

Harbour-front Enhancement Committee
Sub-committee on Wan Chai Development Phase II Review

Minutes of Eleventh Meeting

Date : 20 April 2006
Time : 2:30 p.m.
Venue : Conference Hall,
3/F, 3 Edinburgh Place,
Central, Hong Kong

Present

Mr. Leung Kong-yui	Chairman Representing Chartered Institute of Logistics and Transport in Hong Kong
Mr. Charles Nicholas Brooke	
Mr. Steve Chan	
Dr. Chan Wai-kwan	
Dr. Alvin Kwok	Representing The Conservancy Association
Mr. Hardy Lok	Representing Society for Protection of the Harbour Limited
Dr. Greg Wong	Representing Hong Kong Institution of Engineers
Mr. Paul Zimmerman	Representing Business Environment Council
Mr. Thomas Chow	Deputy Secretary (Transport) 1, Environment, Transport and Works Bureau
Mr. Robin Ip	Deputy Secretary (Planning and Lands) 1, Housing, Planning and Lands Bureau
Mr. K K Lau	Deputy Commissioner for Transport/Planning and Technical Services, Transport Department
Mr. L T Ma	Project Manager/Hong Kong Island and Islands, Civil Engineering and Development Department
Mr. Wan Man-leung	Deputy Project Manager (Major Works) 2, Highways Department
Ms. Phyllis Li	Chief Town Planner/Special Duties (1), Planning Department
Mr. Donald Wong	Assistant District Officer (Wan Chai), Home Affairs Department
Mr. Bosco Chan	Secretary

In Attendance

Ms. Lydia Lam	Assistant Secretary (Planning) 3, Housing, Planning and Lands Bureau
Mr. George Tsoi	Assistant Secretary (Transport) 5, Environment, Transport and Works Bureau
Mr. S K Lam	Chief Engineer/Hong Kong (2), Civil Engineering and Development Department
Ms. Iris Tam	Representing City Planning Consultants Ltd
Miss Flora Lai	Representing City Planning Consultants Ltd
Dr. Sujata S Govada	Representing City Planning Consultants Ltd
Ms Betty Ho	Representing City Planning Consultants Ltd
Dr. Winnie Law	Representing City Planning Consultants Ltd
Mr. Dickson Lo	Representing Maunsell Consultants Asia Ltd
Mr. Peter Cheek	Representing Maunsell Consultants Asia Ltd

Absent with Apologies

Dr. Ng Mee-kam	Representing Citizen Envisioning@Harbour
Mr. Stephen Chan	
Mr. Patrick Lau	

Action

Item 1 Confirmation of minutes of last meeting

- 1.1 The revised draft minutes of the 10th meeting circulated on 19 April 2006 were confirmed with no amendment.

Item 2 Matters Arising

- 2.1 **The Chairman** informed members that the Sub-committee would report the outcome of the Envisioning Stage of the HER project to the Town Planning Board (TPB) on 21 April 2006. Following that, the Sub-committee would also brief the Legislative Council (LegCo) Planning, Lands and Works (PLW) Panel and concerned District Councils (DCs). Briefing to the LegCo PLW Panel was scheduled on 23 May 2006 and briefings to the concerned DCs would be within the second to third week of May 2006.

- 2.2 **The Chairman** asked members' view on whether the Sub-committee should also brief the collaborators. **Mr. Charles Nicholas Brooke** supported the idea but opined that a clear message should be conveyed to the collaborators. He suggested that the approach should be reviewed at a later stage of the meeting.
- 2.3 **Dr. Chan Wai-kwan** noted that a rent of \$13,113 per month for the new billboard erected near the Cross Harbour Tunnel approach was comparatively low. He opined that the billboard might well be used for promoting to protect the Harbour such as providing a window through the billboard for visual access to the harbour.
- 2.4 **Mr. Paul Zimmerman** shared the view of Dr. Chan Wai-kwan. He reiterated that government's work in that respect had not been sufficient.
- 2.5 **Mr. Charles Nicholas Brooke** said that the overall revenue from the various billboards should be considered in order to make up a case for negotiating the removal of the billboard.
- 2.6 **The Chairman** suggested providing more details like location and terms of the tenancy etc., for further discussion. **Mr. Robin Ip** agreed to follow up with Lands Department. **Dr. Chan Wai-kwan** also asked for government's intended arrangement of the billboard after the expiry of the current lease by end June 2006.
- 2.7 **Mr. Paul Zimmerman** recalled that there was a motion in the HEC several months ago in relation to erection of billboards. In response, **the Chairman** said that according to the motion only new billboard would be referred to the HEC and whether it would apply to existing billboard had to be clarified.

HPLB

Item 3 Consultants' findings on Trunk Road Alignments and Harbour-front Enhancement

3.1 **The Chairman** said that in response to members' request for more information on the overall Trunk Road design including horizontal and vertical alignments and harbour-front enhancement ideas, the consultants had prepared a comprehensive report for discussion in the meeting.

3.2 **Mr. Peter Cheek** presented their report with the aid of a powerpoint presentation. He highlighted the following points:-

- Constraints on the Trunk Road alignment through the WDII area included the existing development in Wan Chai north, the Cross Harbour Tunnel and the MTR Tsuen Wan Line, the proposed Northern Island Line and Shatin Central Line, existing services and infrastructures along the northern shore of Wan Chai.
- 3 alignments for constructing the Trunk Road, that is the "offshore", "foreshore" and "inland" alignments had been investigated. The "offshore" alignment was not feasible due to the conflicts with the HKCEC, the high risk involved in crossing over the Cross Harbour Tunnel and the problem with providing connecting slip roads in Wan Chai and Causeway Bay. The inland alignment was also not feasible due to the conflicts with existing developments and structures at the approach to the Cross Harbour Tunnel. The foreshore alignment was the only reasonable and practical solution.
- There was not enough safety clearance with the MTR Tsuen Wan Line if the Trunk Road tunnel, descending at the maximum allowable gradient from the connection at Rumsey Street Flyover, was to go under it. Therefore, the Trunk Road had to cross above the MTR Tsuen Wan Line instead and the top of the Trunk Road tunnel structure would be above the sea level thus constituting reclamation under the Protection of the Harbour Ordinance (PHO). At the eastern end, the Trunk Road, if constructed by tunnel, would have to rise from below the seabed for connecting to

the existing Island Eastern Corridor (IEC) flyover. Reclamation would be required for the transition section. Existing land to the east of the CBTS was not big enough for the tunnel portal and associated seawall structure. Additional reclamation would be required.

- Deep tunnel option with eastern portal further east would involve more reclamation and therefore not recommended.
- Although the “shallow water” idea along the Wan Chai shoreline offered an approximate area of 4.5 hectares of water saved, the 1.5 hectares for the tunnel structure above seabed together with 2.5 hectares for the protective breakwater would be reclamation under PHO. Furthermore, the breakwater would create a body of embayed water giving rise to environmental concerns. Similar situation occurred in the area of North Point.
- There was no possible “no-reclamation” alignment as all options considered would require some form of reclamation.
- 3 variations of the Tunnel Option had been investigated. Variation 1 would require the least amount of reclamation and had the least impact on existing traffic, highway structures and Victoria Park. The construction cost for Variation 1 would be the lowest. Opportunities for harbour-front enhancement at Causeway Bay would be more under Variations 2 and 3, but a significant part of Victoria Park would be affected.
- When comparing the Flyover Option with Tunnel Variation 1, the total affected area of the harbour would be more under the Flyover Option. The Flyover Option would have more impact on traffic and existing highway structures during construction. It would have significant visual impact along the harbour-front and inferior with respect to air and noise impacts to the environment. The Flyover Option would also offer limited opportunities for harbour enhancement and for improving access to the harbour-front. The Tunnel Option would serve better to protect and preserve the Harbour than the Flyover Option.
- None of the ground level highway infrastructure including road P2 and slip roads impinged directly on the areas for prime water-front activities and harbour-front accessibility. The Harbour Planning Principles (HPPs) would not be

compromised.

- For the 3 variations of the Tunnel Option, 5 areas for harbour-front enhancement were identified, i.e. the area to the west of the HKCEC, area to the east of HKCEC, the ex-PCWA, the CBTS and along the North Point shoreline. On the other hand, for the Flyover Option harbour-front enhancement opportunities were limited to the two sides of the HKCEC.

3.3 **Mr. Peter Cheek** summarised the way forward as follows:

- Further briefings to DCs, LegCo, HER collaborators and other stakeholders.
- Further consideration by the Sub-coimmittee of the findings on harbour-front enhancement and Trunk Road alignments and form of construction.
- Prepare the Concept Plan.
- Arrange public engagement to arrive at consensus on the Concept Plan.
- Prepare draft RODP and draft OZP.

3.4 **Mr. Robin Ip** noted that the Consultants had explained that all possible Trunk Road alignments through the WDII area would require some reclamation. He stressed that government should comply with the requirements under the PHO and the judgement of the Court of Final Appeal (CFA). The government should only adopt the option which required the minimum amount of reclamation in order to meet the overriding public need (OPN) test. In addition, social, economic and environmental factors should also be considered. He requested members to pay particular attention to the visual impacts caused by the Flyover Option to the harbour-front, especially in the ex-PCWA area and Causeway Bay. He said that the Consultants had already pointed out that the Flyover Option was inferior to the Tunnel Option. He further requested members to consider the issues of area of reclamation, impact on traffic, opportunities for harbour-front enhancement, construction time and cost when assessing the different variations of the Tunnel Option.

3.5 **Mr. Thomas Chow** remarked that the Expert Panel on

Sustainable Transport Planning and Central-Wan Chai Bypass (CWB) had taken into account all views that were collected from the public and the Transport Department before concluding their report which indicated overall support for the construction of the CWB and the planned connecting slip roads. The Sub-committee had already accepted the report. He mentioned that, given the long time already spent on examining the transport case for constructing the CWB, the Sub-committee should now focus on the selection of a Trunk Road alignment which could best benefit the public. He anticipated that the traffic problem along the Gloucester Road/Harcourt Road/Connaught Road Central corridor would continue to worsen before the completion of the CWB. There was a pressing need to finalise the alignment of the Trunk Road as soon as possible for the relevant departments to start the detailed design and prepare for the funding application.

- 3.6 **Mr. K K Lau** indicated that traffic forecast data under the scenario without the slip roads had been provided to the Expert Panel for consideration. The Expert Panel had concluded their support to the construction of the connecting slip roads together with the CWB. The slip roads currently proposed were the bare minimum to meet the traffic needs. He added that a slip road No. 9 in the old scheme which provided lower beneficial effect to the road network and might involve extra reclamation had already been deleted from the current Trunk Road scheme.
- 3.7 **Mr. L T Ma** hoped that the comprehensive report prepared by the Consultants could provide members the required information on the possible form of construction for the Trunk Road and the associated ideas for harbour-front enhancements. He added that the construction of the Trunk Road offered a very good opportunity for provision of a continuous water-front promenade from Central to Causeway Bay and an uninterrupted extension of the Victoria Park to the harbour-front. He pointed out that the layout of the Road P2 was strategically designed to follow the alignment of the Trunk Road so as to minimise the footprint for roads. He

indicated that the impact to the existing traffic during the construction of the slip roads was also an issue for consideration by members.

- 3.8 **Ms. Phyllis Li** emphasised that the requirements under the PHO should be complied with strictly when carrying out the WDII Review, which would provide a basis for preparing a revised Outline Zoning Plan for Wan Chai North. She pointed out that the Tunnel Option could provide better connectivity between the harbour-front and the hinterland areas and better scope for harbour-front enhancement. On the other hand, the Flyover Option had major visual impact on the harbour-front.
- 3.9 **The Chairman** pointed out that the main objective of the meeting was not to select one of the options proposed by the Consultants but to screen out those options that the Consultants considered not technically feasible. The remaining feasible options would be presented to the public at the Realization Stage for seeking their views. It was not the responsibility of the Sub-committee to select an option for the Trunk Road but to facilitate the process of public participation in the review process.
- 3.10 **Mr. Charles Nicholas Brooke** pointed out that the majority of the members did not possess the required expertise and should therefore avoid getting into details. He mentioned that the Sub-committee should focus on the ultimate planning of the area with reference to the HPPs. He was of the view that the Sub-committee should consider which option would be in the best long term interest of Hong Kong, not only for this generation but also for the future generations. He preferred the Tunnel Option to the Flyover Option. He opined that the difference in the cost for the 3 variations of Tunnel Option was insignificant over the project life time. In terms of the ultimate solution and ultimate benefits to Hong Kong, he would opt for Tunnel Variation 2.
- 3.11 **Dr. Chan Wai-kwan** commented that the Consultants' report was well written. In response to his request for elaboration

on why the “shallow water” idea was not practical or reasonable, **Mr Peter Cheek** explained that under the “shallow water” idea, reclamation above the Trunk Road tunnel structure required for its construction would be removed so as to provide a shallow depth of water above the tunnel structure and to retain the water body at that location. In order to protect the tunnel structure, which would be above the seabed level, from collision against marine vessels, a protective breakwater was required. However, the protective breakwater could not offer any practical use for harbour-front enhancement purposes, but on the other hand the land formed above the tunnel structure under the conventional cut-and-cover method of construction could be used for harbour-front enhancement. All in all, he stated that the “shallow water” idea had no benefit over the conventional method of construction. **Dr. Chan Wai-kwan** said that the “shallow water” idea offered a different mode of harbour-front enhancement and if the protective breakwater could be utilized, it might also be a possible scenario for harbour-front enhancement.

3.12 **The Chairman** said that more information regarding the “shallow water” idea should be presented to the public for consideration and the Consultants should clarify whether the affected ferry pier could be reprovisioned on the protective breakwater taking into account the accessibility issue and the expected water quality within the embayed water body.

3.13 **Mr. Paul Zimmerman** made the following points regarding the Consultants’ report.

- The protective breakwater under the “shallow water” idea could also serve as a wave protection for water-based activities within the enclosed water body.
- Is the area within the “shallow water” considered as reclamation?
- The trade-off on the slip roads had not been addressed.
- The possibility of providing more at-grade pedestrian crossings.
- Would it benefit harbour-front enhancement if the current highway design standards were changed?

- Would there be a better arrangement for connecting the Trunk Road to the IEC so as to facilitate future submerging of IEC?
- The connection of the Aberdeen Tunnel to the CWB was not indicated.

3.14 In response to the suggestion of **Mr. Paul Zimmerman** to discuss what constituted reclamation under the PHO, **the Chairman** said that it might be better to raise it at the next HEC meeting because that issue would also be of interest to other sub-committees as well. **Dr. Chan Wai-kwan** agreed that clarification on the definition of reclamation should be a matter for the HEC and suggested the Sub-committee to raise it at the next meeting. **Mr. Charles Nicholas Brooke** concurred.

3.15 **The Chairman** reminded members that the design details would not be discussed at the meeting as the main purpose of the meeting was to agree on option(s) of the Trunk Road and harbour-front enhancement ideas that could be presented to the public.

3.16 **Mr. L T Ma** reminded that the existing Wan Chai Ferry Pier might be compromised under the “shallow water” idea and the tunnel administration building near the portal at North Point might have a similar problem. **Mr. Dickson Lo** supplemented that the protective breakwater in Wan Chai could not offer the same opportunities for harbour-front enhancement when compared with those if land is formed. For the tunnel administration building, he indicated that it would be situated above the tunnel structure. He further pointed out that the depth of water would be about 1 meter and water quality of the enclosed water body would be a major concern rendering it not suitable for activities. He also highlighted that a continuous harbour-front promenade might be preferred from the harbour-front enhancement perspective.

3.17 **Mr. Thomas Chow** pointed out that the ferry services provided at the existing ferry pier in Wan Chai were

important as they served to help reduce the number of vehicles in the Wan Chai area. There would be a negative impact on land transportation if the “shallow water” idea were adopted and as a result the ferry services had to be terminated.

3.18 **Mr. Hardy Lok** stressed that there was no intention from members of the Sub-committee to delay the progress of the project. He opined that the delay was caused by the non-compliance with the PHO in the first instance resulting in the ruling of the CFA. He then asked the following two questions:

- Would the amount of reclamation required be reduced if the number of traffic lanes of CWB were reduced from 3 to 2?
- The Expert Panel Report recommended that the development in Central and Wan Chai had to be controlled. Had the Consultants considered the capacity of the CWB if that control was made?

3.19 Regarding Mr. Hardy Lok’s second question, **the Chairman** pointed out that the Expert Panel supported construction of the CWB as an medium-term measure and for the long-term, the Expert Panel recommended government to establish a mechanism to control the traffic growth through land use planning. **Mr. K K Lau** further supplemented that the Expert Panel had adopted the principle of sustainable development in considering the traffic issue in Central and Wan Chai. He stated that traffic forecast data that were submitted to the Expert Panel indicated that the CWB was still required even if there was no new development within CRIII. Regarding the number of lanes required for the CWB, **Mr. K K Lau** pointed out that the traffic forecast data in their submission to the Expert Panel had already proved that 3 lanes were required.

3.20 In response to the earlier question raised by Mr. Paul Zimmerman regarding the slip roads, **Mr. K K Lau** reiterated that the traffic forecast data in their submission had showed that the traffic condition along the Connaught Road

Central/Harcourt Road/Gloucester Road corridor could not be alleviated without the slip roads. Regarding the connection of the Aberdeen Tunnel to the CWB, he indicated that the connection would be improved although indirectly as Slip Road No. 8 in the east and Road P2 in the west would alleviate the traffic conditions along the existing connecting roads.

3.21 Regarding Mr. Hardy Lok's questions, **Mr. Thomas Chow** reiterated his earlier remark urging the Sub-committee not to further discuss the need of the CWB and slip roads as their need had already been affirmed by the Expert Panel. The report of the Expert Panel was submitted in October 2005 and subsequently accepted by the Sub-committee. He pointed out that it would not be in the public interest to repeat the discussion on the need of the CWB. **Mr. Paul Zimmerman** disagreed and said that the Expert Panel was working on traffic data only. He opined that the Expert Panel had not looked into other factors such as land use and impact on harbour-front enjoyment and thus their recommendations were made solely from a transport perspective.

3.22 In summarizing the discussion up to that moment, **the Chairman** pointed out that the Consultants had highlighted the following conclusions:-

- There was no possible "no-reclamation" alignment
- "offshore" and "inland" alignments were not feasible and the "foreshore" alignment was the most reasonable and practical alignment for the Trunk Road
- Deep tunnel option should not be pursued due to additional reclamation required

Mr. Dickson Lo supplemented that another factor for their suggestion of not to pursue the Deep Tunnel Option was that it was not feasible to provide all the slip roads that were required.

3.23 **The Chairman** said that although sufficient data had been presented to the Expert Panel, it would be beneficial if the traffic condition for the scenario without the slip roads could be presented in layman terms for easier appreciation by the

public. In response, **Mr. K K Lau** said that their submission to the Expert Panel had already been written in rather plain language. However, he accepted the Chairman's advice and would further improve the presentation. He also pointed out that according to the drawings provided by the Consultants, the slip roads would have no conflict with pedestrian crossings. He further remarked that the Sub-committee should consider the impact of the slip roads on the long term benefits of Hong Kong. **The Chairman** supplemented that the public could readily appreciate the problem if the traffic data could be converted into a more easily comprehend form (e.g. length of vehicle queue). **Mr. Thomas Chow** agreed and would request Transport Department to work on that respect. However, he reminded the Sub-committee that the Expert Panel had concluded that the slip roads were needed.

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- 3.24 **Mr. Steve Chan** mentioned that focus should not be limited to transport issues but on the overall planning and sustainable development of Hong Kong. He supported the “shallow water” idea and proposed to lower the Trunk Road tunnel so as to allow the construction of underground drains for improving water quality. He also suggested moving the protective breakwater further away from the shoreline to increase the area for water-based activities.
- 3.25 **Dr. Greg Wong** said that chapter 5 of the Consultants' report on harbour-front enhancement was the more important chapter as he opined that the Sub-committee should focus on how the harbour-front could be enhanced in terms of improving accessibility and vibrancy of the harbour-front. He pointed out that there was no major difference amongst the 3 variations of the Tunnel Option proposed by the Consultants. For the “shallow water” idea, he said that it might be an additional option provided that water quality of the embayed water could be improved and the depth of water could be increased.
- 3.26 **Dr. Alvin Kwok** shared the views of Dr. Greg Wong. He also supported **the Chairman's** suggestion to use layman

terms to explain the need of the slip roads. He opined that the public should be presented with an informed choice which should include the three pillars covering the CWB, traffic management measures and water-front enhancement. He reminded that the Expert Panel had pointed out that CWB alone could not solve the problem and should be supplemented with other traffic management measures. He also reminded that the proposed harbour-front enhancement ideas have to be tested against the developed sustainability principles and indicators.

- 3.27 **Mr. L T Ma** agreed that the Expert Panel had recommended that the CWB would have to be supplemented by ERP or other traffic management measures. Before the completion of the CWB, the government would be required to implement some traffic management measures to avoid further deterioration of the traffic problem. Those matters would be addressed by Transport Department and the Consultants would focus on the CWB and harbour-front enhancement.
- 3.28 **Mr. K K Lau** thanked Mr. Steve Chan and Dr. Alvin Kwok for reminding the Sub-committee to adopt a sustainable approach when considering the traffic problem. He reiterated that the traffic congestion could not be solved if the slip roads to the Trunk Road were not provided. On the other hand, if the slip roads were constructed, v/c ratio for the Connaught Road Central/Harcourt Road/Gloucester Road corridor would be around 0.9 in 2016.
- 3.29 **Mr. Charles Nicholas Brooke** reiterated that “packaging” would be very important. He stressed that the focus should be on the outcome and urging to move forward so as to allow the public to shape the future of Hong Kong.
- 3.30 **Dr. Chan Wai-kwan** asked whether the Sub-committee should form a stance on the Consultants’ report. He noted that those 3 variations of the Tunnel Option had almost the same alignment. He expressed concern that the Sub-committee might be misunderstood by the public as being assisting government to promote the construction of the

CWB. So, he also stressed that the Sub-committee should focus on the different forms of harbour-front enhancement provided under the different variations of the Tunnel Option.

- 3.31 **Dr. Greg Wong** said that he did not share the concern of Dr. Chan Wai-kwan. He agreed that opportunity for variation in the alignment of CWB was very limited between Central and North Point. On the other hand, he said that the Sub-committee should be seen by the public as assisting them in promoting more choices for harbour-front enhancement.
- 3.32 **Mr. Paul Zimmerman** reiterated that Business Environment Council (BEC) supported the construction of “a” CWB, not “the” CWB and that BEC had agreed that the detailed design of the slip roads would be left to be dealt with later when commenting on the Expert Panel report. He reinstated his earlier statement that the Expert Panel worked on traffic data only. Regarding holistic planning, he would ask for provision of tram along the harbour-front and to advance the implementation of the MTR North Hong Kong Island Line (NIL).
- 3.33 **Ms. Iris Tam** stated that as the public engagement consultants, they would like to assist the technical Consultants, Maunsell, to screen out some unnecessary options before presenting the Concept Plan to the public. She reminded that the Concept Plans had yet to be prepared and details needed for comparison had to be presented.
- 3.34 **Ms. Phyllis Li** stated that the Court had referred the draft OZP for Wan Chai North to TPB for reconsideration to ensure full compliance with the PHO. She said that when reviewing the draft OZP, a holistic approach would be adopted for integrated land use and transport planning together with harbour-front enhancement. The CWB would be the major component for the revised draft OZP. Other considerations included planning, transport and environmental considerations would also be covered. She pointed out that those options of the CWB which could not meet the requirements under PHO should not be pursued and

reminded members to pay attention to the limitations posed by the relevant law when considering the harbour-front enhancement, transport infrastructure and land use planning in the area.

3.35 **The Chairman** then summarised the discussion saying that there were common views from members in the approach for harbour-front enhancements. He also noted that there was no objection from members to the Consultants' conclusion on the following points.

- “offshore” and “inland” alignments were not feasible and the “foreshore” alignment was the most reasonable and practical alignment for the Trunk Road.
- Deep Tunnel Option should not to be pursued
- There was no possible “no-reclamation” alignment

Regarding the proposed slip roads and the “shallow water” idea, he said that members would like the relevant government departments and the Consultants to provide the following further information.

- Expected water quality of the embayment in the “shallow water” idea, feasibility of means of improving the water quality and clarification on whether the submerged tunnel would be reclamation; and
- Traffic implications if the slip roads were not provided.

He also said that the members observed that the various harbour-front enhancement ideas differed at the CBTS area only and members considered that there was the need to discuss at the HEC meeting on the definition of reclamation.

3.36 **Dr. Greg Wong** pointed out that while the technical viability of the “shallow water” idea need to be investigated, it was also important to establish whether the option is considered as “reclamation” under PHO. He added that if legal advice on the “shallow water” idea showed that the chance of it infringing the PHO was high, there was no point to present the option to the public.

3.37 **Dr. Alvin Kwok** supplemented that the implementation of the

medium-term and long-term measures proposed should be binding. **The Chairman** opined that it would be the subject for further discussion of the Sub-committee if the government failed to implement any of the measures.

- 3.38 **The Chairman** requested members for their views on whether to keep the Flyover Option. **Mr. Charles Nicholas Brooke** opined that tactically the Flyover Option should be kept to illustrate that the alternatives were better. He indicated that there were detrimental impacts of the flyover compared with the other options.
- 3.39 In response to **Dr. Greg Wong's** question, **Mr. Dickson Lo** pointed out that the major impact of the Flyover Option to harbour-front would be at the ex-PCWA and CBTS. He added that the Flyover Option had no impact on the fairway within the Victoria Harbour.
- 3.40 **Dr. Chan Wai-kwan** indicated no objection to retain the Flyover Option. However, he suggested that the Sub-committee should come up with a stance that the Flyover Option was inferior to the other options in terms of opportunities for harbour-front enhancement.
- 3.41 **Mr. L T Ma** commented that whilst whether the protective breakwater and the submerged shallow tunnel should be regarded as reclamation needed further clarification, the land formation, seawall and backfilling behind the seawall, for the 3 tunnel variations, as presented in the Consultants' report were clearly reclamation under PHO. With the different extents of reclamation due to the different connection arrangements at the eastern side, the compliance with PHO should be checked. He was of the view that further clarification of the definition of reclamation would not affect such consideration.
- 3.42 **The Chairman** stated that the Sub-committee agreed that reclamation, if found necessary, should be kept to the minimum. The only point that required further clarification was what constituted reclamation under the "shallow water"

idea.

- 3.43 **Mr. Charles Nicholas Brooke** reiterated that the Sub-committee should focus on the outcome and solution. He believed that it would finally be a trade off in coming up with the right answer.
- 3.44 **Ms. Phyllis Li** said that subject to legal advice, any form of works affecting the seabed should be regarded as reclamation. For that reason, the protective breakwater and submerged tunnel in the “shallow water” idea involved reclamation and did not present a better alternative from the PHO point of view.
- 3.45 **The Chairman** remarked that the interpretation on the definition of reclamation under PHO should be subject to legal advice.
- 3.46 **Mr. L T Ma** said that the forthcoming briefings to TPB, DCs and LegCo PLW Panel were to report on the outcome of the Envisioning Stage of the HER project, to share with them the information that was collected so far and to collect their views. After the briefings, the Consultants would be instructed around June 2006 to start the Concept Plan preparation work.
- 3.47 **Mr. Dickson Lo** said that even if the Trunk Road was constructed by the conventional cut-and-cover method, a big pond could still be provided at the land formed to achieve the effect of the “shallow water” idea.
- 3.48 **Dr. Chan Wai-kwan** reminded that the legal advice to be sought must be specific.

Item 4 Any Other Business

- 4.1 There being no other business, the meeting was adjourned at 5:40 p.m.

Secretariat, HEC Sub-committee on
Wan Chai Development Phase II Review
June 2006