedestrian links were proposed to enhance pedestrian accessibility to the harbourfront and view corridors were provided to enhance visual connection between the hinterland and the waterfront;

Other specific land use issues

- (bb) the GBS would continue to be a key tourist attraction. Its planned expansion would further enhance its attraction;
- (cc) the proposed coach park at the “G/IC(4)” site was to serve visitors to the new waterfront and the GBS;
- (dd) adequate provision had been planned for cross-boundary helicopter services at the Macau Ferry Terminal (MFT) and Kai Tak and for domestic commercial helicopter services on shared use basis at the proposed helipad site in Wan Chai North. The proposed helipad had balanced the needs for helicopter services and government operations and harbourfront enhancement;
- (ee) water based and water recreation related uses had been provided along the new waterfront to harness the potential for marine uses. The ex-PCWA site was planned for water recreation related uses. Vessels providing contract-hiring service could use the public piers and public landing steps near the HKCEC, at the ex-PCWA and the CBTS for embarkation/disembarkation;
- (ff) a tramline would take up additional space along the harbourfront and would compete with the limited pedestrian space along the waterfront. The feasibility of other forms of environmentally friendly transport would be subject to further study;
- (gg) on the control of advertising billboards, relevant approving authorities and advisory bodies were encouraged to make reference to the Harbour Planning Guidelines (HPG) of the HEC which included specific guidelines on erection of advertising billboards; and

Conclusion

(hh) PlanD did not support Further Objection No. 4 in view of the above.

20. The Chairman then invited Mr. Paul Zimmerman to elaborate on the further objection lodged by DHKHD. Mr. Paul Zimmerman first sought clarification on whether the Board had adopted the Harbour Planning Principles (HPP). The Secretary said that the Board had considered and noted the HPP of the HEC, and did make reference to the HPP in considering proposals for development on the harbourfront. Mr. Paul Zimmerman went on to make the following main points:

Temporary reclamation

- (a) he would not deal with temporary reclamation as it was subject to court action;

Breakwater

- (b) the creation of a new breakwater and the removal of the old one would provide an opportunity for increasing sheltered water if the new breakwater would be permanent rather than temporary. Sheltered water was essential for small vessels, which in turn would help bring about a living harbour. According to the Marine Department, there was not enough sheltered water in the typhoon shelter. The Board was urged to look into this opportunity;

The Trunk Road

- (c) while DHKHD had all along supported “a Trunk Road”, it did not support the details of the present design of the Trunk Road;

The Board’s ability to control developments

- (d) it was the time for the Board to decide on the final harbourfront after 150 years of development supported by reclamation in Hong Kong. Past decisions were later found unsustainable and required reclamation to rectify, such as the traffic problems caused by developments

approved in the main urban areas. It was important for the Board to make a truly sustainable plan which could stand challenge in the court. The Board should exhaust all reasonable alternatives, including not to introduce additional developments in Wan Chai North;

- (e) the Ombudsman Report on Mid-Levels Moratorium, the recent success of Swire's judicial review in respect of a proposed residential development at Seymour Road, the ongoing urban renewal projects, and the density in some areas all pointed to the problem the Board faced in controlling additional developments. The inability to control new developments would have great impact on traffic forecast which would in turn affect the extent of land required for roads. The plan for more tourism uses on the harbourfront would induce more traffic;
- (f) the Board had approved the extension of the HKCEC (the Atrium Link Extension) despite objection from the HEC and the approval was based on a traffic impact assessment (TIA). Notwithstanding that the Board had approved the Times Square development also based on a TIA, the traffic condition around that area was problematic;
- (g) the HKCEC's plan for further expansion on the "G/IC(1)" site had high level support within the Government. Apparently, it would be able to produce a TIA demonstrating acceptable traffic impact. The Board had the ability to make a change, and should place the exhibition and convention use in Column 2 or even delete such use from the Notes;

The GBS

- (h) with the environment around the HKCEC being dominated by road infrastructure, heliport and convention uses in future and becoming inaccessible, the current location of the GBS was wrong. The GBS should be relocated to the new Central waterfront in front of the Tamar development as it would become the most beautiful waterfront in Hong Kong. The relocation would also release some of the spaces nearby required for coach parking in support of the GBS;

Land take for transport infrastructure

- (i) it was stated in Paper No. 7970 that the determination of policy concerning how best to resolve transport difficulties was a matter for the Government, but not the Board; and the extent of surface roads was the minimum required to meet the traffic forecast. This should be a matter for the Board as the Board's decision would affect traffic forecast and the minimum land take for roads would depend on traffic forecast, transport policy and engineering design;
- (j) HPP No. 8 clearly stated that land required for and the impact from infrastructure developments should be minimized. This principle was however not referred to in the Paper. The onus of ensuring minimum land take rested on the Board;
- (k) the land take for the existing transport interchange in Yau Ma Tei could be reduced from 17 ha to 5 ha should the minimum design standard have been adopted. The proposed transport interchange east of the HKCEC in front of Grand Hyatt was 20% larger than the portal area of the Cross Harbour Tunnel in front of the Elizabeth House in terms of land take;
- (l) there was no information on what engineering and design standards and sensitivity test had been taken to determine the land take required for the planned transport infrastructure in Wan Chai North. Only one option was presented in the Government's study and the focus was on reclamation. There was no analysis to show how and whether the land take could be reduced and no cost and benefit analysis to compare the additional vehicular capacity against the land uses which improved the use of the Harbour and the harbourfront. The reduction in the land take for road infrastructure as stated in the Paper was a misrepresentation of fact as this was the result of moving the tunnel portal from Wan Chai North to North Point;

- (m) the land take for the 4-lane Road P2 was actually good for 10 lanes. It was reckoned that TD's approach would be to convert the dividers and green spaces in between lanes in future for additional lane(s), as in the case of the road in front of the Peninsula Hotel. This approach had resulted in access problem to the waterfront, a problem clearly stated in the HPP;
- (n) in order to discharge its duties properly, the Board should reduce the extent of land take for transport infrastructure;
- (o) Slip Road 1 was expensive in terms of the reclamation required and there was no cost and benefit analysis on its construction. This slip road would bring additional traffic to Fleming Road and would aggravate the traffic problem in the area;
- (p) the current plan of building Road P2 first, to be followed by the Shatin to Central Link (SCL) and the North Hong Kong Island Line (NIL) would take things in reverse and was against the objective of reducing land take and traffic. On the contrary, priority should be given to the NIL such that visitors of the HKCEC could take the train instead of taxis to the Airport Railway Hong Kong Station;

ERP

- (q) the Government should launch ERP as soon as possible without awaiting the completion of the CWB. Allocating alternative timing through dynamic pricing for different modes of transport could also facilitate traffic movements;

Other uses

- (r) land should be reserved along the waterfront for a tramline, otherwise there would be no scope for such in future. Financial viability should not be a concern as Wharf had indicated its intention to have one. Moreover, there was a strong public demand for such;

- (s) DHKHD supported shared use of heliport to minimize the number of helipads along the waterfront, thereby reducing nuisances to the public generated by helicopters. Having one with cross-boundary service in Wan Chai could replace the one planned in Kai Tak, thus rendering it possible to reduce the number of heliports along the waterfront to two, with the existing one at MFT in Sheung Wan. The provision of custom clearance facilities in the Wan Chai North heliport should not be a problem as the prospective operator was willing to accommodate such facilities;
- (t) DHKHD did not object to 'a Trunk Road', but challenged the extent of reclamation east of the HKCEC as the Board had not yet explored all reasonable alternatives. The use of dolphin buoys had not been studied. Dolphin buoys could, on the one hand, create sheltered water for embarkation/disembarkation of water taxi passengers, and on the other hand, keep large vessels from ramping the Trunk Road tunnel;
- (u) the proposed coach park in front of the Grand Hyatt Hotel should be provided in the PTI or within the HKCEC. Setting aside land on the waterfront for coach parking was contrary to harbourfront enhancement;
- (v) the control of advertising billboards was a matter for the Board as the Board could eliminate visually intrusive billboards which were incompatible with the HPP through the statutory Notes of the OZP;

[Professor N.K. Leung and Mr. Nelson W.Y. Chan left the meeting temporarily at this point.]

- (w) there were limited street activities in Wan Chai North due to the mix of land uses, podium-type building design and limited linkages between buildings at street level. While the areas around the Great Eagle Centre and Gand Hyatt Hotel were desert like, the Connaught Road corridor was lively and full of diverse street activities and job

opportunities; and

- (x) the Board was urged to instruct the PlanD to review the mix of uses for the land immediate behind the waterfront.

21. The Chairman then invited the Government team to present the Paper on Further Objection No. 6. Mr. Ian Brownlee said that the Government team had already covered all the essential points in the previous presentation and the time allocated to the Government team and the further objectors was not fairly split. The Chairman responded that Members should hear submissions from both sides. He then requested the Government team to keep the presentation brief. With the aid of a Powerpoint presentation, Ms. Phyllis Li and Mr. Peter Cheek made the following main points and as detailed in Paper No. 7971:

[Professor N.K. Leung returned to join the meeting at this point.]

Subject of Further Objection

- (a) Further Objection No. 6, lodged by owners of Central Plaza, mainly objected to the proposed road network and the proposed railway station within the “G/IC(1)” site;
- (b) to meet/partially meet the original objections, the Trunk Road was in tunnel form in Wan Chai North and the proposed reclamation was reduced to the absolute minimum required. The previous “Comprehensive Development Area” site was also rezoned primarily to “G/IC(1)” with a maximum building height restriction of 50mPD;

Grounds of Further Objection

Adverse traffic impact

- (c) the further objector considered that the entire Wan Chai North would be adversely affected by the planned land uses and road infrastructure. CWB and Road P2 would inevitably increase the north-south traffic

movements. The on and off ramps to CWB near HKCEC were the only ones to serve the whole of Wan Chai and Causeway Bay and all other traffic to or from the CWB would be brought through the existing streets of Wan Chai North;

Change in nature of the Exhibition Railway Station

- (d) the station would be changed from a simple station of the NIL to a major interchange between SCL and NIL generating similar amount of road traffic as the Admiralty Station and Kowloon Tong Station;
- (e) the “G/IC(1)” site allowed a wide range of uses such as ‘Office’, ‘Hotel’, ‘Flat’ and ‘Exhibition or Convention Hall’, which though required planning permission, would intensify the generation of traffic;

[Mr. Nelson W.Y. Chan returned to join the meeting at this point.]

No balance between land use and transport planning

- (f) the lack of balance between land use and transport planning for the area would result in low quality environment and unacceptable traffic congestion;
- (g) railway interchange and possible land uses within the “G/IC(1)” site made the location for the station unsuitable;

Further Objector’s Proposals

- (h) the further objector proposed to delete the planned railway station in the “G/IC(1)” zone and to relocate it to a site to the north of the Hong Kong Academy for Performing Arts and indicate a proposed railway station in the vicinity of the Noon Day Gun;
- (i) to revise the Notes of the “G/IC(1)” zone for a restricted range of uses which would not generate significant road traffic; and to set a

maximum GFA or plot ratio for the site;

- (j) to reconsider the alignment and configuration of the various surface roads and junctions;

Assessment of Further Objection

Adverse traffic impact

- (k) the CWB was a strategic transport infrastructure to provide relief to traffic congestion along the congested Corridor. Studies confirmed that the general traffic situation in Wan Chai North under the scenario 'with CWB and with WDII' would be better than that of the 'without' scenario. The 'with' scenario would result in improvement to the traffic situations. The Wan Chai North area would not be adversely affected by the CWB and WDII;
- (l) the proposed surface road and slip roads were essential for alleviating the traffic congestion along the east-west Corridor and improving efficiency of traffic movement by facilitating traffic flows away from the heavily trafficked sports, especially Fleming Road;

Exhibition Station

- (m) the "G/IC(1)" zone was for re-provisioning the sports facilities and the Wan Chai North PTI to enable the construction of the Exhibition Station of SCL/NIL. Co-existence of these facilities with the Exhibition Station was possible;
- (n) there had been no change to the nature of the Exhibition Station since the Railway Development Strategy 2000. It had always been the intention to provide an interchange for the SCL and NIL in Wan Chai North, although the interchange had been shifted from Harbour Road to the "G/IC(1)" site due to the change in the design of the SCL to integrate with the NIL;

- (o) the two alternative locations for railway stations proposed by the further objector were not suitable as they were too close to the planned Tamar station and the existing Causeway Bay Station. Construction in the latter location would also obstruct vehicular and pedestrian flows;

Balance between land use and transport planning

- (p) the new uses would be primarily low-rise low-density waterfront related uses. There had been sufficient traffic assessments to confirm the feasibility of the WDII development proposals and to demonstrate a proper balance between land use and transport planning; and

Revision of Notes for the “G/IC(1)” zone

- (q) ‘Exhibition or Convention Hall’ use had already been transferred from Column 1 to Column 2 of the Notes for the “G/IC(1)” zone to ensure proper planning control. In view of the commercial and business character of Wan Chai North, retaining ‘Exhibition or Convention Hall’ and ‘Office’ uses under Column 2 was appropriate. However, the PlanD proposed to delete ‘Government Staff Quarters’, ‘Flat’, ‘Hotel’, ‘House’, ‘Residential Institution’ and ‘Staff Quarters’ uses from the Notes to address the further objector’s concern on adverse traffic impact.

22. The Chairman then invited Further Objector No. 6 to elaborate on the further objection. Mr. Ian Brownlee made the following main points with the aid of some plans:

Adverse traffic impact

- (a) the planned transport infrastructure and land uses would worsen the already congested local road network in Wan Chai North to an unacceptable level, in particular at the junction of Fleming

Road/Harbour Road immediately outside the further objector's lot. Because of the proposed on-ramp and off-ramp to the CWB in the vicinity of the HKCEC, all the traffic to/from the CWB would route through the said junction;

- (b) the revised draft Wan Chai North OZP showed no plan to improve the north-south traffic movements. Notwithstanding the reduction in the reclamation extent, the amount of proposed developments remained unchanged;

The Exhibition Station

- (c) the revised draft OZP showed two possible SCL alignments and these features were not regarded as amendments to the OZP. The relocation of the originally planned station at Harbour Road to the "G/IC(1)" zone and the current proposal to upgrade this Exhibition Station as an interchange for the NIL and SCL would generate similar amount of road traffic as the Admiralty Station and Kowloon Tong Station. Coupled with the lack of restriction on GFA and plot ratio for the "G/IC(1)" zone, these would result in significant traffic impact on the road junctions in the area; and
- (d) there was no spare capacity at the junction of Fleming Road/Harbour Road to cope with the Trade Development Council (TDC)'s proposal to further expand the HKCEC in the "G/IC(1)" site or at the Wan Chai Sports Ground site reported by the press. The further objector's TIA revealed that exhibition use would produce four times as much traffic than that generated by the same amount of office GFA, thus resulting in complete gridlock of the area. Hence, 'Exhibition or Convention Hall' use should be deleted from the Notes for the "G/IC(1)" zone.

23. Mr. Ian Brownlee then played a video to substantiate the further objection. The video had been presented to the Board five years ago in relation to an original objection (No.374) to the draft Wan Chai North OZP No. S/H25/1.

[Mr. Leslie H.C. Chen left the meeting at this point.]

24. After playing the video, Mr. Kim Chin made the following main points with the aid of a powerpoint presentation:

Lack of north-south road capacity

- (a) Wan Chai North was separated by Wan Chai South by the 12-lane Gloucester Road. The north-south traffic movements were mainly via Marsh Road and Fleming Road, which were 2-lane flyovers;
- (b) in TD's submission to the Expert Panel in 2005, the assumptions on land use included no new development within Wan Chai North, and the SCL would be in place by 2016. The TD's submission concluded that the junction of Fleming Road/Harbour Road would be operated at a reserve capacity (RC) of -11% in 2016 if the CWB and slip roads were in place;
- (c) the change in the RC of the junction of Fleming Road/Harbour Road was evident in various Government's studies: the Wan Chai District Traffic Study (1991) and the WDII Phase II-TIA (2001) indicated that the junction had a RC of 0% (a.m. peak) in 1991 and 2016 respectively. But it dropped to -11% in 2016 according to the TD's submission to the Expert Panel (August 2005). A negative RC indicated that the junction was overloaded, thus resulting in traffic queues and delay. The junction of Fleming Road/Harbour Road would remain congested even with the CWB and slip roads;

Alternative locations for railway stations

- (d) the further objector proposed to shift the proposed Exhibition Station 800m eastwards to Causeway Bay and the Tamar Station 300m south-eastwards to a site near Grand Hyatt Hotel to become the Tamar/HKCEC Station. As a result, the catchment of the stations in terms of population and employment would be substantially increased.

The new Causeway Bay Station could be connected with the existing Causeway Bay Station by a 200m link, and a 42-minute rail link between Shenzhen and Causeway Bay would be achieved; and

- (e) Wan Chai North was currently separated from Wan Chai South by the 12-lane Gloucester Road and the footbridges linking up the two areas were always congested. If the station was built in Wan Chai North, it would end up in the situation like the Hung Hom Station where there was no friendly pedestrian access.

25. Mr. Roger Nissim made the following main points:

Adverse traffic impact

- (a) the Board should be mindful of TDC's persistent plan to expand the HKCEC. The current HKCEC was zoned "Other Specified Uses" annotated "Exhibition Centre" or "Exhibition Centre with Commercial Development", but further expansion at the "G/IC(1)" site was possible by way of planning application as 'Exhibition or Convention Hall' was a Column 2 use. The expansion plan should not be pursued by this 'backdoor' way, but should be examined thoroughly with the support of a full TIA and processed through the rezoning exercise;
- (b) there was clearly no spare capacity at the road junctions in the locality to cater for HKCEC's expansion. The traffic condition would not get better with the CWB and slip roads;

The Exhibition Station

- (c) the Board could not plan land uses without looking at traffic; and
- (d) the further objector's proposed relocation of the Exhibition Station to Causeway Bay would reduce the travelling time to Shenzhen to 42 minutes and cater for the need of a considerable number of people commuting to Shenzhen frequently. The Government's response that

constructing the Causeway Bay Station would cause inconvenience was unsatisfactory. The Government should plan the station from a long term perspective. The location of the Exhibition Station was wrong as the 12-lane Gloucester Road separated it from the core district.

26. After the presentation by Further Objectors No. 4 and 6, the Chairman invited the original objectors to speak. Mr. Law Chiu Ning, Original Objector No. 30, referred to the document tabled at the meeting and wished to elaborate on his objection to the proposed exhaust vent. Since Mr. Law confirmed that he had nothing to say other than the exhaust vent and he would also attend the collective hearing in respect of the exhaust vent under Agenda Item 9, the Chairman advised him to present under Agenda Item 9. Mr. Law and Mr. Tong Kam Bor agreed.

27. The Chairman then invited Mr. Shu Lok Shing, Original Objector No. 368 who had submitted written representation on the proposed amendments to the draft Wan Chai North OZP No. S/H25/1, to elaborate on his written representation. With the aid of a few plans tabled at the meeting, Mr. Shu made the following main points:

Metroplan proposals

- (a) the original proposed reclamation for the Harbour and the related planning proposals (including wall buildings along the waterfront) as shown in the Metroplan prepared in 1989 were unreasonable. The Government's decision not to pursue this plan further was appreciated;

Land use proposals

- (b) the Government should develop a park at the Oil Street sale site, and plan more open space at the Wan Chai North and North Point waterfront for public enjoyment. The waterfront park would allow penetration of sea breeze and sunlight to the inland areas. Also, the ex-North Point Estate site could also be developed as the North Point waterfront park (1.6 ha);

- (c) the Causeway Bay Sports Ground could be expanded to replace the Wan Chai Sports Ground. In this connection, a number of institutional uses in the vicinity of the former had to be relocated. The Chinese Recreation Club (building to be restricted to 25m high) and the Civil Aid Service Training Centre could be reprovisioned at the ex-North Point Estate site;
- (d) noise barriers were proposed to be installed to mitigate the noise impact of the expanded Causeway Bay Sports Ground on the Central Library and Queen's College;

[Mr. Dennis Li, representative of Original Objector No. 558, arrived to join the meeting at this point.]

- (e) the vacated Wan Chai Sports Ground site could be used for HKCEC Phase III (building to be restricted to 25m high) which could be connected to the existing HKCEC by a flyover with footpath(s);
- (f) the SCL Exhibition Station (building to be restricted to 20m high) with green roof garden was proposed to be located at the existing bus terminus; and
- (g) the nullah adjoining the Queen's College was suggested to be retained as a 'fish viewing gallery'.

28. The Chairman asked if any other original objectors would like to speak. In response, Mr. Ian Brownlee said that he also represented Original Objectors No. 374 and 375 and they supported entirely the points he made earlier in this hearing. Original Objector No. 558 did not present or raise any question.

29. Members raised the following questions/issues and asked the Government team to respond:

- (a) clarification on the negative RC of the junction of Fleming Road/Harbour Road;

- (b) why the NIL and SCL stations in Wan Chai North were merged into one;
- (c) whether one merged station and two separate stations would result in the same or different impacts on road traffic;
- (d) the allegation of the ‘backdoor’ approach of TDC in taking forward the HKCEC’s expansion proposal;
- (e) whether the Government had done anything to reduce the land take required for the transport infrastructure; and
- (f) whether the GBS would become unattractive as it would be predominantly surrounded by road infrastructure in future.

30. Ms. Phyllis Li, Mr. L.T. Ma, Mr. K. K. Lau and Mr. T.F. Leung had the following main responses:

- (a) the information on negative RC of the junction of Fleming Road/Harbour Road was included in the submission to the Expert Panel and subsequently in the CCM Report. There was no hiding of information. The negative value was attributed to the then arrangement of the traffic signal and junction design in 2005. The Government had commissioned consultants to look into the problem in the past two years. The RC was now estimated to be positive by changing the junction design;
- (b) an interchange station between the SCL and NIL in Wan Chai had been planned since the Railway Development Strategy 2000. During further planning of the SCL project, the KCRC once proposed a station at Harbour Road with a link underneath the Great Eagle Centre to connect with the NIL station at the present “G/IC(1)” site. With the recent merging of the MTRC and KCRC, a jointly developed SCL scheme under which an integrated interchange station to better serve

the passengers might be possible;

- (c) however, one merged station or two separate stations would not make any difference in terms of impact on road traffic;
- (d) the existing HKCEC was partly zoned “OU(Exhibition Centre)” and partly “OU(Exhibition Centre with Commercial Development)”. The Atrium Link Extension was supported by detailed assessments and covered by a planning permission. Phase III development had not yet been firmed up and the feasibility of locating it in Wan Chai North was being subject to detailed assessments. The “G/IC(1)” site was now still primarily for reprovisioning the sports facilities and the PTI;
- (e) there was no information at hand on the land take for road infrastructure in Yau Ma Tei. The proposed road infrastructure in Wan Chai North was planned and designed in accordance with the Transport Planning and Design Manual which was developed based on extensive researches and experience. Departure from the said manual might result in capacity and safety problems. For the construction of the surface roads, no additional reclamation was required over and above that already required for the Trunk Road construction. The reduction of the total number of slip roads in connection with the CWB and IEC Link from 9 to 4 after reviewing the road design demonstrated that the Government was serious about minimizing land take; and
- (f) the attractiveness of the GBS would be enhanced by its expansion plan, the provision of footbridges and landscaped deck to better connect the GBS with the hinterland, the provision of a continuous waterfront promenade stretching from Central to North Point, and the pedestrianization plan of the area occupied by the existing bus terminus in front of the GBS.

31. Mr. Roger Nissim and Mr. Brownlee had the following comments:

- (a) the north-south traffic arrangement was so constrained that the Wan

Chai North area could not accommodate any additional development. Given the junction of Fleming Road/Harbour Road was predicted to have a RC of -11% in 2016, the sheer lack of land posed a real and serious problem for resolving the traffic problem. The Government had just made a gross assessment on the acceptability of the future traffic condition. More vigorous examination was required; and

- (b) while appreciating that the hearing today was not the right forum to decide on the location of the SCL and NIL station(s), the Board should ask the Government to seriously reconsider the location.

32. Mr. K. K. Lau responded that there had been capacity problem at the junction of Fleming Road/Harbour Road for some time. The CWB would help reduce the traffic congestion at that junction by taking away some traffic from Fleming Road. Coupled with improvements to the junction at the detailed design stage to increase the capacity, for example, through widening the junction and adjusting the signal time, the problem at that particular junction could be contained. Mr. Roger Nissim sought clarification on whether the problem could be contained with or without additional developments, and commented that there was no information on the GFA of the additional developments for assessment purpose.

33. Mr. K.K. Lau and Mr. Peter Cheek made the following main points:

- (a) the traffic forecast was based on the latest planning parameters. In other words, new developments in WDII had been taken into account; and
- (b) the RC of the Fleming Road/Harbour Road junction would become -29% without the Trunk Road and slip roads. The provision of the Trunk Road and slip roads would improve the traffic condition.

34. Mr. Paul Zimmerman commented that the green spaces created between the roads were inaccessible to the public and could possibly be converted to road use in future. These green spaces were road reserve area in TD's eyes. He reiterated that Slip Road 1 required a significant amount of reclamation but no cost and benefit analysis

had been conducted to justify this road. While Road P2 was 40m wide, Gloucester Road and Connaught Road with 7 lanes in front of the Hong Kong Club were only 24m wide. Among the three standards of road design, i.e. minimum, medium and maximum, it was not known which standard was taken by the Government. The Board had the responsibility to minimize the land take for roads and should not take what proposed by the TD as given.

35. Mr. Shu Lok Shing made the following additional points:

The Flyover Option

- (a) the tunnel should be changed to a flyover since it would require less reclamation, save energy by allowing better penetration of natural lighting and allow dispersion of vehicle exhaust by natural ventilation;
- (b) the flyover would be safer than the tunnel as the CWB tunnel would cross with a number of existing tunnels. Any damage to the existing tunnels during the construction of the CWB tunnel could have far reaching implications in the years to come, since water seepage to the tunnels might result in gridlock of the whole territory;
- (c) the CWB tunnel should rise from Road D11 in Central, become an at-grade road at Expo Drive East and then rise eastwards at a gradient of 3.5:100 crossing over the ex-PWCA, the CHT portal, the carpark of the Police Officers' Club and the CBTS up to North Point. The CWB from the Victoria Park and eastwards would be a dual-2 road connecting with the IEC, and there would be a slip road connecting with Tsing Fung Street;
- (d) a 4.5m wide footpath on the proposed flyover was suggested so that pedestrians could have a panoramic view of the Harbour;
- (e) the land underneath the elevated road could be used for shopping mall or covered bazaar, waterfront promenade and recreational purposes;

Other land use proposals

- (f) to provide a park at Oil Street for the public, which would also help mitigate the noise impact of traffic on the flyover;
- (g) to shift the re-provisioned Wan Chai Ferry Pier westwards to facilitate passengers;
- (h) to build a 3-pad or 4-pad helipad on reclaimed land near the ex-PCWA. A heliport at this alternative location would not cause unacceptable noise nuisance as it would not be close to the Yacht Club or the new ferry pier; and
- (i) the exhaust vent of the tunnel was undesirable as it would generate noise and black smoke and consume energy. The exhaust vent could be eliminated under the flyover option.

36. The Chairman advised Mr. Shu that he would be given the opportunity to elaborate on his points regarding the helipad and exhaust vent under Agenda Items 8 and 9 respectively.

37. Regarding Mr. Paul Zimmerman's comment on the extensive land take for roads, Mr. K.K. Lau had the following responses:

- (a) he would leave it to the Board to consider whether counting road side areas as road reserve was fair. Yet, it should be noted that proposals to convert land to road use would need to be gazetted under the Roads (Works, Use and Compensation) Ordinance and go through the statutory objection process;
- (b) the 40m wide Road P2 as mentioned by Mr. Paul Zimmerman fell within CRIII. Only a dual-2 Road P2 was proposed in Wan Chai North. The Government had made tremendous effort in keeping the land take for Road P2 as well as other slip roads to the minimum; and

- (c) the justifications for Slip Roads 1 to 3 had been submitted to the Expert Panel and the Panel accepted the need for the slip roads. In gist, Gloucester Road would remain over-saturated without Slip Road 1. Slip Road 1 was considered essential rather than just desirable.

38. Mr. Paul Zimmerman said that the Government's responses simply exemplified the conflict in planning. On the one hand, Slip Road 1 together with the Government's intention to turn the GBS as a number 1 tourist attraction would induce enormous traffic. On the other hand, Fleming Road was and would remain a problem. He added that relocating the GBS to the Tamar site would put it in relation to the Government headquarters while allowing people to walk from the Star Ferry Pier to the GBS. He urged the Board to think if the current plan for the Harbour was sustainable.

39. Mr. L.T. Ma, Mr. K.K. Lau and Ms. Phyllis Li made the following further responses:

Traffic Issue

- (a) the existing GBS was to the north of Slip Road 1 and the junction of Fleming Road/Harbour Road. Enhancing an attractive tourist spot did not necessarily mean creating adverse traffic impact;
- (b) the Government could manage to control the traffic capacity problem at Fleming Road in the long term with the current road proposals;

Reclamation

- (c) Further Objector No. 4's proposal to keep the temporary breakwater in the CBTS so as to increase the sheltered water for small vessels was not in line with the PHO;
- (d) the Government had put great effort in reducing reclamation. The extent of reclamation in the WDII area was substantially reduced from 26.5 ha to 12.7 ha;

- (e) a series of technical studies, including environmental impact assessment and engineering assessment studies, had been carried out to ascertain that the proposed reclamation and planning proposals were sustainable and complied with the PHO; and
- (f) the tunnel portal was originally planned in the middle of Wan Chai North with a flyover traversing the CBTS up to the IEC. The current plan had succeeded in reducing the land take in the Wan Chai North area for roads from 29 ha to 17.6 ha (i.e. about 12 ha less). Under the current design, the tunnel would have to rise up to above sea level to join the IEC. Such connection and the tunnel portal only took up 1.2 ha of land in North Point. Hence, the revised scheme had achieved an overall saving in land take for roads.

40. Mr. Paul Zimmerman made the following additional points:

- (a) DHKHD agreed that reducing the size of the Harbour would reduce the value of the Harbour. However, the Harbour would become a dead harbour if there were no provision for land-water interface and marine supporting uses. The first definition of the harbour should be a safe haven for vessels. Marine uses depended on sheltered water which could only be provided with a breakwater;
- (b) The CFA's judgment only considered the issue of reclamation for development purpose. There was no discussion on land take from the Harbour for land-water interface and marine supporting uses. Should the Government continue to stick to a restrictive interpretation of the judgment for protection of the PHO, pier and marine uses would be excluded from the Harbour under the restrictive interpretation. This would not be conducive to a world class harbour nor would it enhance the value of the Harbour;
- (c) DHKHD's proposal was simply to keep the temporary breakwater which was required for temporary reclamation, and the amount of reclamation would remain unchanged since only a shift of the existing

breakwater was involved; and

- (d) if necessary, the Government should go back to the court to get further interpretation of the PHO. The Chairman was urged to take up the matter not only with the Board, but also within the Development Bureau.

[The Chairman left the meeting temporarily at this point and the Vice-Chairman took over the chairmanship.]

41. Mr. Shu Lok Shing referred Members to the plan extracted from the 1989 Metroplan tabled at the meeting. He said that that the proposal to build a 3000m long bypass running from Sheung Wan to North Point with tall buildings on the reclaimed land was not justified. The Vice-Chairman reminded Mr. Shu that the plan he referred to was outdated.

42. As Members had no further questions and the Government team and further/original objectors had nothing to add, the meeting adjourned at 11:50 a.m. for a short break. The Government team and the further/original objectors left the meeting at this point.

[Dr. C.N. Ng and Professor Peter R. Hills left the meeting at this point.]

43. The meeting resumed at noon.

[The Chairman returned to join the meeting and resumed chairmanship at this point.]

44. Ms. Phyllis Li and Mr. Eric Ma were invited to the meeting to brief Members on the written representations submitted by Original Objectors No. 368 and 751. Ms. Phyllis Li briefly recapitulated the points made by Mr. Shu Lok Shing, Original Objector No. 368, in paragraph 35 above concerning the potential risk of damages to tunnels due to the crossing of the CWB tunnel with existing tunnels, the merits of building the CWB in the form of an elevated road, the relocation of the heliport and the new Wan Chai Ferry Pier and the extent of reclamation and as detailed in paragraph 3.3 of paper No. 7974.

45. Ms. Phyllis Li then briefed Members on the written representation submitted by Original Objector No. 751 as set out in paragraph 3.4 of Paper No. 7974, which included the following main proposals:

- (a) to provide more exits of MTR stations with connection linking large scale buildings to help disperse passengers;
- (b) to introduce building design to allow air ventilation and protection against rainstorm and earthquake;
- (c) to plant more trees to help absorb exhaust; and
- (d) to provide public toilets along pedestrian walkways with long length.

46. Ms. Phyllis Li and Mr. Eric Ma made the following main points in response to the two written representations:

Responses to Original Objection No. 368

- (a) the proposed reclamation complied with the PHO and the CFA's judgment as stated in paragraphs 17 and 19 above;
- (b) a comparison between constructing the Trunk Road by tunnel and by flyover had been made in the CCM Report. The flyover option had greater adverse impact on the Harbour in terms of the total affected area of the Harbour;
- (c) the location for reprovisioning the Wan Chai Ferry Pier was subject to various constraints and there was no margin for shifting the location further west as proposed by the objector;
- (d) the arrangement at the crossing points of the concerned rail and road tunnels had been fully addressed in determining the Trunk Road

alignment. The Trunk Road crossing over the MTR Tsuen Wan Line tunnel in the form of piled deck structure to meet relevant standards had been developed. The Trunk Road would be designed against risk of damage;

- (e) the Government's proposed helipad would be designed based on relevant safety standards with sufficient clearance from the waterfront of GBS, and suitable noise mitigation measures would be implemented. On the other hand, an overriding public need for reclamation under the PHO could not be established for the objector's proposed 3-pad and 4-pad helipad in the ex-PCWA;
- (f) regarding the objector's proposal to retain the existing fireboat use at Tung Lo Wan Fire Station, it should be noted that the existing fireboat berth was a temporary facility intended to be relocated when the WDII project commenced;
- (g) the proposed car park at the ex-PCWA site was inappropriate since this waterfront site should be developed for public enjoyment;

Responses to Original Objection No. 751

- (h) all relevant factors including the spatial arrangement, patronage and public views would be considered in determining the location of railway station entrances during detailed design;
- (i) relevant ordinances and guidelines would be taken into account in considering building design of development proposals;
- (j) technical circular and guidelines on air ventilation assessment (AVA) were in place to guide land use planning and urban design and the application of AVA for major government projects; and
- (k) the demand for public toilets facilities would be reviewed and sufficient provision would be made.

47. As Members had no questions to raise, the meeting proceeded to consider the next item.

[Mr. Felix W. Fong, Dr. James C.W. Lau and Mr. Y.K. Cheng arrived to join the meeting at this point.]

Agenda Item 5

[Open Meeting]

Consideration of Representations in Respect of the Draft North Point Outline Zoning Plan No. S/H8/21

Representations

R1

R3 to R5, R7 and R9

(TPB Papers No. 7961 and 7963)

[The meeting was conducted in Cantonese and English.]

48. The Secretary said that Mr. Alfred Donald Yap and Mr. Raymond Y.M. Chan had declared interests in this item as they had current business dealings with Henderson Land Development Co. Ltd., the parent company of Glory United Development Ltd. which submitted Representation No. 9. Members noted that Mr. Raymond Y.M. Chan had tendered apologies for not attending the meeting and Mr. Alfred Donald Yap had not yet returned to the meeting.

49. The following Government team (including representatives of the concerned Government departments, the study consultants, and Outside Counsel) and representers were invited to the meeting:

Mr. Nicholas Cooney	Outside Counsel
Mr. Raymond Chan	Senior Assistant Law Officer (Civil Law), Department of Justice
Ms. Phyllis Li	Chief Town Planner/Special Duties, Planning Department (PlanD)

Miss Katy Fung	Senior Town Planner/Special Duties, PlanD
Mr. L.T. Ma	Project Manager (HK Island & Islands), Civil Engineering and Development Department (CEDD)
Mr. Bosco Chan	Chief Engineer/Hong Kong (2), CEDD
Mr. C.K. Lam	Senior Engineer/Project Management (HK Island and Islands), CEDD
Mr. M.L. Wan	Deputy Project Manager/Major Works(2), Highways Department (HyD)
Mr. C. Y. Wong	Senior Engineer 1/Central Wanchai Bypass, HyD
Mr. S.L. Law	Senior Engineer 3/Central Wanchai Bypass, HyD
Mr. K.K. Lau	Deputy Commissioner/Planning & Technical Services, Transport Department (TD)
Mr. C. Y. Chan	Senior Engineer/Housing and Planning, TD
Mr. Eric Ma)
Mr. Peter Cheek	) Maunsell Consultant Asia Ltd.
Ms. Carmen Au)
Mr. Freeman Cheung	ENSR Asia (HK) Ltd.

Representation No. 1

Mr. Dennis Li Representer's representative

Representation No. 4

Mr. Shu Lok Shing Represnter

50. The Chairman extended a welcome and briefly explained the hearing procedures. While Representer No. 5 had not provided any contact details, sufficient notice had been given to the remaining three representers (i.e. Representers No. 3, 7 and 9). While Representer No. 3 did not reply, Representers No. 7 and 9 responded that they would not attend the hearing. Members agreed to proceed with the hearing in the absence of the remaining representers.

51. The Chairman then invited the Government team to brief Members on Representation No. 1. With the aid of a Powerpoint presentation, Ms. Phyllis Li, Mr. K.K. Lau and Mr. Peter Cheek made the following main points, and as detailed in Paper No. 7961:

Background

- (a) on 27.7.2007, the draft North Point Outline Zoning Plan (OZP) No. S/H8/21 was gazetted. Ten representations were received. No comments were received on the representations. One of the representations was submitted by Society for Protection of the Harbour (SPH);

Subject and Grounds of Representation

- (b) SPH was against the proposed reclamation. It alleged that the OZP had failed to show that the Protection of the Harbour Ordinance (PHO) as interpreted in the Court of Final Appeal (CFA)'s judgment had been complied with;
- (c) there was no or insufficient cogent and convincing material (CCM) to show that there was a present overriding public need to justify the reclamation proposal in the OZP, the reclamation extent was the minimum and there was no reasonable alternative to the proposed reclamation;

Responses to Grounds of Representations

- (d) the points made in paragraphs 17(s) to (v) and 19(a) to (n) above concerning the Report on Cogent and Convincing Materials to Demonstrate Compliance with the Overriding Public Need Test (the CCM Report), the overriding public need for the Trunk Road, alternative traffic measures considered, the need for reclamation for the Trunk Road, that there was no 'no reclamation' option (in other words, no reasonable alternative to reclamation) and that the extent of

reclamation was the minimum required to meet the overriding need were recapitulated to demonstrate that the proposed reclamation complied with the PHO and the CFA's judgment. In addition, the following responses were made:

Equal toll for cross-harbour tunnels (CHTs)

- (e) equalization of tunnel tolls was not workable as Connaught Road Central did not have spare capacity to absorb the resultant increase in traffic due to diverted traffic. TD's study showed an increase of 5% in demand at Connaught Road Central due to such diverted traffic. A free-flow road connecting three tunnels was required for effective distribution;

Minimum reclamation required to meet the overriding public need

- (f) 12.7 ha of reclamation in the Wan Chai Development Phase II (WDII) area was needed to meet essential engineering requirements for construction of the Trunk Road. This included reclamation to the west of the Hong Kong Convention and Exhibition Centre (HKCEC) Extension (3.7 ha), at the HKCEC water channel (1.6 ha), along the Wan Chai shoreline (4.1 ha) and the North Point shoreline (3.3 ha);
- (g) the reclamation in North Point was required for the protection of the Trunk Road tunnel above seabed and the accommodation of the tunnel and its portal. The reclamation area in North Point was 3.3 ha and there was 0.4 ha of new flyover structure over water;

Alternative construction methods

- (h) alternative construction methods to avoid reclamation had been examined. Immersed tube construction was not suitable where the tunnel rose above the seabed level as the exposed tunnel section would be at risk of damage. Where the tunnel lay below the seabed level, this method would involve excavating a deep trench, in the case of the

Trunk Road alignment proposed, immediately adjacent to the existing seawalls, which would undermine these seawalls. In sum, this method was not feasible for the Trunk Road tunnel where levels varied from above seabed to deep level alongside existing seawalls and breakwaters;

- (i) bored tunnel construction required sufficient ground cover above the tunnel (i.e. the tunnel had to lie at a deep level beneath the seabed). If bored tunnel construction was used beneath the Causeway Bay Typhoon Shelter (CBTS), the deeper level of the tunnel would require the tunnel portal to move further east along the North Point shoreline, thus not being able to utilize the existing strip of land there. More reclamation would be required for the tunnel rising above the seabed to the ground level portal. The greater extent of reclamation required would not comply with the PHO;
- (j) the most practical and reasonable form of construction for the Trunk Road tunnel was the cut-and-cover method; and
- (k) other suggestions to protect the Trunk Road tunnel above seabed from damage by breakwater had been considered. Taking into account that the breakwater and the tunnel structure, both being above seabed, would also constitute reclamation under the PHO, the restriction in the uses of the area between the existing shoreline and the breakwater, restricted marine access and water pollution, the affected area of the Harbour would as a result be greater than that arising from the conventional cut-and-cover tunnel approach. Hence, the breakwater option would not comply with the PHO.

52. Mr. Phyllis Li then referred Members to a letter of 5.12.2007 from the SPH tabled at the meeting. The SPH alleged that it had not been demonstrated that the proposed reclamation in North Point complied with the PHO and the CFA's judgment, in particular with regard to the minimum extent required. Moreover, the "Other Specified Uses" ("OU") zoning for the proposed reclamation neither satisfied the PHO nor the court's judgment as any land produced through reclamation should be retained as open

space for public enjoyment. Ms. Phyllis Li advised that portions of the proposed reclamation were zoned “OU (Landscaped Deck over CWB Tunnel Portal”, “OU(CWB Ventilation Building)”, “OU(Amenity Area)” and “OU(CWB Administration Building)”.

53. Mr. Raymond Chan had the following responses on the penultimate paragraph of SPH’s letter:

- (a) the Administration was not aware of any legal basis on which the statement was made;
- (b) the Administration disagreed that reclaimed land should be retained as open space; and
- (c) the proposed “OU” uses which were essential for the operation of the tunnel did not offend either the letter or the spirit of the PHO.

54. Mr. M.L. Wan added that the “OU” sites were earmarked for the Central-Wan Chai Bypass (CWB)’s administration building, ventilation building, tunnel portal and service road uses for the operation of the tunnel. These were essential facilities for the tunnel and part of the infrastructure, rather than development.

55. Ms. Phyllis Li concluded that Representation No. 1 was not supported in view of paragraphs 52 to 54 above.

56. The Chairman then invited Mr. Dennis Li to elaborate on SPH’s representation. Mr. Li made the following points:

- (a) it was the Board’s duty to satisfy themselves that CCM had been placed before it to support the reclamation proposal in the North Point OZP. SPH was of the view that no or insufficient evidence had been placed before the Board to support the reclamation proposal; and
- (b) since the Harbour was a public asset and the natural heritage of the Hong Kong people, the spirit of the PHO required the decision maker to preserve the land reclaimed for public use. It was for the good

decision of the Board to zone the land for public uses.

57. The Chairman then invited the Government team to brief Members on Representations No. 3 (Lee Leung Fung), 4 (Shu Lok Shing), 5 (Koo Kin Mui), 7 (Ho King Ho) and 9 (Glory United Development Ltd.). With the aid of a powerpoint presentation, Ms. Phyllis Li and Mr. Eric Ma made the following main points and as detailed in Paper No. 7963:

Subject and Grounds of Representations

- (a) except for R9 which supported the amended OZP, R3, 4, 5 and 7 were against it;

Proposed Reclamation

- (b) no reclamation should be proposed in North Point (R3, 4 and 5);

Tunnel option for the CWB

- (c) the CWB would cross with other existing and planned tunnels. Any damage to any of these tunnels would cause casualties and adverse traffic impact (R4);
- (d) the CWB tunnel would have adverse impacts on visual, noise and air quality in North Point (R5);
- (e) the CWB tunnel portal would cause traffic noise and air quality problems. There was no information on the details of the portal and noise barriers, whether the landscaped deck would be open to the public, and whether the Government had prepared an environmental impact assessment (EIA) for the consideration of the Board (R3);
- (f) constructing the CWB in flyover form with connection with the Island Easter Corridor (IEC) at the CBTS would minimize the construction and maintenance costs, the construction time and the adverse air, noise

and visual quality impacts (R3);

- (g) the construction would last for at least 7 years (R3 and 5) and cause traffic congestion and nuisances to the residents in North Point (R3);
- (h) the landscaped deck above the tunnel portal was supported. It would screen off the environmental nuisance and create an attractive greenery design space that made the WDII and CWB projects a fine 'fit' for neighbouring uses (R9);

Land uses

- (i) the "Comprehensive Development Area(1)" ("CDA") site on the waterfront near Oil Street should be reinstated in view of the scarce land resources (R7);
- (j) the proposed waterfront open space was supported as it would allow a new, more accessible waterfront and a unique public space to transform and regenerate the waterfront to a lively and vibrant waterfront (R9);

Representers' Proposals

- (k) to build the CWB in the form of flyover (R3 and 4) with boardwalk underneath (R4);
- (l) to provide a slip road at Oil Street and an open space at part of the Oil Street sale site to reduce noise impact from the CWB (R4);
- (m) to provide seating and small retail outlets along the waterfront (R9);

Assessment of Representations

- (n) the need for reclamation for the WDII and the CWB as elaborated in the earlier presentation (paragraphs 17 and 19 of the minutes) was relevant;

Compliance with the PHO and CFA's judgement

- (o) the Government had strictly abided by the PHO and the judgment of the CFA. In accordance with the judgment, the Government had prepared a CCM Report for the Board's consideration on 3.4.2007 and on the same day, the Board agreed that the Recommended Outline Development Plan of the WDII Review served as the basis for amending the draft North Point OZP;
- (p) the CCM Report demonstrated the overriding public need for the Trunk Road, the need for reclamation for the Trunk Road, that there was no 'no reclamation' option (in other words, there was no reasonable alternative to reclamation) and that the extent of reclamation was the minimum required to meet the overriding need;

Tunnel vs. Flyover Option

- (q) a comparison between constructing the Trunk Road by tunnel and by flyover had been made in the CCM Report. The flyover option had greater adverse impact on the Harbour in terms of the total affected area of the Harbour (flyover option: land formed – 9.8 ha, flyover structures over water – 3 ha, affected water area – 4 ha; tunnel option: land formed – 12.7 ha, flyover structures over water – 0.4 ha, affected water area – 0 ha);
- (r) the tunnel option would also cause less traffic disruption during construction and less air and noise impacts, and allow more opportunities for harbourfront enhancement and provide access to the waterfront. Moreover, it would not require any major reconstruction of existing highway structures nor cause significant visual impacts along the harbourfront;

Environmental impacts of the Trunk Road

- (s) an EIA report demonstrating the environmental acceptability of the Trunk Road and WDII proposals had been submitted to the Director of Environmental Protection under the EIA Ordinance. A copy was deposited with the Board's Secretariat and the executive summary was attached to Paper No. 7963;
- (t) the environmental impacts of the tunnel during the construction and operational phases had been assessed. During the construction phase, the implementation of appropriate mitigation measures would ensure that there would be no adverse or unacceptable air, noise and water quality, marine ecology, or landscape and visual impacts. In North Point, it was anticipated that there might be some localised noise exceedences for limited periods of time during the demolition works at the IEC connection. In any event, these demolition works would be required for any Trunk Road scheme to facilitate the connection of the new Trunk Road with the existing elevated IEC;
- (u) with proper waste management procedures in place, adverse environmental impact in this regard was not anticipated. Site investigation had confirmed that no cultural heritage resources would be affected by the works;
- (v) during the operational phase, the Trunk Road project would fully comply with the Air Quality Objectives. With the Trunk Road tunnel ventilation system designed for zero portal emission at the eastern portal, potential air quality impacts would be avoided at this sensitive area. Moreover, enhancement measures would be implemented to alleviate the existing odour problem at the CBTS. With the proposed noise barriers and semi enclosures in place at the reconstructed sections of the IEC, the predicted noise levels at sensitive receivers in North Point would comply with noise standards. Generally, this project would bring about an overall reduction of noise;
- (w) the reclamation for the Trunk Road construction would have minimal impact on the hydrodynamic regime of the Harbour. No unacceptable

impacts associated with the operation of the project upon the water quality in the Harbour were anticipated. Although the construction works would affect some of the soft bottom benthic and sub-tidal habitats, these were of very low ecological value and no adverse ecological impact was expected;

- (x) in respect of the landscape and visual impacts, there would be extensive new open space (13.8 ha), a substantial number of new trees, and visual mitigation measures including the provision of transparent panels and planters along the reconstructed IEC under the project. The landscape and visual impacts of the project would be acceptable with mitigation measures in the short term and beneficial in the long run;

Tunnel portal and landscaped deck

- (y) a ventilation system would be provided near the tunnel portal to reduce the air pollutant level. The air and noise qualities at the tunnel portal would comply with the EIA Ordinance;
- (z) the landscaped deck above the tunnel portal was proposed as visual impact mitigation for the immediately adjacent residential developments. It was also a noise semi-enclosure to reduce the noise impacts to nearby residents;

Land uses

- (aa) the northern portion of the original “CDA(1)” site had been rezoned to “OU(Landscaped Deck over CWB Tunnel Portal)”, “OU(CWB Administration Building)”, ‘Road’ for the service road of the tunnel portal, “OU(Amenity Area)” near Oil Street, and “O” for the proposed waterfront park as harbourfront enhancement. The rezoning was required to accommodate the Trunk Road and the associated essential facilities and to reflect the proposed waterfront park as harbourfront enhancement;

- (bb) the proposal to rezone part of the Oil Street sale site to open space was unnecessary as the noise impact from the CWB and the IEC Link would be dealt with under the EIA Ordinance and the EIA report would address the necessary environmental mitigation measures. Moreover, under the endorsed revised Planning Brief (PB) for the Oil Street sale site, a public open space of not less than 3,530m² would be provided at the site;
- (cc) the design of the proposed waterfront open space including the provision of seating facilities and small scale commercial facilities would be considered in the detailed planning stage;

Conclusion

- (dd) PlanD did not support Representations No. 3, 4, 5 and 7 in view of the above; and
- (ee) PlanD considered that the Representer No. 9 should be advised that the design of the proposed waterfront including the provision of seating facilities and small scale commercial facilities would be considered in the detailed planning stage.

58. The Chairman then invited Mr. Shu Lok Shing to elaborate on Representation No. 4. Mr. Shu made the following main points with the aid of a few plans:

- (a) the CWB should be built in the form of flyover to the south of the shoreline to reduce reclamation;
- (b) his proposed elevated CWB with 16m high clearance above the sea would allow vessels to pass underneath it;
- (c) to delete the Government's proposed reclamation (3.7 ha) near Oil Street. Instead, reclamation (0.91 ha) for the Oil Street slip road was proposed;

- (d) to provide a park at the Oil Street sale site as there was no large park in the vicinity but there was considerable surplus in the Government's coffer; and
- (e) to prepare a map about the underwater city with information on the extent and depth of the underwater city such that the public would be equipped with basic knowledge and psychological preparation to avoid any disaster similar to the embankment collapse and flooding in New Orleans, USA in 2005.

59. As Members had no questions to raise and the Government team and representers had nothing to add, the meeting proceeded to consider the next item. The Government team and representers stayed behind for the next item.

Part II

Agenda Item 6

[Open Meeting]

Proposed Amendments to the Draft Wan Chai North Outline Zoning Plan No. S/H25/1
Further Consideration (Hearing) of Objection No. F7
(TPB Paper No. 7972)

[The meeting was conducted in Cantonese and English.]

Original Objections

No. 368, 558 and 560

60. The Secretary said that Dr. Greg C.Y. Wong had declared an interest in this item for having current business dealings with Wharf (Holdings) Ltd., the parent company of Wharf Estates Development Ltd. which submitted the further objection. Members noted that Dr. Wong had tendered apologies for not attending the meeting.

61. The following further objector's representatives were invited to the meeting

to join the following Government team (including representatives of the concerned Government departments, the study consultants and Outside Counsel) and original objectors:

Mr. Nicholas Cooney	Outside Counsel
Mr. Raymond Chan	Senior Assistant Law Officer (Civil Law), Department of Justice
Ms. Phyllis Li	Chief Town Planner/Special Duties, Planning Department (PlanD)
Miss Katy Fung	Senior Town Planner/Special Duties, PlanD
Mr. L.T. Ma	Project Manager (HK Island & Islands), Civil Engineering and Development Department (CEDD)
Mr. Bosco Chan	Chief Engineer/Hong Kong (2), CEDD
Mr. C.K. Lam	Senior Engineer/Project Management (HK Island and Islands), CEDD
Mr. M.L. Wan	Deputy Project Manager/Major Works(2), Highways Department (HyD)
Mr. C. Y. Wong	Senior Engineer 1/Central Wanchai Bypass, HyD
Mr. S.L. Law	Senior Engineer 3/Central Wanchai Bypass, HyD
Mr. K.K. Lau	Deputy Commissioner for Transport/Planning & Technical Services, Transport Department (TD)
Mr. C. Y. Chan	Senior Engineer/Housing and Planning, TD
Mr. Eric Ma)
Mr. Peter Cheek	) Maunsell Consultant Asia Ltd.
Ms. Carmen Au)
Mr. Freeman Cheung	ENSR Asia (HK) Ltd.

Further Objection No. 7

Mr. Kenneth To	}
Mr. David Fok	}
Ms. Gladys Ng	}

Mr. Alexander Hui	}	
Ms. Corina Chan	}	
Mr. Benny Chia	}	
Ms. Michele Chiu	}	
Mr. James W. Pierce	}	
Mr. Kent Yiu	}	
Dr. Rumin Yin	}	Further Objector's representatives
Mr. Jimmy Yam	}	
Mr. M.Y. Wan	}	
Mr. Frankie Cheng	}	
Ms. Mabel Lam	}	
Mr. Calvin Chiu	}	
Mr. S.L. Ng	}	
Ms. Michelle Fung	}	

Original Objection No. 368

Mr. Shu Lok Shing Objector

Original Objection No. 558

Mr. Dennis Li Objector's representative

62. As sufficient notice had been given to the remaining original objector (i.e. No. 560) and it had not indicated that they would attend the hearing, Members agreed to proceed with the hearing in the absence of the remaining original objector.

63. The Chairman extended a welcome and invited Ms. Phyllis Li to brief Members on the representation. With the aid of a Powerpoint presentation, Ms. Phyllis Li made the following main points:

Subject and Grounds of Representation

- (a) Further Objection No. 7, jointly lodged by Wharf Estates Development Ltd., Hong Kong Arts Centre and Hong Kong Festival Fringe Ltd., was against the rezoning of the A-King Slipway Site (the Site) covering IL 807RP and Government land from "Other Specified Uses" ("OU")

annotated “Leisure and Entertainment Complex and Elevated Walkway” to “Government, Institution or Community(3)” (“G/IC(3)”) and “Open Space (“O”) and the rezoning of portion of Victoria Park Road from “OU(Elevated Walkway)” to ‘Road’;

- (b) to meet/partially meet the original objections, the proposed reclamation in Causeway Bay Typhoon Shelter (CBTS) and the previous “OU(Entertainment and Leisure Complex and Elevated Walkway)” and “OU(Elevated Walkway)” zones were deleted. The existing land was rezoned to “G/IC(3)” and “O” for reprovisioning the floating Tin Hau Temple and waterfront promenade use respectively;

Reprovisioning the Temple in “G/IC(3)” unnecessary

- (c) there was no consensus to relocate the Temple onshore. The representative of the Temple preferred the Temple to remain in the CBTS;

Inappropriate “O” zoning

- (d) the “O” zoning for a portion of the Site and the Whitfield Road Rest Garden was inappropriate as the accessibility to and visual amenity of the area was poor;
- (e) the “O” strips adjoining the “G/IC(3)” site were too narrow to serve visitors to the Temple and the waterfront;

Deletion of the previous “OU(Elevated Walkway)” zone

- (f) with the deletion of the originally proposed walkway at Victoria Park (the eastern deck), pedestrians would have to continue to rely on the existing pedestrian crossing at the junction of Victoria Park Road and Hing Fat Street. This would greatly reduce accessibility to the waterfront and expose pedestrians to fatal hazard as that junction was pedestrian unfriendly;

Deletion of the previous “OU(Leisure and Entertainment Complex and Elevated Walkway)” zone

- (g) this “OU” zone should be reinstated as the current land use proposals would not be conducive to a vibrant environment and would diminish the unique cultural identity of the Temple;

The Victoria Point proposal

- (h) the further objector had submitted in April 2007 a planning application known as the Victoria Point at the Site and the Whitfield Road Rest Garden. The Metro Planning Committee had decided to defer a decision on the application as the further/original objections concerning the application site were yet to be decided by the Board and the Chief Executive in Council;
- (i) the proposed development, comprising a hotel and recreational, arts and cultural facilities with pedestrian linkages and boardwalk to the neighbouring areas, had a total GFA of 25,038m² (Plot Ratio 10) and a maximum building height of 99.75 mPD;
- (j) in order to facilitate the proposed development, the further objector proposed to retain the previous “OU(Leisure and Entertainment Complex and Elevated Walkway)” zone with permissible development intensity similar to those proposed in (i) and the “OU(Elevated Walkway)” zone;

Assessment of Further Objection

Proposed “G/IC(3)” and “O” zones

- (k) the planning for the CBTS was to preserve the CBTS and the historical elements of the typhoon shelter. It was after extensive consultation that the Government proposed to re-provision the floating Temple in the

“G/IC(3)” zone and provide open space along the shore of CBTS to form part of the continuous waterfront promenade for harbourfront enhancement. Hence, the “G/IC(3)” and “O” zones were appropriate and reflected the public’s aspirations;

- (l) as advised by the District Officer (East), the management of the Temple had been pursuing the proposal of relocating the Temple to the Site for many years and he was not aware that they had dropped the proposal;
- (m) should the Temple be retained in the CBTS, the Site could still be used as open space for public enjoyment and a promenade for pedestrian movement;

Accessibility to waterfront

- (n) in the “O” zone, a continuous waterfront promenade had been provided within the constraints imposed by the Protection of the Harbour Ordinance (PHO), the re-provisioning of the Temple and the limited existing land available along the shore of the CBTS. The promenade reflected the public’s aspirations;
- (o) new pedestrian links in the form of at-grade crossings, landscaped decks and footbridge had been planned to enhance pedestrian accessibility to the waterfront. The proposed landscaped deck extending from the knoll of Victoria Park (the western deck) would provide better and more direct pedestrian connection;

Reinstating the “OU(Leisure and Entertainment Complex and Elevated Walkway)” zone

- (p) the zone would encroach upon the planned public open space along the CBTS, resulting in loss of open space and disruption of the continuous waterfront promenade;

The Victoria Point proposal

- (q) the proposal was incompatible with the open waterfront setting and the proposed building height was not in line with the concept of allowing a gradation of building heights descending towards the waterfront;
- (r) departments consulted had raised concerns on the built form of the proposed development, its adverse impact on air ventilation, the limited provision of at-grade open space, the felling of trees involved, and the lack of traffic impact assessment to justify the proposed development;
- (s) the proposed floating pontoon and boardwalk would cover part of the water surface. The structures would affect the Harbour in its present state as the area of the Harbour would be reduced and normal marine activities might not be carried out in the covered part of the Harbour. The applicant had to demonstrate compliance with the PHO;

Reinstating the “OU(Elevated Walkway)” zone

- (t) with no more permanent reclamation proposed at the CBTS, it would no longer be feasible to accommodate the wide eastern deck within the zone due to insufficient space. Moreover, the eastern deck might affect a significant number of trees in the Victoria Park; and

Conclusion

- (u) PlanD did not support the further objection in view of the above.

64. The Chairman then invited the further objector’s representatives to elaborate on the further objection. With the aid of a powerpoint presentation, Mr. Kenneth To, Mr. Alexander Hui, Mr. Benny Chia and Mr. James Pierce made the following main points:

Floating Pontoon

- (a) in view of the Government's view that the floating pontoon might be in conflict with the PHO, the further objector had decided to delete this non-essential feature so as to focus discussion on the Victoria Point proposal;

Transformation of the Site

- (b) various photos of the CBTS from 1930 to present illustrated the transformation of the A-King Slipway and the CBTS from a bustling to a rather inactive place. The 1953 photo showed the relocation of A-King Slipway to the present site and the reclamation. The Victoria Park was subsequently developed. Then there were new roads including Victoria Park Road which led to the separation of the CBTS and A-King Slipway from the Victoria Park, and the Island Eastern Corridor (IEC). The CBTS had gradually lost its vibrancy since the 1970s due to poor accessibility to the waterfront. Since the 1990s, A-King Slipway had only occupied the present small site after the Government's resumption of a large portion of the flat land of the slipway for building the fire station. A-King Slipway was currently left vacant;

The Board's Vision and Goals for the Harbour

- (c) the Board had formulated its vision for the Harbour in the late 1990s and it was still in force. The vision was 'to make Victoria Harbour attractive, vibrant, accessible and symbolic of Hong Kong – a harbour for the people and a harbour of life';
- (d) there were six goals to achieve the vision, namely, accessibility, scenic view, unique attraction, innovative building design, water quality and safe and efficient harbour for transport;
- (e) while the previous land use proposals on the draft OZP No. S/H25/1 for the CBTS area (i.e. "OU(Leisure and Entertainment Complex and Elevated Walkway)" zoning for the Site and provision of the wide

eastern deck linking up the Site with the Victoria Park) could reflect the vision and goals for the Harbour, the revised land use proposals subsequent to deleting reclamation at the CBTS could not;

Quality of Public Open Space

- (f) the Hong Kong Arts Centre had been actively working with both private and public bodies to identify the nature of and to improve our public open space;
- (g) the Government had put too much emphasis on the space for vehicular traffic, and neglected the pedestrian space;
- (h) proper preservation of the floating Temple required appreciation of its unique cultural and heritage significance, particularly with regard to the local community. It was believed that the floating Temple was created for the fishermen who could not access the important Tin Hau Temple at Tin Hau Temple Road conveniently. Hence, moving the floating Temple onshore would fail to respect this unique connection between the community and the floating Temple;
- (i) the Site was subject to constraints, and therefore required careful consideration to work out a planning solution. Under the current proposal, the important pedestrian linkage between the Site and the Victoria Park was deleted, the unique cultural and heritage identity of the floating Temple would be diminished, fishermen would find it inconvenient to visit the onshore Temple, and no quality open space would be created as the space was narrow, close to roads with heavy traffic and at a dead end. Hence, the deletion of the eastern deck was not justifiable;
- (j) open space could be on private land but accessible to the public. The public open space adjacent to the Ocean Terminal was a good design;

Arts and Cultural Activities at the Site

- (k) developing the Site for leisure, arts and cultural use would serve best to bring vibrancy to the area;

- (l) the Hong Kong Festival Fringe Ltd., a non-profit making and self-financing body set up in 1984 to promote arts and culture, was willing to cooperate with the private developer in this project as it offered an opportunity for creating more arts and cultural space to meet demand. There was acute shortage of exhibition and performance venues in the urban area as exemplified by the high unsuccessful rate of booking of venues managed by the Leisure and Cultural Services Department. Space at the Fringe was also inadequate to meet demand. Over 20 expansion proposals had been drawn up together with either the Government or private organization in the past 10 years, but all were infeasible;

- (m) the Victoria Point proposal would provide a fitted out arts and cultural venue bigger than the existing one at the Fringe. After consulting the legal adviser, the Fringe considered it worthwhile to enter into partnership with the private developer. This kind of partnership in the arts scene was unprecedented in Hong Kong;

- (n) the project was in keeping with the arts and cultural initiatives of the Government, a detailed account of which was given in the 2007-2008 Policy Address. The latest Policy Address stated that ‘to fully realise the vision and mission of West Kowloon Cultural District...the Government will invest more resources to implement the following measures:...expanding “alternative arts space” in the community for local artists to unleash their creativity while increasing the public’s exposure to culture and arts in their daily lives’. The policy initiatives of the Home Affairs Bureau (HAB) stated that ‘we would endeavour to explore the possibilities of providing more venues and space for arts and cultural activities in various districts outside the WKCD’. Engaging the private sector was also specifically mentioned in HAB’s initiatives which stated ‘...encouraging the funding from the business

sector and individuals to support the arts and cultural activities in Hong Kong'. For the Development Bureau, one of its policy initiatives was 'ensuring that planning, land use and urban design are in line with our stated mission to protect the Victoria Harbour and enhance it for the enjoyment of our residents and visitors alike, with the participation of the community';

- (o) although whether the project could achieve the above policy initiatives would require further scrutiny, the project which would bring about public participation in arts and cultural activities would certainly enhance and add vibrancy to this otherwise dead and inaccessible corner;

The Victoria Point Proposal would achieve the Board's Goals for the Harbour

- (p) the following illustrated how the Victoria Point proposal would realize the Board's goals for the Harbour without reclamation;

Accessibility

- (q) retaining the eastern deck and adding a footbridge across Whitfield Road to connect with the Victoria Park and Tin Hau area respectively would result in a complete and safe pedestrian walkway. Currently, pedestrians had to cross a 5-lane carriageway to reach the Victoria Park, and rely on a pedestrian light merely allowing 10 seconds for crossing the road to reach Whitfield Road. Moreover, the footpath fronting the fire station was just 2m wide;

Scenic view

- (r) the present Site was at a dead corner with view to the Harbour being obstructed by the IEC. Under the proposed development, there were public viewing platforms at different levels of the building which were higher than the IEC, thus providing a better view to the Harbour;

Unique attraction

- (s) the unique cultural identity of the floating Temple would be lost once it was reprovisioned onshore. The proposed hotel cum arts and cultural facilities with the mooring of the floating Temple by its side would be an attraction in the CBTS;

Innovative building design

- (t) the development was innovative in that a variety of tourist, retail, leisure and recreational activities would be provided for the enjoyment of tourists and citizens alike;

Water quality

- (u) the water quality at this dead corner required improvement. The odour was caused by the discharge from the dwelling-boats and the poor water circulation in the CBTS. The development would be provided with public toilets and bathrooms for use by the boat-dwellers;

Safe and efficient harbour for transport

- (v) a pier would be provided in the development for embarkation/disembarkation which was an important function of the typhoon shelter;

Architectural Design

- (w) notwithstanding the use itself should be the crux of the matter, the key features of the architectural design, which could be subject to change, were presented for illustrative purpose. A physical model was placed in the meeting room for Members' reference;
- (x) due regard was paid to the constraints of the Site and the Board's goals

for the Harbour in working out the design. The design sought to optimize both activities and accessibility. The provision of open space on the waterfront was one of the key elements. A mixture of covered and uncovered open space was found on the lowest five floors of the development;

- (y) the building consisted of three main components, namely, arts and culture and open space on the podium levels, retail and hotel facilities in the lower block and hotel rooms with a roof-top sky garden in the higher block;
- (z) plans were presented to demonstrate the relationship between proposed development and its surrounding developments. Considering the development in relation with the Victoria Park and the highway, while the Site was one of the few points that could bring people to the harbourfront with a decent landing point, access to the harbourfront was however obstructed by the highway. Therefore, the public open space was proposed in a cascading form for improving accessibility to the harbourfront while activating other functional uses;
- (aa) the overall height of the development was below 100mPD. Its built form fitted in well with the massing of the surrounding developments. The lower part responded to the harbourfront and formed an active zone down to the pedestrian level. Elevated landscaped deck was proposed to link up with the Victoria Park, and the raised level would remove the visual obstruction posed by the highway;
- (bb) the development was so orientated to minimize the visual obstruction to the Harbour caused to the higher buildings in Tin Hau, and to create lots of openings across the Site to minimize obstructing views of the lower buildings in the built-up areas of Tin Hau. The reflective façade proposed for the upper portion would reduce visual bulk while creating an interesting façade;
- (cc) the architectural design would contribute to a highly lively space on the

waterfront;

Responses to PlanD's comments

(dd) in order to facilitate the proposed development which would realize the Board's vision for the Harbour without reclamation, the further objector proposed to reinstate the original zonings for the further objection site and retain the eastern deck;

Pedestrian links to the waterfront

(ee) on PlanD's comment that new pedestrian links had been proposed to enhance pedestrian accessibility, the further objector alleged that the two original landscaped decks extending from the Victoria Park were reduced to one, and there was no new link to the Tin Hau area;

(ff) on PlanD's comment that the proposed western deck was preferred for better connectivity, the further objector contended that this was only to replace the originally planned western deck and did not help to improve connectivity in the east where the promenade would remain a poorly connected dead end;

(gg) on PlanD's comment that the eastern deck was no longer feasible due to the narrow and insufficient space along the CBTS to accommodate a landing after dropping the reclamation proposal for the area, the further objector responded that the space along the CBTS for the western deck was almost equally narrow. There should not be any difference in the feasibility of accommodating a landing at these two points. On the contrary, while the eastern deck connecting to the Victoria Point development was more likely to be feasible, the small knoll was still not high enough for the western deck;

(hh) the further objector noted that the landing point of the western deck would cross over the planned Shatin to Central Link (SCL), and reckoned that this conflict would pose engineering problem and affect

the feasibility of the projects;

Waterfront promenade

- (ii) on PlanD's comment that the eastern deck would encroach upon the planned open space, the further objector responded that at grade public connection would be maintained in the proposed development while the public open space on the main deck would allow better view to the Harbour and better connection to the hinterland via landscaped deck/footbridge. The planned western deck would also require a sizable landing structure on the narrow promenade and cause similar disruption to the promenade; and

Development intensity and building height

- (jj) on PlanD's comment that the development intensity and height of the proposed development were incompatible with the harbourfront setting; the further objector responded that the proposed plot ratio and building height were significantly lower than the adjacent commercial developments. The proposed height also tallied with the recently imposed height restriction for the North Point waterfront area (i.e. maximum 100mPD).

65. The Chairman then invited Mr. Shu Lok Shing, Original Objector No. 368, to present his points in relation to this further objection. Mr. Shu made the following main points with the aid of some plans:

- (a) he objected to a 100m high building at this site as it would be like a wall hindering penetration of sea breeze to the hinterland, and he supported the relocating of the floating Temple to the Site;

[Ms. Anna S.Y. Kwong arrived to join the meeting at this point.]

- (b) the Central-Wan Chai Bypass (CWB) should be built in the form of a flyover with a 4.5m wide footpath so that pedestrians could have a

panoramic view of the Harbour;

- (c) design competition could be launched in phases by the Government for beautifying and enhancing the columns supporting this long flyover as well as the space underneath it and the IEC. Artists could set up booths on the space underneath the flyover;
- (d) the multi-purpose flyover would only require limited reclamation at Oil Street. Moreover, the flyover could avoid any catastrophic damage to the underworld city in the event that any of the cross harbour tunnels collapsed; and
- (e) the water body enclosed by the proposed Tsing Fung Street slip road could be developed as a typhoon shelter with small eating outlets.

[Ms. Starry W.K. Lee returned to join the meeting at this point.]

66. Original Objector No. 558 did not present or raise any question.

67. Members raised the following questions:

- (a) whether the proposed western deck would be in conflict with the SCL, and whether the western deck would equally be constrained by the narrow space in accommodating a landing as in the case of the eastern deck;
- (b) TD was asked to comment on the impact of the Victoria Point proposal on the at-grade vehicular and pedestrian traffic;
- (c) what was the visual impact of the Victoria Point proposal;
- (d) whether there was any room for reducing the scale of the proposed development bearing in mind that it was on the waterfront;
- (e) how much extra arts and cultural performance space the Victoria Point

proposal would contribute and what were the planning gains of the proposal; and

- (f) whether there were any plots of land reserved for arts and cultural uses on the North Point Outline Zoning Plan (OZP).

68. Mr. Eric Ma, Mr. K.K. Lau and Ms. Phyllis Li had the following responses:

The Landscaped Pedestrian Decks

- (a) the SCL would be underneath the elevated western deck. Sufficient space had been provided in the foundation of the deck to allow the SCL to pass through;
- (b) without permanent reclamation at the CBTS and the originally planned entertainment and leisure complex at the Site, the need for the eastern deck was no longer justified;
- (c) the seaward side of the proposed western deck would be widened to serve as a good viewing platform for gaining visual access to the CBTS and the Harbour. As the view from the eastern deck to the Harbour would be obstructed by the IEC, the quality of the view available from the eastern deck would be inferior to that of the western deck;
- (d) the small knoll at the Victoria Park could be integrated in the design for building the southern landing point for the western deck which would be in the form of small boardwalk footpaths, and disturbance to the Park could be minimized through this. On the other hand, the eastern deck with landing point at the North Pavilion Garden in the Park might affect a significant number of trees, hence it was not preferred. Sufficient pedestrian links had already been in place in the east to cater for the planned land uses;

Traffic Impact

- (e) the TD had been closely monitoring the vehicular and pedestrian traffic at the signalized junction of the Victoria Park Road and Hing Fat Street, and considered that the present traffic signal arrangement was appropriate. At present, the amount of pedestrian movement at the spot was not high. The additional vehicular and pedestrian traffic induced by new developments and the associated impacts would require further assessment, including whether the capacity of the junction could cope with the increased traffic;

Visual Impact

- (f) the proposed high-rise high-density development at the edge of the CBTS was not compatible with the waterfront setting. The further objector said that the height of the proposed development was similar to the Citicorp. This height level was considered unsuitable; and

Land for Arts and Cultural Use

- (g) no land was specifically designated for arts and cultural use on the North Point OZP. However, the concept of an arts and cultural precinct to the west of the Hong Kong Convention and Exhibition Centre had been developed under the Recommended Outline Development Plan of the Wan Chai Development Phase II. Also, a site near the existing Hong Kong Arts Centre would be reserved on the Central District (Extension) OZP for its possible expansion.

69. Mr. Kenneth To and Mr. Benny Chia had the following comments:

Air Ventilation and Visual Impact

- (a) an air ventilation assessment had been undertaken for the proposed development, but the further objector would not go into the details at this meeting;
- (b) a single block did not equate to a wall building. Members were

invited to take a look at the physical model to see how the development interacted with the surroundings;

Landscaped Deck

- (c) it was unclear to the further objector if the Government found the eastern deck technically infeasible or not preferable;

Traffic Impact and Planning Choice

- (d) after hearing the comments of the Government departments, it appeared that it was the planning choice of the Government to keep this Site a dead corner, thereby not generating additional vehicular and pedestrian traffic and not requiring any change to the traffic management measures for the area;
- (e) the Board should focus on whether it was justified to keep the Site as an unattractive and inactive place, therefore not requiring any additional pedestrian linkages;

Building Height

- (f) a building height of about 100mPD was proposed for the development with reference to the recent height restriction of 100mPD imposed on waterfront developments under the North Point OZP. The further objector was willing to consider reviewing the height of the development;

Arts and Cultural Performance Space

- (g) about 2,900m² performance space would be provided in the development. This would fill the void between the City Hall in Central and the Sai Wan Ho Civic Centre; and
- (h) about 95% of performance venues in Hong Kong was managed by the

Government and this amounted to a form of monopoly which would not be conducive to healthy development of arts and a level playing field for the private initiatives. The Government was aware of this imbalance. It was believed that the Government's intention to have the future arts and cultural venues in the WKCD managed by private bodies was to address such imbalance. The partnership approach of the Victoria Point proposal might be a good starting point to engage private organizations in contributing to the provision of arts facilities. A desirable precedent would be set if it was successful.

70. Mr. Alexander Hui clarified that the small Hong Kong Arts Centre (100 feet by 100 feet) was between the City Hall and the Sai Wan Ho Civic Centre. He also added the following points:

- (a) the fact that the Hong Kong Arts Centre was consistently overbooked showed the demand for this type of venue;
- (b) the site reserved for the Hong Kong Arts Centre's expansion was close to the vent shaft of the MTR tunnel and not comparable to the size and quality of that could be provided at the Site; and
- (c) PlanD's definition of open space was actually recreational space with a lot of restrictions. Vibrant and quality public open space in Hong Kong tended to be created between streets with character and between private buildings. The edge between private and public zones contained the most active street life. Admittedly, how to create vibrant public open space on the Site which had a narrow frontage and was close to the highway would remain a topic for further discussion. Nonetheless, the further objector would address this issue.

71. Mr. Eric Ma, Ms. Phyllis Li and Mr. L.T. Ma made the following additional points:

- (a) the eastern deck was infeasible because a large landing point would be required and this would cause great disturbance to the Victoria Park, in

particular the dense vegetation at the North Pavilion Garden;

- (b) priority had been given to provision of public open space within the constraints in replanning this area. Over 90% of the area would be connected by an at-grade and continuous waterfront. The missing part was where the private electricity substation was located. There was no need to achieve this planning objective through a private development;
- (c) a continuous waterfront promenade would also serve to provide open space for all sorts of activities including entertainment, cultural and arts; and
- (d) according to the further objector's submission, only 2,900m² (slightly more than 10%) out of a total GFA of 25,000m² of the development would be for arts and cultural use.

72. On the future management of any arts and cultural sites on the new harbourfront, the Chairman advised that the Government had not yet designated a management authority for such.

73. As Members had no further questions to raise and the Government team and the further objector's representatives and original objectors had nothing to add, the Government team and the further/original objectors were invited to leave the meeting. The meeting adjourned for a lunch break at 2:15 p.m..

74. The meeting resumed at 2:35 p.m..

75. The following Members and the Secretary were present after the lunch break:

Mr. Raymond Young	Chairman
Dr. Peter K.K. Wong	Vice-Chairman
Mr. Michael K.C. Lai	
Mr. Nelson W.Y. Chan	

Mr. David W.M. Chan

Dr. Lily Chiang

Professor David Dudgeon

Mr. Edmund K.H. Leung

Mr. Alfred Donald Yap

Ms. Sylvia S.F. Yau

Mr. B.W. Chan

Mr. Felix W. Fong

Ms. Anna S.Y. Kwong

Dr. James C.W. Lau

Mr. K.Y. Leung

Principal Assistant Secretary (Transport)

Transport and Housing Bureau

Ms. Ava Chiu

Deputy Director of Environmental Protection

Dr. Michael Chiu

Director of Planning

Mrs. Ava S.Y. Ng

Agenda Item 7

[Open Meeting]

Consideration of Representations in Respect of the Draft North Point Outline Zoning

Plan No. S/H8/21

Representation No. R10

(TPB Paper No. 7966)

[The meeting was conducted in Cantonese.]

76. The Secretary said that Dr. Greg C.Y. Wong had declared an interest in this item for having current business dealings with Wharf (Holdings) Ltd., the parent

company of Wharf Estates Development Ltd. which submitted the representation. Members noted that Dr. Wong had tendered apologies for not attending the meeting.

77. The following members of the Government team and the representer's representatives were invited to the meeting:

Ms. Phyllis Li	Chief Town Planner/Special Duties, Planning Department (PlanD)
Mr. Eric Ma	Maunsell Consultant Asia Ltd.

Representation No. 10

Mr. Kenneth To)
Mr. David Fok)
Mr. Frankie Cheng	) Representer's representatives
Ms. Mabel Lam)
Mr. S.L. Ng)

78. The Chairman extended a welcome and invited Ms. Phyllis Li to brief Members on the representation. With the aid of a Powerpoint presentation, Ms. Phyllis Li made the following main points and as detailed in Paper No. 7966:

Subject and Grounds of Representation

- (a) the representation, lodged by Wharf Estates Development Ltd., was against the rezoning of a piece of land south of Tsing Fung Street from "Open Space" ("O") to 'Road' for Slip Road 8 of the Central-Wan Chai Bypass (CWB) and the rezoning of part of Victoria Park Road from 'Road' to "Other Specified Uses" ("OU") annotated "Landscaped Elevated Walkway";
- (b) since the subject matter of this representation was similar to Further Objection No. 7 in respect of the proposed amendments to the Wan Chai North Outline Zoning Plan (OZP) No. S/H25/1 which was also lodged by Wharf Estates Development Ltd. and reference was made to the Victoria Point proposal in both this representation and the further

objection, she would do a brief presentation without repeating the same details;

Representer's proposal

- (c) to show the originally proposed elevated walkway near Hing Fat Street (the eastern deck) on the North Point and Wan Chai North Outline Zoning Plans;
- (d) the works for Slip Road 8 should not interfere with the eastern deck;

Assessment of Representation

Slip Road 8

- (e) Slip Road 8 provided an essential connection to the CWB for traffic from the Causeway Bay, Tai Hang, Fortress Hill and Tin Hau areas;

Landscaped deck

- (f) apart from retaining the existing at-grade pedestrian crossing across Victoria Park Road at the junction of Hing Fat Street, new pedestrian links to provide more direct and convenient pedestrian connection to the waterfront had been planned;
- (g) with no more permanent reclamation proposed at the Causeway Bay Typhoon Shelter (CBTS), the eastern deck would no longer be feasible due to the insufficient space to accommodate a landing;
- (h) the eastern deck was no longer necessary after substantial changes in the land use proposals for the area;
- (i) the eastern deck might affect a significant number of trees in the Victoria Park; and

Conclusion

- (j) PlanD did not support the representation in view of the above.

79. The Chairman then invited Mr. Kenneth To to elaborate on the representation. Mr. Kenneth To said that his earlier presentation for Further Objection No. 7 was also relevant to this representation. He added the following main points:

- (a) Slip Road 8 and the eastern deck were independent from each other and should be considered separately;
- (b) the Government did not say that the eastern deck was technically infeasible, but that it simply did not prefer this option;
- (c) one of the arguments deployed by the Government in rejecting the eastern deck was the impact on the trees. The same argument was equally applicable to the currently proposed landscaped deck extending from the knoll of the Victoria Park (the western deck). The knoll was still not high enough for the western deck, and the western deck would involve lots of construction works and affect lots of trees;
- (d) the reason that more people would use the western deck in view of the proximity of its landing point to the swimming pool was not sound. It would mean that more people would be affected. The further objector reckoned that this would make the eastern deck more desirable as it could divert some pedestrian movements to the shore of the CBTS; and
- (e) there were insufficient justifications to delete the eastern deck. Its deletion would deny people, particularly the residents in Tin Hau, having access to the waterfront.

80. In response, Mr. Eric Ma made the following points:

Landscaped deck

- (a) while the seaward side of the western deck was wide, the portion within the Victoria Park would be in the form of small boardwalk footpaths so as to minimize the adverse impact on the trees;
- (b) the eastern deck was not pursued based on comprehensive consideration including the preservation of trees, and was not solely based on engineering feasibility factors; and

Slip Road 8

- (c) the alignment of this slip road had gone through many rounds of modification in consultation with the Leisure and Cultural Services Department so as to minimize the impacts on the operation and public enjoyment of the Victoria Park and the trees in the Park. Particularly, the revised alignment avoided encroaching upon the North Pavilion Garden in the Park where lots of trees were found.

81. Mr. Kenneth To queried why the same creative design in the form of small footpaths could not be employed for the eastern deck such that fewer trees would be affected. Ms. Phyllis Li explained that the eastern deck would land on flat land whereas the western deck on a small knoll. The difference in topography would necessitate different engineering design.

82. As Members had no questions to raise and the Government team and the representer's representatives had nothing to add, the representer's representatives left the meeting at this point while the Government team stayed behind for the next item.

Part III

Agenda Item 8

[Open meeting]

Consideration of Further Objections No. F1 and F2 in respect of the Proposed Amendments to the Draft Wan Chai North Outline Zoning Plan No. S/H25/1

(TPB Papers No. 7967 and 7968)

[The hearing was conducted in Cantonese and English.]

Original Objections

No. 368 and 778

83. The Chairman said that Dr. Greg C.Y. Wong had declared an interest in this item for having current business dealings with the Wharf (Holdings) Limited which was the parent company of Further Objector No. F1, the “Star” Ferry Company Limited. Members noted that Dr. Wong had tendered apologies for not attending the meeting.

84. The Chairman said that Further Objections No. F1 and F2 were related to the Original Objections No. 368 and 558. Original Objector No. 558 had indicated not to attend or be represented at the hearing. As sufficient notice had been given to the original and further objectors, Members agreed to proceed with the hearing in the absence of Original Objector No. 558.

85. The following Government team was present at the meeting:

Mr. Nicholas Cooney	Outside Counsel
Mr. Raymond Chan	Senior Assistant Law Officer (Civil Law), Department of Justice
Ms. Phyllis Li	Chief Town Planner/Special Duties, Planning Department (PlanD)
Miss Katy Fung	Senior Town Planner/Special Duties, PlanD
Mr. L.T. Ma	Project Manager (HK Island & Islands), Civil Engineering and Development Department (CEDD)
Mr. Bosco Chan	Chief Engineer/Hong Kong (2), CEDD
Mr. C.K. Lam	Senior Engineer/Project Management (HK Island and Islands), CEDD
Mr. M.L. Wan	Deputy Project Manager/Major Works(2), Highways Department (HyD)
Mr. T.F. Leung	Chief Engineer/Railway Planning 2, HyD

Mr. C. Y. Wong	Senior Engineer 1/Central Wanchai Bypass, HyD
Mr. S.L. Law	Senior Engineer 3/Central Wanchai Bypass, HyD
Mr. K.K. Lau	Deputy Commissioner/Planning & Technical Services, Transport Department (TD)
Mr. C. Y. Chan	Senior Engineer/Housing and Planning, TD
Miss Alison Wong	Senior Operations Officer, Civil Aviation Department (CAD)
Capt. Johnny Lee	Helicopter Operations Inspector, CAD
Capt. West Wu	- Manager (Operations), Government Flying Services (GFS)
Mr. Francis K.C. Cheng	- Principal Assistant Secretary for Transport & Housing (Transport) 9, Transport and Housing Bureau (THB)
Mr. Eric Ma)
Mr. Peter Cheek	) Maunsell Consultant Asia Ltd.
Ms. Carmen Au)
Mr. Freeman Cheung	- ENSR Asia (HK) Ltd.

86. The following representatives of further/original objectors were also invited to the meeting at this point:

Further Objection No.1

Mr. Johnny Leung	}	
Ms. Elim Wong	}	Representatives of Further Objector

Further Objection No. 2

Mr. Ian Brownlee]	
Sir Michael Kadoorie]	
Mr. Chris Buchholz	]	Representatives of Further Objector
Mr. Cliff Dunnaway]	

Ms. Sandra Mak]
Mr. Mike Webber]
Mr. David Tong]
Mr. R.J.F. Brothers]
Mr. Heinz Rust]
Mr. Roger Lau]
Mr. John Leigh]
Ms. Jessica Lam]

Original Objection No. 368

Mr. Shu Lok Shing - Original Objector

87. The Chairman extended a welcome and explained briefly the procedures of the hearing. He then invited the representatives of Government departments to brief Members on the background to the further objections.

88. With the aid of a Powerpoint presentation, Ms. Phyllis Li presented Further Objection No. F1 and covered the following aspects as detailed in Paper No. 7967:

Subject of further objection

- (a) reduction of the Planning Scheme Area from 76.54 ha to 55.17 ha (Proposed Amendment Item A);
- (b) the “Open Space” (“O”) zone to the east of the Hong Kong Convention and Exhibition Centre (HKCEC) Extension (Proposed Amendment Item F);
- (c) the “Other Specified Uses” (“OU”) annotated “Pier” zone (Proposed Amendment Items G1 and G2);
- (d) to meet/partially meet the original objections, the section of the Trunk

Road falling within the Wan Chai North OZP would be in tunnel form, the proposed reclamation was reduced to the absolute minimum required for the construction of the Trunk Road, and the previously proposed reclamation for part of the “Other Specified Uses” (“OU”) annotated “Helipad” zone had been deleted;

Grounds of further objection

- (e) with the reduction of the Planning Scheme Area, the new location for the proposed helipad might adversely affect the navigation route of ferry services running between Wan Chai and Tsim Sha Tsui. There was no overriding public need for reclamation for the proposed helipad;
- (f) the location of the existing Wan Chai Ferry Pier, which would be rezoned to “O” under Proposed Amendment Item F, should be retained for pier use;
- (g) the proposed new location of Wan Chai Ferry Pier under Proposed Amendment Items G1 and G2 was too far from the existing location. Significant patronage diversion of the pier was anticipated due to the longer distance from the central part of Wan Chai;

Further objector’s proposals

- (h) to delete the proposed “OU(Helipad)” zone from the reduced Planning Scheme Area;
- (i) to reduce the area of the proposed open space to the east of the HKCEC Extension and to retain the existing Wan Chai Ferry Pier at its original location with the “OU(Pier)” zoning;

Assessment of the further objection

- (j) the Secretary for Transport and Housing (STH) advised that the

proposed helipad site was for the provision of a permanent helipad, to replace the existing temporary one at the ex-public cargo works area, for the Government Flying Service (GFS) to provide emergency and other government flying services. The site would allow shared use by commercial operators of domestic services, with priority given to Government operations at all times. A thorough site search had been conducted by the Government and the proposed site was the most suitable one that satisfied all the operational requirements of the GFS;

- (k) the proposed helipad would be confined to the footprint of the existing ferry pier at Expo Drive East and therefore, no reclamation was required. The previously proposed reclamation for part of a helipad site on the draft Wan Chai North Outline Zoning Plan No. S/H25/1 was deleted under Proposed Amendment Item A;
- (l) the GFS advised that the proposed helipad would be designed in accordance with relevant safety standards. Detailed study and flight trials would be conducted and approach/departure routings would be set up to minimize adverse effect on the ferry services;
- (m) the existing Wan Chai Ferry Pier would be affected by the proposed reclamation required for constructing the Trunk Road and thus could not be retained at its original location. The overriding public need for the Trunk Road had been demonstrated in the Report on “Cogent and Convincing Materials to Demonstrate Compliance with the Overriding Public Need Test” in respect of the Wan Chai Development Phase II (WDII) project;
- (n) the reprovisioning site of Wan Chai Ferry Pier was located as close to the existing ferry pier as practically possible taking into account the need to maintain ferry services before the new ferry pier was in operation. The new ferry pier would be about 130m from the existing one, equivalent to about 2 to 3 minutes of additional walking. Adequate, easily accessible and pleasant pedestrian access would be

provided to link the new ferry pier with the future public transport interchange nearby; and

Conclusion

- (o) PlanD did not support the further objection in light of the above assessment.

89. With the aid of a Powerpoint presentation, Ms. Phyllis Li went on to present Further Objection No. F2 and covered the following aspects as detailed in Paper No. 7968:

Subject of further objection

- (a) reduction of the Planning Scheme Area, which included the deletion of the previously proposed reclamation area for the “OU (Helipad)” zone (Proposed Amendment Item A);
- (b) the “O” zone to the east of the HKCEC Extension (Proposed Amendment Item F);
- (c) to meet/partially meet the original objections, the section of the Trunk Road falling within the Wan Chai North OZP would be in tunnel form, the proposed reclamation was reduced to the absolute minimum required for the construction of the Trunk Road, and the previously proposed reclamation for part of the “OU(Helipad)” zone had been deleted;

Grounds of further objection

- (d) the proposed reduction of the Planning Scheme Area would reduce the size of the “OU(Helipad)” zone. The area of the zone would not be sufficient for the provision of a permanent heliport in the Central Business District (CBD) for local and cross-boundary services;
- (e) the urgent need for a permanent heliport in the CBD could not be met

with the existing and planned provision in other areas. The heliport at Macau Ferry Terminal (MFT) allowed only the use of twin-engine helicopters and could only accommodate the expected growth in services to Macau. The planned facility at Kai Tak, though allowing the use by single-engine helicopters, would be too late, too small and in a wrong location, which could not serve the tourism and business needs of Hong Kong. Commercial heliport services at the Hong Kong International Airport were impractical, not commercially viable and inappropriate;

Further objector's proposals

Option 1 (preferred option)

- (f) to expand the proposed helipad by rezoning an area to the south from “O” to “OU(Helipad)” and to rezone part of the “O” zone to the immediate west to “OU(Heliport Terminal, Waterfront Related Commercial and Leisure Uses)” with a building height restriction of 20mPD to allow for a terminal building;
- (g) to add new Notes to provide appropriate uses for the “OU (Heliport Terminal, Waterfront Related Commercial and Leisure Uses)” zone;
- (h) to amend the Explanatory Statement (ES) of the Amendment Plan to specify that the intention of the proposed new zone was to serve as a buffer between the open space and the helipad and to provide a raised open public forecourt facing the Golden Bauhinia Square (GBS), public viewing decks, heliport facilities and waterfront commercial facilities which would enliven the waterfront;

Option 2

- (i) to expand the proposed helipad by rezoning an area to the south from “O” to “OU(Helipad)”;

- (j) to amend the Notes of the “OU(Helipad)” zone by including “Helipad Terminal Building” in Column 1;
- (k) to add “and possible cross boundary services” after “local domestic services” in paragraph 8.4.16 of the ES;

Assessment of the further objection

- (l) the STH advised that the Government had planned for sufficient provision of helicopter landing facilities to meet the forecast demand of both domestic and cross-boundary services. The proposed helipad at Wan Chai waterfront was for GFS and commercial domestic helicopter services on a shared use basis, with priority given to Government use at all times. Taking into account operational considerations, it was estimated that the helipad could accommodate about 20,000 domestic movements per annum, in addition to the operation of GFS, which was sufficient to meet the forecast demand up to at least 2020;
- (m) since no reclamation was required for the proposed helipad, the deletion of the previously proposed reclamation for helipad site on the OZP was appropriate;
- (n) regarding the cross-boundary services, the heliport at MFT was not limited to Macau services. With expansion works to be completed by 2009, the heliport at MFT would be able to accommodate 55,000 movements per annum, which was sufficient to meet the forecast demand including that for the Pearl River Delta (PRD) region up to at least 2015;
- (o) the site reserved in Kai Tak for a heliport to accommodate cross-boundary services in the long term would allow the use by single-engine helicopters and would benefit from the synergy effect with the planned cruise terminal and adjacent tourism and commercial facilities;

- (p) the proposed “O” zone to the east of HKCEC Extension was intended for public open space use and expansion of the GBS as a major tourist attraction. It would form part of a continuous waterfront promenade from Wan Chai to North Point for enhancing the visual and physical connectivity at the harbourfront. The further objector’s proposals would reduce the area of the “O” zone, adversely affect the setting and expansion of the GBS and jeopardize the continuity of the waterfront promenade. They would undermine the visual and spatial prominence of the GBS, the existing landscape character and the quality of civic space in the locality, thus contravening the Board’s Vision and Goals for Victoria Harbour and the Harbour Planning Principles and Guidelines of the Harbour-front Enhancement Committee (HEC);
- (q) the proposed helipad at Wan Chai waterfront had been the subject of consultations with the Legislative Council (LegCo) and relevant District Councils and had taken into account public views. In respect of the further objector’s proposal for an expanded heliport, the District Officer (Wan Chai) advised that members of the Planning, Transport and Environmental Protection Committee (PTEPC) of the Wan Chai District Council (WCDC) had different views. Some members supported the enhancement of the heliport facilities and shared-use of the heliport between Government and commercial operators, while others were concerned about the noise pollution and traffic impact. In any event, the members of the PTEPC re-iterated that priority should be given to Government use at all times; and

Conclusion

- (r) PlanD did not support the further objection in light of the above assessment.

90. Mr. Francis K.C. Cheng added that the proposed heliport at Wan Chai waterfront, which would comprise two landing/taking-off pads and one parking pad, was

adequate to cater for the forecast demand of domestic flights up to 2020.

91. The Chairman then invited the representatives of Further Objector No. 1 to elaborate on the further objection. With the aid of a Powerpoint presentation, Mr. Johnny Leung made the following points:

Objection to the proposed helipad

- (a) the navigation routes of ferry services between Tsim Sha Tsui and both the existing and reprovisioned Wan Chai Ferry Pier would fall within 100m from the proposed heliport. During high tide, the masts of the ferries might impose dangers on the helicopters landing on or taking-off from the heliport;
- (b) the noise generated from the landing and taking-off of helicopters would interfere with the ferry crew's reception of collision warning signals from nearby ferries and affect navigation safety. The air current and noise caused by helicopters might also cause nuisance to ferry passengers. It appeared from Paper No. 7967 that the Marine Department had not been consulted on these issues;
- (c) the proposed heliport did not comply with the HEC's Harbour Planning Guideline that "the use to promote vibrancy and diversity and to enhance public enjoyment such as open space, retail, dining, recreation, leisure, cultural and tourism-related facilities should be encouraged to be developed along the harbour-front areas";

Objection to the proposed relocation of Wan Chai Ferry Pier

- (d) the proposed reprovisioning site for Wan Chai Ferry Pier had not fully addressed the needs of ferry operators and passengers. After the relocation of the Star Ferry Pier in Central, there was a reduction of 18% in the number of passengers resulting from moving the pier about 300m away from the previous location. Taking into account the distance of 130m between the proposed and existing pier and the

possible relocation of the Tsim Sha Tsui bus terminus to about 100m away from the Tsim Sha Tsui Ferry Pier, there would be a total increase of 230m of walking distance for ferry passengers between Wan Chai and Tsim Sha Tsui. The business of the ferry operator would be significantly affected;

- (e) the Government had not undertaken any detailed assessment on the adverse impacts of relocating the ferry pier on the business of the ferry operator and the convenience of passengers. Neither had it proposed any necessary measures to mitigate the impacts;
- (f) the Government also had not explained why the currently proposed site was the only feasible option. There should be some better options, e.g. a site to the northwest of the existing pier which was closer to and more conveniently linked with the HKCEC. The ferry operator had not been adequately consulted;
- (g) the Board should require the Government to undertake the following measures before making a decision to relocate the pier:
 - (i) to undertake a detailed assessment on the adverse impact on the ferry services and passengers and a proper site search exercise for the new pier;
 - (ii) to provide covered walkways and travelators in the adjacent “O” zone to facilitate pedestrian linkage between the pier and the HKCEC and nearby commercial areas; and
 - (iii) to relocate the bus terminus and related transport facilities to the vicinity of the new pier.

92. The Chairman then invited the representatives of Further Objector No. 2 to elaborate on the further objection.

93. Mr. Ian Brownlee started the presentation by drawing Members’ attention to the

further objector's statement at Enclosure E1 of Paper No. 7968 and a letter dated 29.11.2007 from Professor Richard Y.C. Wong of the University of Hong Kong tabled at the meeting. He highlighted that:

- (a) section 4 of the objection statement provided useful information to clarify some important issues including the distinction between single-engine and twin-engine helicopters, Government and commercial/private operators, and cross-boundary and local helicopter services;
- (b) section 5 of the statement provided the details of a consultancy study commissioned by the Government and completed in July 2002 (the 2002 Study) which set out the need for developing a permanent heliport in the CBD; and

[Dr. Lily Chiang left the meeting temporarily at this point.]

- (c) Professor Richard Y.C. Wong pointed out in his letter that the demand for cross-boundary helicopter services had been grossly underestimated in the 2002 Study. Based on the actual growth rates of Gross Domestic Product in respect of Guangdong and Macau from 2001 to 2005, the compound annual growth rates in cross-boundary helicopter movements and passenger trips should be 14.2% and 17.1% respectively, instead of 6.4% and 9.4% according to the 2002 Study. There was an urgent need for policy action to cope with the unmet demand for cross-boundary helicopter services in order to preserve Hong Kong's competitiveness in the regional economy.

94. With the aid of a Powerpoint presentation, Sir Michael Kadoorie made the following points:

- (a) his family had a long history of services to Hong Kong. For the benefit of the community as a whole, he would like to extend their services by advocating for a commercial heliport in the CBD;

[Ms. Anna S.Y. Kwong arrived to join the meeting and Dr. Lily Chiang returned to the meeting at this point.]

- (b) there were over 60 million of people residing in the PRD region and 40% of the industrial establishments in the region were owned by Hong Kong people. If Hong Kong wished to retain its pre-eminence in the region, it should retain its economic competitiveness;
- (c) time was an important factor in economic competitiveness. For a heliport located outside the CBD in Kai Tak, the time taken to travel from/to the heliport by road would probably be longer than the flight to the PRD destinations. It would affect the economic competitiveness of Hong Kong;
- (d) having a heliport in the CBD was normal in many world cities, e.g. London and New York. In fact, Hong Kong had over 40 years of history of having a heliport in the CBD operated on a temporary site which had been decommissioned without replacement. The existing planning for the waterfront in the CBD did not include a sustainable heliport; and
- (e) following comprehensive dialogue with the stakeholders, the further objector had obtained extensive public support for its proposals. On 28.2.2005, the Panel on Economic Services and the Panel of Planning, Lands and Works of the LegCo passed a motion to 'urge the Government to expedite the provision of a permanent commercial heliport and associated facilities in the CBD of the Hong Kong Island, and under the principle of no unlawful reclamation, allow the heliport at the HKCEC to accommodate both commercial uses by helicopter operators and Government's uses. The Board should take heed of the LegCo's motion.

95. Dr. Lily Chiang declared an interest for being the President of Hong Kong General Chamber of Commerce which had previously indicated support to the further objector's proposal for a 4-pad heliport in the CBD.

[Dr. Lily Chiang left the meeting at this point.]

96. With the aid of a Powerpoint presentation, Mr. Chris Buchholz briefed Members on the following points relating to the demand for helicopter services:

- (a) there had been a significant growth in the number of helicopter movements from ground level in the CBD from 2001 to 2003, before the previous helipad at Tamar was decommissioned in 2004. The actual number of movements in 2001 and 2003 was 4,790 and 10,831 respectively, representing a growth rate of about 50% per annum. The Government's projection of an annual growth rate of 6.3% was too conservative. Based on the experience of the helicopter industry, the growth rate should be 15% per annum;
- (b) the great demand for helicopter services was also recognized by the Government previously. In 2004, the Government had proposed a heliport in Sheung Wan to cater for 43,000 movements per annum. The proposal was subsequently dropped because the site was too close to residential buildings;
- (c) the heliport proposed by the Government on the Wan Chai waterfront, which would comprise only two pads, would not be sufficient to cater for the demand. According to the further objector's estimation, the proposed heliport could cater for only 9,000 movements per annum, instead of 20,000 movements as predicted by the Government. The actual capacity would be further affected since the GFS would have the priority in using the facility, and the facility might need to be closed from time to time due to adverse weather. Furthermore, requests for commercial helicopter trips were not evenly distributed throughout the day;
- (d) as shown in a graph tabled at the meeting, the capacity of the proposed heliport would be used up by 2015, even under the optimistic estimation of a capacity of 20,000 movements per annum and a conservative

forecast of 6.3% annual growth of demand adopted by the Government;

- (e) the existing heliport at MFT could not relieve the problem since it only allowed the use of twin-engine helicopters while 85% of local flights were by single-engine helicopters. Furthermore, in light of the rapid growth in the Macau services, spare capacity at the MFT heliport was very limited;
- (f) the planned facility at Kai Tak was complementary to the planned cruise terminal. It was not located in close proximity with the CBD and major hotels and conference facilities, and was not readily accessible to most tourists and business people; and
- (h) to address the shortage, there was an urgent need to provide a 4-pad heliport in the CBD.

97. With the aid of a Powerpoint presentation, Mr. Cliff Dunnaway covered the following points relating to the design aspect of the further objector's proposals:

- (a) the heliport proposed by the Government was not a reasonable option due to the inadequate capacity to meet the demand, lack of public amenity building, removal of 1,800m² of public waterfront from public access and insensitive design to the harbour and GBS;
- (b) the following design principles had been followed in the further objector's proposals:
 - (i) to provide a heliport of adequate size for viable shared use between the Government and the private sector;
 - (ii) to generate positive impacts on the waterfront and the GBS;
 - (iii) to provide effective visual and noise separation between the helipad and the GBS;

- (iv) to offer opportunity for a diversity of public space and new harbour viewing points;
 - (v) to retain a continuous public waterfront promenade; and
 - (vi) to provide new opportunities for public activities, amenities and access;
- (c) Option 1 of the further objector's proposal satisfied all the above principles. Option 2 did not include a heliport terminal and community amenity building and would be less effective for the improvement of the waterfront;

[Ms. Anna S.Y. Kwong left the meeting temporarily at this point.]

- (d) the further objector's proposals would bring about a world class heliport in Hong Kong which was unprecedented in the world. With the provision of quality viewing decks and promenade, it would enhance the visual and physical access to the waterfront and connectivity with the harbour. It would provide 1,400m² of usable public space in form of podium and accessible roof top on an area which was currently occupied by a bus turn-around area. It would add more character to the GBS and allow for its transformation into a new 'Golden Bauhinia Plaza' with a diversity of new activity spaces and opportunities for public enjoyment. It would create opportunities for land, sea and air transport connectivity and have no conflict with any known road plans. It would add new opportunity for tourism and vibrancy to the waterfront and provide an exciting new destination for Hong Kong; and

[Ms. Starry W.K. Lee left the meeting temporarily at this point.]

- (e) the above visions could only be achieved by amending the OZP as proposed by the further objector.

98. With the aid of a Powerpoint presentation, Ms. Sandra Mak briefed Members on the

stakeholder engagement exercise undertaken by the further objector:

- (a) before the engagement exercise, the stakeholders generally had little information and might even have some misunderstandings on the proposals. The engagement enabled the further objector to share the information of the proposals and clarify the misunderstandings. The further objector had listened to the stakeholders' views and made changes to the proposals to address the views. For instance, the further objector had abandoned its initial idea of providing a floating heliport, having regard to the HEC's objection to encroachment upon the harbour surface;
- (b) the further objector's proposal was in compliance with the Harbour Planning Principles set by the HEC. The reason for the HEC's not including the proposal into the Concept Plan for WDII was mainly that in a relevant opinion survey, there was only 49% of respondents indicating support to the proposed heliport, but the number of respondents indicating objection was even smaller, i.e. 27%;

[Ms. Starry W.K. Lee returned to the meeting at this point.]

- (c) it appeared that the views of some Members of the Board on the proposed heliport had not been taken into account when the Board discussed the WDII project in August 2006;
- (d) the issue of the provision of heliport facilities had been discussed by the Panel on Economic Services and the Panel on Planning, Lands and Works of the LegCo. On 28.2.2005, the Panels passed a motion urging the Government to expedite the provision of a permanent commercial heliport and associated facilities in the CBD of the Hong Kong Island, and under the principle of no unlawful reclamation, allow the heliport at the HKCEC to accommodate both commercial uses by helicopter operators and Government uses;
- (e) during the consultation with WCDC in 2005, there was concern

amongst members of WCDC on the possible noise nuisance from the heliport operation. To address the concern, the further objector had commissioned a consultancy firm to undertake an assessment, which indicated that the noise to be generated was hardly distinguishable from the ambient noise in Wan Chai. In February 2007, the further objector held an on-site noise test, which some members of WCDC attended;

- (f) the further objector had actively participated in the Wan Chai Festival in January 2007 by operating a booth with the display of a helicopter and a model of the proposed commercial heliport. It had also sent a fleet of helicopters for sky performance in the Festival and the Hong Kong Harbour Day held two weeks ago. The displays and performance were well perceived by the public;
- (g) the proposal was discussed by the Planning, Transport and Environmental Protection Committee of the WCDC on 22.5.2007. As shown in the transcript of the meeting attached to the objection statement at Enclosure E1 of Paper No. 7968, members of the committee supported the use of the heliport by commercial operators;
- (h) the further objector had also organized a series of road shows between April and June 2007 to explain its proposal to the public;
- (i) considerable support had been received from the business sector, the Trade Development Council and the Hong Kong Tourism Board; and
- (j) according to the opinion surveys carried out during the engagement exercise and the National Day holidays in 2007, over 80% of respondents welcomed the proposal.

99. The representatives of the further objector then showed a video at the meeting to recap the major issues covered in their presentation above.

100. With the aid of a Powerpoint presentation, Mr. Ian Brownlee concluded the presentation and made the following points:

- (a) based on the Director of Environmental Protection's advice in paragraph 5.14 of Paper No. 7968 that the subject site was more than 300m away from residential developments and the proposed heliport was not a designated project under the EIAO, noise from the operation of a 4-pad heliport at the site should not affect any sensitive receivers. All other locations in the CBD might have a negative impact on residential development;
- (b) as advised in paragraph 5.15 of the paper, the Transport Department had no objection to the further objector's proposal on traffic grounds;
- (c) relating to the PlanD's comment in paragraph 7(c) of the paper, Members should refer to the graph tabled at the meeting for a more accurate assessment of the forecast demand of helicopter services and the capacity of the planned heliports in Hong Kong;
- (d) the heliport proposed by the Government would have significant negative impact on the adjacent GBS. The noise barrier proposed by the Government would not be as effective as the well designed multi-purpose building proposed by the further objector;
- (e) in making the comments in paragraph 7(b) and (e) of the paper relating to the impacts of the further objector's proposal on the waterfront open space, the PlanD might have made a simple assumption that more open space would be better, which was not necessarily correct. The further objector's proposal would have positive impacts in the area by providing opportunities for additional activities and spaces to add vibrancy and interests to the waterfront;
- (f) the area of the "O" zone proposed by the further objection to be rezoned for a 4-pad heliport was only about 1,980 m², which was insignificant comparing with the vast "O" zone along the waterfront. Moreover, without the further objector's proposal, there would not be a sufficient focus of interests and activities in the waterfront open space;

- (g) contrary to the PlanD's comment in paragraph 7(e) of the paper, the further objector's proposal would comply with the Board's Vision and Goal for Victoria Harbour by enhancing the scenic views of the Harbour and maintaining visual access to the harbour-front; bringing people to the harbour; enhancing the Harbour as a unique attraction for local people and tourists; creating a quality harbour-front through innovative building design, a variety of activities and integrated network of open space and pedestrian links; and maintaining a safe and efficient harbour for the operation of an international hub port; and
- (h) to address the comments made in the paper, an alternative proposal (Option 3) was tabled at the meeting for Members' consideration. Option 3 involved a reduced area for the terminal and amenity building while maintaining 4 pads for the heliport. Option 1 was still the preference of the further objector, with Option 3 as the second choice and Option 2 as the base case acceptable to the further objector.

101. The Chairman then invited Mr. Shu Lok Shing, Original Objector No. 368 to present his comments on the further objections. With the aid of some drawings, Mr. Shu made the following points:

- (a) the proposed heliport site was not suitable since the noise generated by helicopters would become permanent nuisance to the visitors at GBS. The site should be rezoned for waterfront commercial use and outdoor eating place;
- (b) a reclamation area of 0.6 ha for a 3-pad heliport to the north of the ex-public cargo working area or a reclamation of 1.1 ha for a 4-pad heliport should be provided. Consideration should be given to building a 2-storey heliport allowing landing/taking-off at a high level so that less nuisance would be caused to the nearby ferries. A car park should be provided at the waterfront for the users of the heliport. The heliport building should be carefully designed to ensure that it could stand against typhoon;

- (c) the Wan Chai Ferry Pier should be relocated northwards from the existing location. The distance between the repovisioned pier and the proposed heliport would be greater than that under the Government proposal. The new ferry pier would also be closer to the HKCEC. However, the Star Ferry might be subject to greater competition for patronage with the future Exhibition Station of SCL; and
- (d) public viewing decks should be provided on the proposed flyover passing near the new ferry pier and the proposed heliport.

102. Members had the following questions in respect of Further Objection No. F1:

- (a) whether the new ferry pier would be linked with any public transport terminus and MTR station and whether the details of such linkages were available;
- (b) whether the existing heliport at MFT had caused any disruption to the nearby ferry services;
- (c) whether the further objector had assessed its proposals with reference to the Harbour Planning Principles (HPP) set by the HEC; and
- (d) whether there would be any difference in terms of noise generated from the heliport if the number of pads differed.

103. In response to Question (a) above, Ms. Phyllis Li said that the new ferry pier would be linked via a landscape deck to a new public transport interchange and the future Exhibition Station of SCL. Details of such facilities were not shown on the OZP as the OZP only provided a planning framework to guide the land uses and developments in the area. Such details would be worked out in the detailed design of the facilities. Mr. Johnny Leung said that in the absence of the details, it could not be assured that the future public transport and pedestrian arrangements for the new ferry pier were adequate. Any future pedestrian linkages between the ferry pier and the public transport facilities would not be sufficiently convenient if they were not in form of covered walkway or travelator.

104. In response to Questions (b) to (d), Mr. Johnny Leung made the following points:

- (a) the existing heliport at MFT was located on an elevated structure which was much higher than the ferry routes. The nuisance caused by the noise from the helicopters at MFT to ferry crew was less than that from the proposed at-grade helipad on Wan Chai waterfront;
- (b) the further objector's proposals were in line with the HPP since a properly designed and serviced ferry pier would facilitate public access and enhance public enjoyment of the waterfront. The proposed covered walkway, travelator and public transport interchange would improve the accessibility of the pier; and
- (c) to what extent the ferry crew would be affected by helicopter noise would depend on various factors, such as the flight path of the helicopters, time for helicopter's swirling above ground, and level of the helipad. Based on the Government's proposal to have an at-grade helipad, the noise to be generated would significantly affect the crew regardless of the number of pads provided.

105. In response to Members' questions, Mr. Peter Cheek added the following points:

- (a) the 100m obstacle limitation area for the helipad as mentioned in paragraph 5.5 of Paper No. 7967 should not be taken as an exclusion zone for any mobile obstacles. If a ferry passed within the area, helicopter operation would simply be suspended until the obstacle was cleared. Therefore, the helicopter operation would not have impact on navigation safety. The Marine Department had been consulted during the study of the proposed helipad and no adverse comment was raised; and
- (b) regarding the further objector's proposal of relocating the pier to the west of the existing one, Mr. Peter Cheek said that the currently proposed site was the furthest west location that was practical taking

into account the need to maintain ferry services during the construction of the new pier;

106. Mr. Johnny Leung said that the further objector had only been consulted on the proposal of relocating the pier to the northeast of the existing one. Apart from providing details of the operation of ferry services, the further objector had not been involved in the site search exercise of the new ferry pier.

107. Mr. L.T. Ma asked whether it would be possible to adjust the ferry navigation route so as to avoid its conflict with the helicopter flight path. Mr. Johnny Leung responded that changing the navigation route would lead to a longer travel time and would affect the competitiveness of ferry services.

108. Capt. West Wu said that the proposed helipad was required to serve Government's flying tasks for emergency services. There was no other suitable site on the Hong Kong Island to serve this purpose. The occasional conflict also happened in the existing temporary helipad in Wan Chai. According to the pilot's operation manual, taking-off and landing would be suspended whenever a ferry entered the specified safety zone. The same practice would be adopted in the future heliport. Mr. Johnny Leung said that the proposed heliport would also be used by commercial operators. He was concerned that the high frequency of helicopter landing/taking-off activities would affect the operation of the ferry services.

109. Members had the following questions on Further Objection No. F2:

- (a) in relation to the forecast demand for helicopter services, what were the reasons for the discrepancies between the forecasts prepared by the further objector and the Government; whether the figures of 'CBD Ground-level Heliport Demand' as shown in the graph tabled at the meeting included cross-boundary movements; and whether the 10,831 movements in 2003 included the Government flying services. Also, whether there was any figure showing the actual number of movements from 2003 to 2006;
- (b) whether two-engine helicopters had to be used for cross-boundary flights;

- (c) whether any information was available on the noise to be generated from single-engine helicopters;
- (d) whether the further objector would like to respond to the comment of the Director General of Civil Aviation (DG of CA) in paragraph 5.13 of Paper No. 7968 that its proposal for a 4-pad heliport did not comply with the regulations of the International Civil Aviation Organization (ICAO regulations);
- (e) what the major destinations of local flights were;
- (f) whether the PTEPC of WCDC had passed any motion to support the further objector's proposal;
- (g) whether the members of the PTEPC of WCDC were aware that the "O" zone adjacent to the proposed heliport would be reduced if 4 pads were provided as proposed by the further objector;
- (h) whether Option 3 as shown in the drawing tabled by the further objector at the meeting was the same as that in its Powerpoint presentation;
- (i) whether the proposal under Option 3 would allow a continuous waterfront promenade and provision of customs, immigration and quarantine (CIQ) facilities;
- (j) whether the heliport terminal building proposed by the further objector had nay planning merit by serving as a buffer between the helipad and the open space; and
- (k) whether the further objector would like to elaborate on its comments that the Government's proposal would remove some public open spaces.

110. In response to Questions (a) and (b) above, Mr. Francis K.C. Cheng made the following points:

- (a) the demand for local helicopter services varied significantly in the past few years. While there had been significant growth from 2001 to 2003, the demand dropped subsequently as follows:

<u>Years</u>	<u>No. of movements</u>
2003	10,800
2004	8,400
2005	7,800
2006	3,400
2007 (first 10 months)	2,400

- (b) in light of the previous market situation, the further objector's assumption of an annual growth rate of 15% on top of the peak figure in 2003 was an over-estimation. The design capacity of 20,000 movements per annum of the proposed heliport was reasonable and adequate to meet the forecast demand;
- (c) in 2004, the previous helipad in Central was decommissioned and the Government granted a short term tenancy (STT) for a site in West Kowloon to a commercial operator for helipad use. Due to low demand for local helicopter services, the operator terminated its business before expiry of the STT. Since the purpose of most local flights were for sight-seeing by tourists and West Kowloon was readily accessible, the location outside the CBD should not be a reason for the low usage of the helipad in West Kowloon as claimed by the further objector;
- (d) the Government had previously proposed to provide a 4-pad heliport in Sheung Wan with a capacity of handling 43,000 movements. However, the site was not accepted by the helicopter industry since it was not located in the CBD. The proposed site on the Wan Chai waterfront, which was in the CBD but of a smaller capacity, was a compromised proposal;

[Ms. Anna S.Y. Kwong returned to the meeting at this point.]

- (e) cross-boundary services were currently accommodated mainly by the heliport at MFT. With a design capacity to handle 30,000 flights per annum, the heliport was more than adequate to meet the current demand of about 17,000 flights per annum. To plan for future growth, expansion to the heliport at MFT was underway and would be completed in 2009, which would increase the capacity to 55,000 flights per annum. Additional facility was also planned at Kai Tak (i.e. South East Kowloon). Since there would be sufficient provision for cross-boundary services, the proposed heliport in Wan Chai would focus on the local flights. Furthermore, it would be more cost effective to provide the cross-boundary heliport at MFT and at Kai Tak (where a cruise terminal would be developed) so that shared use of CIQ facilities was possible; and
- (f) currently, all cross-boundary flights were by two-engine helicopters. However, this was a market and operation decision by helicopter operators rather than a regulatory requirement set by the Government.

111. In response to Questions (a) and (e), Mr. Chris Buchholz made the following points:

- (a) the figures of 'CBD Ground-level Heliport Demand' shown in the graph tabled at the meeting did not include cross-boundary movements, and the 10,831 movements in 2003 did not include the Government flying services;
- (b) the Government's forecast was too conservative, failing to take into account the rapid economic growth in recent years. As shown in the graph, the growth rate from 2001 to 2005 should be about 50% per annum and in 2003, the total number of movements had already exceeded the capacity of a 2-pad heliport as proposed by the Government. The further objector's forecast was based on decades of actual operational and commercial experience and was more realistic;
- (c) the great demand for a ground-level heliport at CBD could not be

satisfied by the heliport at MFT, which served mainly the scheduled services to Macau. With the opening of many new casinos in Macau, the movements at MFT had been increasing rapidly in recent years. Even with the expansion works, there would be no scope for non-scheduled helicopter services. Furthermore, majority of the non-scheduled services used single-engine helicopters which were not allowed in the heliport at MFT;

- (d) the previous helipad in West Kowloon was closed down mainly because of the inconvenient location rather than insufficient demand. From overseas experience, heliports serving non-scheduled flights should be located at CBD; and
- (e) most of the local flights were tourism-related. Many tourists staying in the hotels on Hong Kong Island would be unwilling to travel to Kowloon to take helicopter. There were also increasing demand for shuttle between the CBD and the Hong Kong International Airport.

112. Mr. David Tong added the following points in respect of Members' questions at paragraph 26(a) above:

- (a) during the period between 2004 and 2006, helicopter operators had to use the elevated helipad at the Peninsula Hotel which only allowed for the use by two-engine helicopters. The local helicopter services became very expensive and unaffordable by the tourism industry in general; and
- (b) the high demand for local services was reflected in a paper submitted by the then Economic and Labour Bureau to the LegCo in 2004. According to the paper, a helipad of 7,000m² with a capacity for 43,000 movements per annum should be provided. The scale of the heliport as proposed by the Government on Wan Chai waterfront would not be able to meet the demand.

113. In response to Question (c) above, Ms. Sandra Mak said that a noise impact assessment had been submitted by the further objector, which was at Appendix 1 of the

objection statement at Enclosure E1 of Paper No. 7968.

114. In respect of Question (d) above, Mr. Mark Webber said that one of the four pads proposed by the further objector would comply with the ICAO requirement to have two take-off climb and approach surfaces separated by not less than 150°. Furthermore, flights to Mainland China and Macau were not considered as international flights under the ICAO regulations. It was only the interpretation of DG of CA that the ICAO requirement should apply to cross-boundary flights to Mainland China and Macau. Capt. Johnny Lee clarified that there was no distinction under the ICAO regulation between a helipad for cross-boundary flights and one for domestic flights. Both types of helipads should satisfy the requirement to have two take-off climb and approach surfaces separated by not less than 150°.

115. In response to Question (f) above, Ms. Sandra Mak referred Members to the transcript of the meeting of the PTEPC of the WCDC on 22.5.2007 at Appendix 5 of the objection statement and said that many members of the committee had indicated support for the further objector's proposals. At the PTEPC meeting, the further objector's representatives had asked the Chairman whether a motion would be passed to confirm members' support but were advised that it would not be necessary. Ms. Phyllis Li clarified that as advised by the District Officer (Wan Chai) in paragraph 5.16 of Paper No. 7968, members of the PTEPC had raised different views on the further objector's proposal and no motion was passed. On the other hand, the Government's proposal had undergone extensive public consultation. In this regard, Mr. L.T. Ma advised that according to the report of public engagement activities, 49% of respondents to an opinion survey supported the provision of the helipad on the Wan Chai waterfront as indicated on the WDII Concept Plan, 27% did not support and 24% had no opinion. In view of the concerns of the public on the provision of a helipad at the concerned location, it was important to ensure that the provision in terms of number of pads would not be excessive.

[Ms. Starry W.K. Lee left the meeting at this point.]

116. In response to Question (g) above, Ms. Sandra Mak said that Members of the PTEPC were well aware of the implications of the further objector's proposal. Furthermore, there were Government representatives at the meeting on 22.5.2007, who should have briefed the members on the implications if considered necessary. Members of the PTEPC

generally supported the proposal since it would lead to an enhancement of the area as a whole.

[Mr. Michael K.C. Lai left the meeting at this point.]

117. In respect of Questions (h) and (i), Mr. Ian Brownlee made the following points:

- (a) the drawing of Option 3 in the Powerpoint presentation was only a conceptual illustration of an alternative proposal. Members might refer to the tabled drawing for the exact rezoning proposal; and
- (b) the proposal under Option 3 would allow a continuous waterfront promenade and provision of CIQ facilities. As shown in a model submitted by the further objector, part of the waterfront promenade could be provided at an elevated level to add variety and interest to the area. Instead of impinging on the GBS, the further objector's proposal would enhance the GBS as a whole. The design of the helipad and the building would be subject to the approval by the Board;

[Ms. Sylvia S.F. Yau left the meeting at this point.]

118. Ms. Phyllis Li commented that the six-storey building under the further objector's proposal would block off the physical and visual access to the waterfront. Ms. Sandra Mak responded that the six-storey building shown in the drawing was only a conceptual proposal. As far as sufficient facilities were provided to make the area vibrant, the building could be of a lower height.

119. In response to Question (j) above, Ms. Phyllis Li said that a buffer would also be provided under the Government's proposed helipad. Provision of a bulky building to serve as buffer to a larger heliport could not be considered to have planning merit. Mr. David Tong said that providing more pads would help reduce the noise impact since it would reduce the waiting time for landing and allow the parking of helicopters to wait for the next trip with the engines shut down.

120. In response to Question (k) above, Mr. Cliff Dunaway said that under the

Government's proposal, the existing temporary ferry pier would be demolished to make way for the helipad. The surface of the pier, which was currently a well used public promenade and sitting-out place, would be subsumed with the helipad without replacement. Ms. Phyllis Li clarified that the existing ferry pier served primarily as a pier rather than a public open space. Under the OZP, a continuous at-grade waterfront promenade would be allowed along the waterfront for public enjoyment.

121. Mr. L.T. Ma added that detailed design for the helipad proposed by the Government had not yet commenced. The image of the Government's helipad provided by the further objector in the Powerpoint presentation had no bearing on the actual design of the Government's proposal. According to the Notes of the OZP, planning permission from the Board was required for the design of the helipad. Details including the layout of the pads, noise barriers, ancillary buildings and architectural features would be submitted to the Board for consideration. Furthermore, it was a planning choice of whether more flexibility should be allowed for helipad use by reducing the area reserved for GBS. Open spaces to be provided elsewhere might not be able to complement the setting of the GBS which had significance, in particular, during festive functions.

[Professor David Dudgeon and Dr. Michael Chiu left the meeting at this point.]

122. As the representatives of further objectors and Original Objector No. 368 had finished their presentations and Members had no further question to raise, the Chairman informed them that the hearing procedures for the further objections had been completed. The Board would deliberate and decide on the further objections after completing the whole hearing process on 11.1.2008 and inform the further/original objectors of the Board's decision in due course. The Chairman thanked the representatives of the further objectors, Original Objector No. 368, and the representatives of the THB, CAD and GFS for attending the meeting. They all left the meeting at this point.

[Mr. Felix W. Fong, Mr. B.W. Chan and Ms. Ava Chiu left the meeting at this point.]

Part IV

Agenda Item 9

[Open meeting]

Consideration of Further Objections No. F8 to F10 in respect of the Proposed Amendments to the Draft Wan Chai North Outline Zoning Plan No. S/H25/1

(TPB Paper No. 7973)

[The hearing was conducted in Cantonese.]

Original Objections

No. 30 and 778

123. The Chairman said that Further Objections No. F8 to F10 were related to Original Objections No. 30 and 778, which were lodged by Mr. Law Chiu Ning and Hong Kong Institute of Architects (HKIA) respectively. Professor Bernard V.W.F. Lim and Ms. Anna S.Y. Kwong had declared interests for being the past President and a Council Member of HKIA respectively. Members noted that Professor Lim had tendered apologies for not attending the meeting.

[Ms. Anna S.Y. Kwong left the meeting at this point.]

124. The Chairman said that no reply had been received from Original Objector No. 778 as to whether it would be represented at the hearing. As sufficient notice had been given to the original and further objectors, Members agreed to proceed with the hearing in the absence of the Original Objector No. 778.

125. The following Government team was present at the meeting:

Mr. Nicholas Cooney	Outside Counsel
Mr. Raymond Chan	Senior Assistant Law Officer (Civil Law), Department of Justice
Ms. Phyllis Li	- Chief Town Planner/Special Duties, Planning Department (PlanD)
Miss Katy Fung	Senior Town Planner/Special Duties, PlanD
Mr. L.T. Ma	Project Manager (HK Island & Islands), Civil Engineering and Development Department (CEDD)

Mr. Bosco Chan	Chief Engineer/Hong Kong (2), CEDD
Mr. C.K. Lam	Senior Engineer/Project Management (HK Island and Islands), CEDD
Mr. M.L. Wan	Deputy Project Manager/Major Works(2), Highways Department (HyD)
Mr. C. Y. Wong	Senior Engineer 1/Central Wanchai Bypass, HyD
Mr. S.L. Law	Senior Engineer 3/Central Wanchai Bypass, HyD
Mr. K.K. Lau	Deputy Commissioner/Planning & Technical Services, Transport Department (TD)
Mr. C. Y. Chan	Senior Engineer/Housing and Planning, TD
Mr. Eric Ma)
Mr. Peter Cheek	) Maunsell Consultant Asia Ltd.
Ms. Carmen Au)
Mr. Freeman Cheung	- ENSR Asia (HK) Ltd.

126. The following representatives of further/original objectors were also invited to the meeting at this point:

Mr. Lam Kit Wah, Derek	}	
Mr. Chan Tak Yeung	}	
Mr. Wong Sai Kit	}	Representatives of Further Objector No. F8
Mr. Fung Shu Shum	}	
Mr. Tong Kam Bor)	
Mr. Tsoi Sau Kin	)	Representatives of Further Objector No. F9 and F10
Mr. Chow Chi Hang]	
Dr. Chow Kit Bing]	
Mr. Fung Yiu Chung	]	Representatives of Further Objector No. F9
Mr. Wong Wing Lok]	

- Mr. Richard T.C. Ma - Further Objector No. F10
- Mr. Law Chiu Ning - Original Objector No. 30 and representative of Further Objection No. F9 and F10

127. The Chairman extended a welcome and explained briefly the procedures of the hearing. He then invited the representatives of Government departments to brief Members on the further objections.

128. With the aid of a Powerpoint presentation, Ms. Phyllis Li presented the case and covered the following aspects as detailed in the Paper:

Subject of further objections

- (a) the zoning of a portion of the eastern breakwater of Causeway Bay Typhoon Shelter (CBTS) as “Other Specified Uses” (“OU”) annotated “Central – Wan Chai Bypass Exhaust Vent” (Proposed Amendment Item N); and
- (b) to meet/partially meet the original objections, the section of the Trunk Road falling within the Wan Chai North OZP would be in tunnel form. The tunnel portal and the East Ventilation Building (EVB) of the Central – Wan Chai Bypass (CWB) were located in North Point. The exhaust vent of the EVB was located at the eastern breakwater of the Causeway Bay Typhoon Shelter (CBTS);

Grounds of further objections

- (c) residents along the North Point waterfront would suffer an increase of exhaust and noise from the additional traffic from the tunnel portal of the Trunk Road and existing traffic from Island Eastern Corridor (IEC);
- (d) the proposed exhaust vent was too close to residential buildings and would be operated on a 24-hour basis. The concerned residents would suffer from air pollution and noise from the exhaust vent;

- (e) the exhaust vent with a height of 25mPD would have adverse visual impact at the Victoria Harbour;

Further objectors' proposals

- (f) to relocate the exhaust vent to:
 - the northern breakwater of CBTS (proposed by Further Objector No. F9);
 - the western end of the northern breakwater of CBTS (proposed by Further Objectors No. F8 and F10);
 - the northern end of the western breakwater of CBTS (proposed by Further Objectors No. F8 and F9);
- (g) to adopt a low-rise design for the exhaust vent (proposed by Further Objector No. F8) and the structure of the exhaust vent should be 3m high (proposed by Further Objector No. F9); and
- (h) other proposals as set out in paragraph 4.3 (d) to (h) of the Paper.

129. Mr. Eric Ma went on to brief Members on the assessment of the further objections as detailed in paragraph 5 of the Paper. He made the following main points:

- (a) the current proposal of installing three ventilation buildings for the CWB tunnel, i.e. the West Ventilation Building (WVB) in Central, the Central Ventilation Building (CVB) in Wan Chai and the EVB in North Point, was the optimum arrangement in terms of engineering practicality, environmental benefits and visual compatibility with the surrounding environments;
- (b) to address the concerns raised by the local residents on air quality during previous public consultations, proposals had been made to shift

the EVB from the tunnel portal to the eastern edge of the CBTS, separate the exhaust vent from the main part of the EVB and relocate the exhaust vent to the northern tip of the eastern breakwater of CBTS. To further reduce possible noise and air pollution to residents, the air intake and exhaust would be designed to face towards Victoria Harbour and the CBTS and away from residential buildings. An innovative electrostatic precipitator system would also be incorporated in the tunnel ventilation system, which could remove about 80% of the respirable suspended particles from the tunnel exhaust. Furthermore, the design of the EVB would be optimised by putting the main plants underground with the installation of silencers which met the worst case scenario of emission during traffic congestion;

- (c) the Wan Chai Development Phase II (WDII) and CWB were designated projects under the Environmental Impact Assessment (EIA) Ordinance. According to the EIA report submitted to the Director of Environmental Protection, the projects, with the proposed mitigation measures, would comply with the legislative requirements. A copy of the full EIA report was deposited in the Secretariat;
- (d) the method of calculation used by Further Objector No. F9 to obtain the result of 86% increase in the air pollutant level was over-simplified and had grossly over-estimated the increase in air pollutant level in the following aspects:
 - (i) the ambient or background pollutant level caused by other sources had not been taken into account;
 - (ii) the polluted air from the westbound traffic between the EVB and the CVB would be exhausted through the CVB;
 - (iii) only 300m of the IEC between Oil Street and Hing Fat Street was taken into account as the only pollutant source to Victoria Centre and as a base for gauging the change in pollutants. It appeared to be an under-estimation;

- (e) the exhaust vent could be designed with a theme compatible with the waterfront setting to create a harmonious visual relationship with the Harbour. In this regard, a lighthouse design was proposed in the EIA report submitted to DEP. The design could be further refined in the planning application stage;

- (f) the further objectors' proposal of relocating the exhaust vent to the western breakwater of CBTS was practically not feasible due to the following constraints:
 - (i) the energy efficiency of the proposal was low as the tunnel emission would have to pass through an air ventilation duct of 1,020m long extending from the currently proposed EVB location;

 - (ii) it was extremely risky to construct the air ventilation duct and vertical shaft in close proximity to the two important pieces of infrastructures located on both sides of the western breakwater, namely, the cross harbour gas main and the immersed tube section of the Cross Harbour Tunnel (CHT);

 - (iii) in order to bring the air ventilation duct to the ground level and extend it to the western breakwater, a substantial portion of the Royal Hong Kong Yacht Club (RHKYC) site would be affected;

- (g) the further objectors' proposal of relocating the exhaust vent to the western end of the northern breakwater of CBTS was practically not feasible due to the following constraints:
 - (i) the energy efficiency of the proposal was low as the tunnel emission would be required to pass through an air ventilation duct of an additional length of 630m long extending from the currently proposed EVB location;

- (ii) the proposal would be in conflict with the alignments of CHT and the future Shatin to Central Line (SCL). To provide a safe clearance from the SCL, the exhaust vent, if built on the northern breakwater, had to be located towards the eastern end. The distance between the exhaust vent and the nearest residential buildings would not be much greater than that under the current proposal. There would be no tangible benefit to local residents while the construction cost would be increased by about HK\$57M;

- (h) the further objectors' proposal of reducing the height of the exhaust vent (paragraph 4.3(c) of the Paper) was not feasible. To facilitate air dispersion and discharge and prevent the tunnel exhaust from affecting future users of the breakwater, a height of 20m was required for the exhaust vent;

- (i) the proposal of building additional ventilation facilities (paragraph 4.3(e) of the Paper) would not be cost effective as it would not help reduce the resultant pollutant levels at the sensitive receivers by any noticeable degree;

- (j) the proposal of banning the use of heavily polluting vehicles in CWB (paragraph 4.3(g) of the Paper) was not necessary since the EIA, which had taken into account of heavily polluting vehicles, indicated that the predicted air pollutant levels at the nearby Air Sensitive Receivers (ASRs) would be in compliance with the Air Quality Objectives (AQO). Restricting heavy vehicles to use CWB would divert these vehicles to use the at-grade east-west corridor, which would result in a deterioration of the air quality in the area; and

- (k) the proposal of installing air-filtering machines within the concerned flats (paragraph 4.3(h) of the Paper) was considered not necessary since it was more effective to contain or reduce the extent/degree of pollution at source directly. The predicted air quality under the current proposal

would comply with the requirements of the AQO.

130. Ms. Phyllis Li concluded the presentation of the Government team and said that based on the above assessment, the Planning Department did not support the further objections.

[Mr. K.Y. Leung left the meeting temporarily at this point.]

131. The Chairman then invited the representatives of the further objectors to elaborate on the further objections.

132. With the aid of some plans, drawings and photographs, Mr. Lam Kit Wah, Derek elaborated on Further Objection No. F8 and made the following points:

- (a) the proposed exhaust vent at the eastern breakwater of CBTS was very close to Harbour Heights and will impose serious environmental and visual impacts on the residents;
- (b) as indicated in the extract of EIA report at Enclosure F of the Paper, the air quality impact of the proposed exhaust vent and the EVB were assessed by using a specific computer model. There was no evidence that the same results could be obtained by using another model. Furthermore, by adopting the average figures of pollutant concentration in calculation, the assessment failed to take into account the sensitivity of individual residents to pollution;

[Mr. K.Y. Leung returned to the meeting at this point.]

- (c) it appeared from the EIA report that the predicted noise level at Harbour Heights was exactly the same as the minimum standard set out in the relevant Technical Memorandum. No allowance had been made in the assessment to address any slight error in assumption or calculation; and
- (d) the CWB project was to alleviate the traffic congestion at Gloucester Road. It was unfair that residents in Harbour Heights and the Tin Hau

area should bear the adverse environmental impacts resulting from the project.

133. Mr. Chan Tak Yeung supplemented the following points on Further Objection No. F8:

- (a) there were objections from over 900 owners and 3,000 residents of Harbour Heights to the proposed exhaust vent on the eastern breakwater of CBTS. The exhaust vent was in conflict with the major objectives of town planning to enhance residents' health and good living, promote the prosperity of the society and benefit the next generation;
- (b) with pollutants, odour and heat, the exhaust emission would adversely affect the residents' health and living quality. The exhaust vent, which would be a structure equivalent to an eight-storey building, would also destroy the current view of the harbour; and
- (c) the economic and social losses resulting from health deterioration of the residents would far exceed the cost for relocating the vent to other areas.

134. Mr. Fung Shu Shum, another representative of Further Objection No. F8, added that although the louvre of the exhaust vent was designed to face the harbour, it could not resolve the environmental impact on the residents since the sea breeze would blow the emission back inland.

135. With the aid of a Powerpoint presentation, Mr. Tong Kam Bor elaborated on Further Objection No. F9 and made the following points:

- (a) the Government's proposal for the ventilation of the CWB did not address the environmental concerns of the local residents. 410 signatures had been collected from the residents of Victoria Centre raising objection to the proposed exhaust vent;
- (b) for the assessment of air quality impact, the vehicular emission should be the only parameter taken into account. The consultant's inclusion of the ambient emission in assessment was not acceptable. According

to the further objector's calculation, the Government's proposal would lead to an increase of 86% in vehicular emission in the Tin Hau and Fortress Hill area. The criticisms made in paragraph 5.6(b) and (c) of the Paper on such calculation were biased;

- (c) the proposed exhaust vent at the eastern breakwater was only about 240m from the Victoria Centre which comprised buildings of about 120m high. The exhaust emission would be trapped in the Tin Hau and Fortress Hill area, which was a high-density residential area. The problem would be aggravated since the in-take of air by the EVB would create a low pressure area which would draw the emission inland;
- (d) the exhaust vent would constitute an eye-sore in the Harbour;
- (e) the three ventilation buildings under the proposal would be unevenly distributed. The EVB was separated from the CVB by 2,900m while the separation between the CVB and the WVB would only be 1,600m. To improve the distribution, the EVB should be relocated to an area to the west of the RHKYC, with the exhaust vent relocated to the northern tip of the western breakwater;
- (f) under the further objector's proposal, the air quality at Wan Chai and Causeway Bay would be improved by 21%. With a separation of about 420m from the nearby high-rise buildings, the proposed exhaust vent at the western breakwater would have sufficient space for the dispersion of exhaust emission. The proposal should be technically feasible as it would not involve any reclamation and would not be in conflict with any major infrastructures and historical buildings; and
- (g) to save the land and manpower resources, consideration should be given to building a combined ventilation system for CWB and SCL.

136. Dr. Chow Kit Bing added that there was grave concern amongst the residents on the adverse environmental and visual impacts of the exhaust vent proposed by the Government. Although the EIA indicated that the proposal was in compliance with the

relevant technical requirements, it was not reasonable having regard to the well-being of the residents. She urged the Board not to accept the Government's proposal of the exhaust vent.

137. Mr. Richard T.C. Ma then elaborated on Further Objection No. F10. He said that the proposed exhaust vent with a height of 25mPD would affect the fung shui and destroy the harmony in the area. To reduce the scale of the exhaust vent, an additional exhaust vent should be provided to share the amount of emission.

138. The Chairman then invited Mr. Law Chiu Ning, Original Objector No. 30, to present his comments on the further objections. With the aid of some photographs and drawings, Mr. Law made the following points:

- (a) the proposed exhaust vent at the eastern breakwater would need to handle the emissions from the tunnel between the HKCEC and North Point. It would cause adverse environmental impact to the nearby residents. It would also constitute an eye-sore at the Harbour and would affect the international image of Hong Kong. The exhaust vent would be in conflict with the Board's vision to make Victoria Harbour attractive, vibrant, accessible and symbolic of Hong Kong; and
- (b) to address the problems, the exhaust vent should be relocated to the western or northern breakwaters. An internally installed exhaust vent should be provided, with the breakwaters beautified for public access and enjoyment. There should be no insurmountable constraints for such proposal.

139. Members had the following questions:

- (a) whether the further objectors' proposals of relocating the exhaust vent to the northern or western breakwaters were acceptable;
- (b) whether there was any land available for an additional ventilation building between the CVB and North Point as proposed by the further objectors;

- (c) whether the recommendation of not putting the exhaust vent on the western breakwater was based more on technical considerations or cost consideration;
- (d) whether the further objectors would accept a proposal of relocating the exhaust vent to the eastern end of the northern breakwater;
- (e) whether there was any scope for reducing the height of the proposed exhaust vent or changing its design to make it more attractive;
- (f) whether it was possible to reduce the height of the exhaust vent if the breakwater was not open to public access;
- (g) whether it had been demonstrated in the EIA that the residents would not suffer from unacceptable noise nuisance at all times including midnight;
- (h) whether the further objectors' comment that the predicted noise level in the EIA was exactly the same as the minimum standard set under the relevant Technical Memorandum was correct; and
- (i) whether there would be any stand-by system to ensure that the pollution abatement plants would continue to operate in case of emergency.

140. In response to Members' questions, Mr. Eric Ma made the following points:

- (a) it was not feasible to put the exhaust vent on the western breakwater mainly due to the high risk of constructing ventilation duct and shaft in close proximity to the cross harbour gas main and the immersed tube section of CHT locating on both sides of the breakwater;
- (b) in view of the serious technical constraints imposed by the CHT and the proposed SCL, the exhaust vent could not be located at or near to the western end and the middle portion of the northern breakwater. If

immersed tube tunnel was to be used for the construction of the proposed SCL, the breakwater might be partially removed and sufficient working space would be required for the construction of the SCL. It would impose further constraint on locating the exhaust vent at the western and middle portions of the breakwater. To cope with these constraints and allow sufficient clearance from the proposed SCL, the exhaust vent, if built on the northern breakwater, had to be located at the eastern end which would not bring about any tangible benefits as compared with the current proposal;

- (c) without further reclamation, it was unlikely that land would be available in Wan Chai for an additional ventilation building as proposed by the further objectors. The current proposal of providing three ventilation buildings for the CWB tunnel was an optimum arrangement;
- (d) while the additional cost for the installation, maintenance and management of the facilities was one of the considerations in assessing the further objectors' proposal for relocating the exhaust vent to the western breakwater, the technical constraints were the determining factors for not accepting the proposal;
- (e) the height of the proposed exhaust vent was about 25mPD, which would comprise a 7.5m-high louvre and a 12.5m-high stack standing on the breakwater of 5mPD. Taking into account the needs to allow an acceptable air discharge velocity, achieve the required air flow rate and prevent the tunnel exhaust from affecting the future users of the breakwater, the scope for reducing the height was limited;
- (f) a lighthouse design was proposed in the EIA report submitted to DEP. The design could be further refined in the planning application stage;
- (g) as shown in the EIA, with the implementation of proper mitigation measures, the noise at the sensitive receivers would be kept to a level well below the minimum standard under the relevant Technical Memorandum at all times. In fact, most of the noise would come from

the traffic on IEC instead of the ventilation facilities. The traffic noise from IEC would be reduced upon the completion of the CWB since some of the traffic would be diverted to a tunnel. Noise barriers would also be installed to further reduce the noise;

- (h) the EIA was undertaken in accordance with the best practices normally adopted in Hong Kong. Professor Dennis Y.C. Leung of the University of Hong Kong had been invited to review the methodology of the air quality assessment, who had subsequently confirmed that the approach, assumptions and analysis were in order; and
- (i) there would be a stand-by system to ensure that the pollution abatement plants would continue to operate in case of emergency.

141. In response to Question (d) above, Mr. Lam Kit Wah, Derek and Mr. Tong Kam Bor said that they would not accept the proposal of relocating the exhaust vent to the eastern end of the northern breakwater as it would not contribute any significant benefit in environmental term. Mr. Lam added that there should not be any insurmountable problem nor unmanageable risk in respect of the proposal of putting the exhaust vent on the western breakwater. Mr. Tong said the separation between the western breakwater and the cross harbour gas main and CHT should be sufficient to avoid any technical constraints.

142. Mr. Tong Kam Bor said that the noise barrier to be erected on the flyover adjacent to the residential buildings could not effectively protect the residents from noise nuisance since the noise could still be transmitted underneath the flyover. Furthermore, the noise assessment should be focused on the project itself without taking into account the existing traffic noise from the IEC.

143. Mr. Law Chiu Ning reiterated that a combined ventilation system should be provided for CWB and SCL. Mr. Eric Ma responded that the SCL was still under planning and it was understood that the functions of the ventilation design were different. It might not be feasible to provide a combined ventilation system for the two independent projects.

144. As the representatives of further objectors and Original Objector No. 30 had finished their presentation and Members had no further question to raise, the Chairman

informed them that the hearing procedures for the further objections had been completed. The Board would deliberate and decide on the further objections after completing the hearing of other further objections scheduled for 11.1.2008 and inform the further/original objectors of the Board's decision in due course. The Chairman thanked the Government team, the representatives of the further objectors and Original Objector No. 30 for attending the meeting. They all left the meeting at this point.

Agenda Item 10

[Open meeting]

Consideration of Representation No. 6 in respect of the Draft North Point Outline Zoning Plan No. S/H8/21

(TPB Paper No. 7964)

[The hearing was conducted in Cantonese.]

145. The following Government team and the representer were invited to the meeting at this point:

Mr. Nicholas Cooney	Outside Counsel
Mr. Raymond Chan	Senior Assistant Law Officer (Civil Law), Department of Justice
Ms. Phyllis Li	- Chief Town Planner/Special Duties, Planning Department (PlanD)
Mr. Eric Ma	- Maunsell Consultant Asia Ltd.

Representer

Mr. Richard T.C. Ma

146. The Chairman extended a welcome and explained briefly the procedures of the hearing. He then invited the representatives of Government departments to brief Members on the background to the representation.

147. Ms. Phyllis Li presented the case and covered the following aspects as detailed in the Paper:

Subject of representation

- (a) the representer opposed to
 - (i) the “Other Specified Uses” (“OU”) annotated “Landscape Deck Over Central – Wan Chai Bypass Tunnel Portal” zone (Amendment Item A1); and
 - (ii) the “OU (Central – Wan Chai Bypass Ventilation Building)” zone (Amendment Items D1 and D2);

Grounds of representation

- (b) residents along the North Point waterfront would suffer an increase of exhaust and noise from proposed East Ventilation Building (EVB) for the Central – Wan Chai Bypass (CWB), the additional traffic from tunnel portal and existing traffic from Island Eastern Corridor (IEC);
- (c) the proposed EVB and its exhaust vent would cause adverse air, noise and visual impacts in the area;
- (d) Watson Road Rest Garden would be cancelled either temporarily or permanently due to the Trunk Road project;

Representer’s proposals

- (e) to relocate the EVB and its exhaust vent to the western end of the northern breakwater of the CBTS;
- (f) to construct two additional ventilation facilities to dilute the pollutants;
- (g) to reduce the capacity of the ventilation facilities so that the land requirement and noise impact of each ventilation facility could be reduced;

- (h) to change the car parking area along Victoria Centre to a tree planting area to make up the loss of Watson Road Rest Garden;
- (i) other proposals detailed in paragraph 3.3(e) and (f) of the Paper.

Assessment of the representation

- (j) the assessment of the part of the representation relating to the EVB and its exhaust vent had been largely covered in the hearing of the Further Objections No. F8 to F10 in respect of the proposed amendments to the draft Wan Chai North Outline Zoning Plan No. S/H25/1 in the preceding agenda item. Details of the assessment were set out in paragraph 4 of the Paper;
- (k) in respect of the part of representation relating to Watson Road Rest Garden, only a small portion of the garden will be occupied temporarily for the construction works of the Trunk Road. The rest of the garden would remain open for public use during the construction works. The area used for the temporary works would be reinstated after the completion of the project; and

Conclusion

- (l) PlanD did not support the representation in view of the above.

148. The Chairman then invited Mr. Richard T.C. Ma to elaborate on his representation. Mr. Ma had no further comments to make as his points had also been expressed in the preceding agenda item.

149. Members had no questions on the representation.

150. The Chairman informed Mr. Richard T.C. Ma that the hearing procedures for the representation had been completed. The Board would deliberate and decide on the representation after completing the hearing of the other representations scheduled for 11.1.2008 and inform him of the Board's decision in due course. The Chairman thanked

Mr. Ma and the Government team for attending the meeting. They all left the meeting at this point.

Agenda Item 11

[Open meeting]

Consideration of Representation No. 8 in respect of the Draft North Point Outline Zoning Plan No. S/H8/21

(TPB Paper No. 7965)

[The meeting was conducted in Cantonese.]

151. The Chairman said that in view of the length of the meeting and with the consent of the representatives of the representer, the hearing of the representation would be re-scheduled to 11.1.2008.

Agenda Item 12

[Open Meeting]

Request for Deferral of Section 12A Application No. Y/H24/4

Application for Amendments to the Zonings of Different Sites at the Central Harbourfront and the Notes for Various Zones on the Approved Central District Outline Zoning Plan No. S/H4/12 and Approved Central District (Extension) Outline Zoning Plan No. S/H24/6

(TPB Paper No. 7975)

[The meeting was conducted in Cantonese.]

152. The Secretary said that the applicant had previously requested the Board to defer the hearing of the application in order to allow time to submit additional information to address comments from relevant Government departments on the application and to clarify components of the rezoning proposals. On 30.11.2007, the applicant requested for a deferment of the hearing of the application until 11.1.2008 so that the applicant could further discuss with the Planning Department in relation to the rezoning proposals and the recently completed International Planning and Design Competition for the Central harbourfront organized by the applicant. The request met the criteria set out in the TPB Guidelines No.

33.

153. After deliberation, the Board agreed to the request for deferment and that the application should be submitted to the Board for consideration on 11.1.2008 as requested by the applicant, subject to no further information requiring publication to be submitted by the applicant.

Agenda Item 13

[Open Meeting]

Request for Deferral of Section 16 of Application No. A/K5/646

Proposed Comprehensive Development for Residential, Commercial and Community Uses with Public Open Space Provision in “Comprehensive Development Area” zone, Urban Renewal Authority Development Scheme Area at Lai Chi Kok Road/Kweilin Street and Yee Kuk Street (335-365 Lai Chi Kok Road, 55-65 Kweilin Street, 190, 202-212 and 213-219 Yee Kuk Street, Sham Shui Po

(TPB Paper No. 7976)

[The meeting was conducted in Cantonese.]

154. The Secretary said that the application was submitted by the Urban Renewal Authority (URA) and the following Members had declared interests:

Mrs. Ava S.Y. Ng as the Director of Planning)	
Miss Annie Tam as the Director of Lands	)	Being non-executive directors of URA
Mr. Walter K.L.Chan)	
Ms. Margaret Hsia as the Assistant Director (2) of Home Affairs Department	-	Being a co-opt member of the Planning, Development and Conservation Committee of URA
Dr. Greg C.Y. Wong)	
Professor Bernard V.W.F. Lim	)	Having current business dealings with URA

155. Members noted that Dr. Greg C.Y. Wong, Professor Bernard V.W.F. Lim, Miss Annie Tam and Ms. Margaret Hsia had tendered apologies for not attending the meeting while Mr. Walter K.L. Chan had already left the meeting. As the applicant had applied for deferment, Mrs. Ava Ng was allowed to stay at the meeting.

[Mrs. Ava S.Y. Ng left the meeting at this point.]

156. The Secretary said that the request was for deferment of consideration of the application in order to allow sufficient time to clear some technical issues with relevant Government departments. The request met the criteria set out in the TPB Guidelines No. 33.

157. After deliberation, the Board agreed to the request for deferment and that the application should be submitted to the Board for consideration within two months upon receipt of further submission from the applicant. The Board also agreed to advise the applicant that a period of two months was allowed for preparation and submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 14

Any Other Business

[The meeting was conducted in Cantonese.]

158. There being no other business, the meeting was closed at 7:45 p.m.