

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

Minutes of 1st Meeting

Date : 11 August 2004
Time : 2:30pm
Venue : Conference Room at 15/F,
North Point Government Offices,
333 Java Road, North Point, Hong Kong

Present

Mr. Leung Kong-yui	Chairman Representing Chartered Institute of Logistics and Transport in Hong Kong
Dr. Ng Mee-kam	Representing Citizen Envisioning@Harbour
Dr. Alvin Kwok	Representing Conservancy Association
Dr. Greg Wong	Representing Hong Kong Institution of Engineers
Mr. Hardy Lok	Representing Society for Protection of the Harbour Limited
Mr. Charles Nicholas Brooke	
Mr. Chan Tak-chor	
Dr. Chan Wai-kwan	
Mr. Thomas Tso	Deputy Secretary (Planning and Lands)1, Housing, Planning and Lands Bureau
Ms Ernestina Wong	Principal Assistant Secretary (Transport)5, Environment, Transport and Works Bureau
Mr. Anthony Kwan	Assistant Director/Metro, Planning Department
Mr. L T Ma	Project Manager/Hong Kong Island and Islands, Civil Engineering and Development Department
Mr. K K Lau	Deputy Commissioner for Transport/Planning and Technical Services, Transport Department
Miss Pauline Wong	District Officer (Wan Chai), Home Affair Department
Mr. Adrian Ng	Project Manager (Major Works), Highways Department
Mr. Bosco Chan	Secretary

In Attendance

Mr. S K Lam	Chief Engineer/Hong Kong (2), Civil Engineering and Development Department
Ms Christine Tse	District Planning Officer/Hong Kong, Planning Department
Mr. Andrew Cheung	Assistant Secretary (Planning)2, Housing, Planning and Lands Bureau
Ms Portia Yiu	Assistant Secretary (Planning)4, Housing, Planning and Lands Bureau
Mr. Bryan Li	Senior Executive Officer (Planning), Housing, Planning and Lands Bureau
Mr. Dickson Lo	Representing Maunsell Consultants Asia Limited

Absent with Apologies

Dr. Andrew L Thomson	Representing Business Environment Council
Mr. Steve Chan	
Mr. Patrick Lau	

Action

Item 1 Election of Chairman

- 1.1 **The Secretary** welcomed all Members and Government representatives to the first meeting of the Sub-committee on Wan Chai Development Phase II Review (the Sub-committee) of the Harbour-front Enhancement Committee (HEC). The updated membership list was tabled.
- 1.2 For the Chair of the Sub-committee, **Dr. Ng Mee-kam** nominated and **Dr. Alvin Kwok** seconded **Mr. Leung Kong-yui**. There being no other nomination nor objection, **Mr. Leung Kong-yui** was elected Chairman of the Sub-committee.
- 1.3 Regarding the Agenda, **Dr. Chan Wai-kwan** suggested, in view of their interrelationship, to discuss the Terms of Reference (Paper No. WD 1/2004) and the submission from the Society for Protection of the Harbour Ltd (Paper

No. WD 4/2004) together, after the House Rules (Paper No. WD 2/2004) were discussed. **The Chairman** accepted the suggestion.

Item 2 House Rules (Paper No. WD 2/2004)

- 2.1 **The Chairman** pointed out that the House Rules would apply to the HEC as well as all Sub-committees. He invited Members to comment on the House Rules.
- 2.2 Members raised no comments on Rules 1 (Chairmanship), 3 (Quorum), 4 (Voting) and 7 (Frequency and mode of meetings).
- 2.3 Regarding Rule 2 (Membership), **Mr. Hardy Lok** opined that co-opted members should be appointed by the Chairman of the respective Sub-committee instead of the Chairman of the HEC.
- 2.4 **Mr. Thomas Tso** explained that as the rights of the Sub-committee Members originated from the HEC and that co-opted members would enjoy the same rights as other Sub-committee Members, there was a need for co-opted members to be appointed by the HEC Chairman. In response to the Chairman, **Mr. Hardy Lok** confirmed that he had no further comments to make.
- 2.5 On Rule 5 (Request for submission of view to the HEC), **Mr. Hardy Lok** suggested that the categories (a) and (b) should be removed such that all submissions could be considered by the HEC. He said that as the HEC encouraged public participation, and commercial parties might well carry out or be affected by developments at the harbour-front, they should also be encouraged to voice their views. He believed that the Sub-committee Members should be able to make sensible judgement and unbiased decision. **Mr. Nicholas Brooke** agreed with Mr. Lok's suggestion and considered the categories would act as an extra "gate" in addition to that provided in the

Terms of Reference.

- 2.6 **Mr. Chan Tak-chor** suggested that the Chairman should be empowered with the discretion to decide whether or not a submission received should be considered by the Sub-committee.
- 2.7 **Mr. Thomas Tso** explained that apart from not overloading the HEC and its Sub-committees, the proposal of not accepting submissions involving private/commercial interests could also avoid private firms from using the HEC consultation to influence statutory procedures including that by the Town Planning Board. There would not be any issue of lack of transparency as the Secretariat would be screening submissions according to established criteria and the Terms of Reference and submissions not discussed would be listed for Members' information in the progress reports prepared by the Secretariat.
- 2.8 **Mr. Nicholas Brooke** opined that if developers had good ideas for enhancing the waterfront, they should be allowed to brief the Sub-committee. **Mr. Hardy Lok** added that the problem could be avoided if the Sub-committee would refrain from indicating support or otherwise to proposals made by private/commercial organizations. **Dr. Alvin Kwok** agreed.
- 2.9 **Dr. Ng Mee-kam** shared the Administration's concern but considered that submissions to the Sub-committee might be a two-edged sword for private/commercial organizations as their proposals might be turned down instead of accepted by the Sub-committee. She suggested that a well-defined set of criteria should be in place to decide whether private or commercial submissions could be presented at the meeting.
- 2.10 **Dr. Greg Wong** opined that the key issue was not whether the Sub-committee would hear submissions with private/commercial interests but that the Sub-committee should not be seen in taking a view on such submissions.

- 2.11 **The Chairman** concluded the discussion by suggesting that this matter be further discussed by the HEC considering that there was no clear consensus on the issue.
- 2.12 Regarding the “cut-off” point of not accepting submissions on projects which have completed the due process of project authorization and funding approval for construction works, **Dr. Chan Wai-kwan** expressed general agreement to it, but remarked that the Sub-committee might wish to know their progress even though works had commenced.
- 2.13 **Mr. Thomas Tso** explained that the rule was intended to give due respect to the institutional arrangement that after funding was approved for the construction works of a project, the planning of it would not be re-opened. He assured Members that Government projects under construction would still be monitored by the public such as the Legislative Council and District Councils. He said that the Administration would be pleased to brief Members on the progress of any specific project when requested.
- 2.14 For Rule 6 (Declaration of interests), **the Chairman** advised that the Sub-committee on Harbour Plan Review had requested the HEC Secretariat to prepare a briefing paper for consideration by the HEC. The meeting agreed to this approach.

Item 3 Terms of Reference (Paper No. WD1/2004)

- 3.1 **The Chairman** invited Members to comment on the Terms of Reference as detailed in Paper No. WD1/2004.
- 3.2 **Dr. Chan Wai-kwan** was concerned that the Terms of Reference of the Sub-committee was too narrow. He suggested changing the name of the Sub-committee to “Wan Chai Harbour-front” and adopting a holistic approach to review the Trunk Road, access into harbour-front area and the adjoining areas.

- 3.3 **Mr. Hardy Lok** agreed that the Wan Chai waterfront should not be considered in isolation. Central Reclamation Phase III (CRIII) and Causeway Bay should be considered together.
- 3.4 **Mr. Thomas Tso** explained that as a response to the Court's judgment relating to the WDII project, the Administration had committed to conduct the WDII Review. The Administration would like to have the assistance from the HEC in conducting the Review. For that reason, the WDII Review Sub-committee was set up and the focus of the Sub-committee should be to complete the Trunk Road which was a missing link in the territory-wide network.
- 3.5 **Mr. Nicholas Brooke** agreed that priority should be given to the implementation of the WDII project, however, he considered that WDII could not be isolated from the adjoining areas as the project would have impacts on adjoining areas. He suggested that the Sub-committee could focus initially on WDII but the Terms of Reference ought to include the adjoining areas.
- 3.6 In response, **Mr. Thomas Tso** suggested adding "taking into account the implications on the associated areas along the harbour-front" to the end of the first sentence of the Terms of Reference which would then read : "To assist HEC in monitoring and giving advice on the Planning and Engineering Review of Wan Chai Development Phase II (the Review) taking into account the implications on the associated areas along the harbour-front".
- 3.7 **Mr. Hardy Lok** said that Mr. Thomas Tso's proposal had assumed that WDII had to go ahead and that reclamation would be involved. He considered that any reclamation schemes under WDII had to meet the requirements of the Court of Final Appeal (CFA) before they could proceed.
- 3.8 **Dr. Chan Wai-kwan** said that he was not concerned about

the wordings but the key point was to have a common understanding that the inter-relationship between the WDII area and the adjoining areas should be addressed holistically. **Dr. Ng Mee-kam** and **Dr. Alvin Kwok** agreed.

- 3.9 **The Chairman** said that there did not seem to be any objection to the proposal made by Mr. Thomas Tso of adding “taking into account the implications on the associated areas along the harbour- front” into the Terms of Reference. He said that any development along the harbour-front would fall within the terms of reference of a Sub-committee or the HEC itself and so there was no risk of anything being missed out. He suggested the Secretary to circulate the Terms of Reference revised as per Mr. Tso’s proposal as attachment to the minutes of the meeting for Members’ agreement.

Secretary

Item 4 Submission from Society for Protection of the Harbour Ltd (Paper No. WD 4/2004)

- 4.1 **The Chairman** invited **Mr. Hardy Lok** to present the paper.
- 4.2 **Mr. Hardy Lok** pointed out that the Society for Protection of the Harbour Limited (SPH) was of the view that the purpose of the WDII Review was confined to provision of transport infrastructure without sufficient regard to enhancing the harbour-front and that it had yet to demonstrate that the Trunk Road satisfied the CFA’s “overriding public need test”. He invited Members to note the conclusions at page 4 of the paper, namely that the main objective of the WDII Review must be to enhance the harbour-front for public use; the Central-Wan Chai Bypass (CWB) must be justified under the Review; the SPH did not accept the Consultant’s Inception Report; and a revised scope of the Review need to be submitted.
- 4.3 **The Chairman** pointed out that the HEC’s Chairman had said at the 1st HEC meeting that the need for the CWB had

been established. So, it would not be appropriate for the Sub-committee to open up the issue again.

4.4 **Mr. L T Ma** said that the need for the Trunk Road had been explained on several occasions including the 2nd HEC meeting held on 8 July 2004. The Further Review Report of CRIII completed after the CFA judgment provided detailed justification in that respect and the report had been endorsed by a number of independent experts. The Transport Department also confirmed that up-to-date planning and traffic data had been used in arriving at the conclusion. The WDII Review therefore followed on from that point to plan for the provision of the Trunk Road and connecting roads and the enhancement of the harbour-front from both the planning and engineering perspectives in accordance with the CFA judgment. He remarked that while the WDII Review started with a review of the Trunk Road alignments, there was no conflict with the aspiration to enhance the harbour-front, which was also the objective of the WDII Review. Mr. Ma added that any reasonable suggestions put forward by Members or the public would be considered and appropriately relayed to the Consultant for incorporation in the Review. **Dr Greg Wong** agreed to this approach.

4.5 **Mr. K K Lau** supplemented that the CRIII Further Review confirming the need of the Trunk Road applied to its whole length including the portions within CRIII and WDII. Besides, the need of the whole Trunk Road had been further reconfirmed in Transport Department's update and re-run of the Third Comprehensive Transport Study transport model carried out in mid 2004 using the latest planning and traffic data.

4.6 Agreeing that the issue on the need for the Trunk Road should not be re-opened, **Dr. Chan Wai-kwan** felt that more emphasis should therefore be given to the enhancement of the harbour-front. **Mr. Nicholas Brooke** echoed that the need to assess the impacts of the Trunk Road to the harbour-front and the minimization of such

impacts should be emphasized.

- 4.7 **Dr. Chan Wai-kwan** suggested that as long as the Sub-committee's objective and aspirations to enhance the harbour-front were recorded and be taken on board by the Government, the WDII Review should proceed with accomplishing that objective and meeting the need to provide for the Trunk Road and the connecting roads as well as observing the Protection of the Harbour Ordinance. Members had no objection.

Item 5 Guiding Principles and Approach for Enhanced Public Participation (Paper No. WD 3/2004)

- 5.1 **Mr. L T Ma** presented the paper with the aid of a powerpoint presentation. He pointed out that in formulating the approach for enhanced public participation, the suggestion from the Citizen Envisioning@Harbour (CE@H) discussed in the HEC meeting held on 8 July 2004 and similar suggestions from other Members had been considered. He then invited Members' comments.
- 5.2 In response to **Mr. Nicholas Brooke's** query on the incremental traffic flows generated by potential new developments, such as extension to the Hong Kong Convention and Exhibition Centre and the Government Complex at Tamar, **Mr. L T Ma** said that under the WDII Review a baseline scenario with no new development in the WDII areas would be worked out first and any new development proposed therein should not result in additional road requirements. If additional roads were needed and reclamation was involved, the "overriding public need test" had to be satisfied.
- 5.3 **Dr. Ng Mee-kam** said that when compared to the conventional public consultation process, the suggested approach for enhanced public participation was a big improvement. However, this approach differed

fundamentally from the original CE@H proposal which asked for a comprehensive sustainability review of Central and Wan Chai harbour-front development. Public participation should start right at the beginning of the process with considerations from a wider perspective, not from the vantage point of a trunk road. The need and alignment of the trunk road should only be decided after the society had deliberated on aspirations of the Hong Kong Island harbour-front areas. **Dr. Greg Wong** suggested that Government could consider engaging the public as early as the stage when parameters of the project were being formulated.

- 5.4 **Mr. Thomas Tso** agreed that enhanced public participation in the WDII Review was important. However, he reminded Members that the alignment of the Trunk Road was in fact restricted by a number of constraints. It would be important to set these constraints out to enable better and more effective public participation and to save abortive work. The presentation of the constraints would provide a basis for better and more effective public participation. He also said that more public input might be needed on land use issues. **Mr. L T Ma** supplemented that the public should be given sufficient information for deliberation and in case the public came up with further schemes for the Trunk Road, it could be considered by the Government.
- 5.5 **Dr. Alvin Kwok** agreed that the public could have more input on land use matters. He also considered that the starting point of the WDII Review should be land uses rather than the Trunk Road. **Dr. Ng Mee-kam** remarked that transport planning and land use planning should be conducted together.
- 5.6 **Mr. L T Ma** drew Members' attention to paragraph 16 of the paper which said that possible conceptual schemes, including different Trunk Road alignment options, would be formulated for consideration during the public participation programme. Possible conceptual schemes

with different Trunk Road alignment options, at-grade road alignment options and land-use proposal options would be presented at the same time for the public to consider. A holistic approach would be adopted. The arrangement would be further discussed in workshops/charrettes to be organized by the Sub-committee. **Mr. Thomas Tso** supplemented that to enable fruitful public participation, the public would have to be informed about the constraints.

- 5.7 **Dr. Chan Wai-kwan** said that the concept of sustainable development stressed also on the process itself. It might have an educational effect if the public were to be made aware of the constraints so that they could also take these constraints into account in deliberating on the suggestions.
- 5.8 **Mr. Nicholas Brooke** said that the provision of sufficient information to assist the public in the first place would help to facilitate the process.
- 5.9 **Mr. Chan Tak-chor** said that the public should be invited to participate in the public participation in their role as end-users of the final outcome of the harbour-front enhancement programme. The work on the public participation was important and should be well planned.
- 5.10 In response to the question on whether the sustainable development approach should be adopted for enhancing the whole harbour-front, **Mr. Thomas Tso** pointed out that the Sub-committee on Harbour Plan Review had set up a task force, with Dr. Alvin Kwok as the Convener, to practise the sustainable development approach on the enhancement of the Central Piers Area which could shed further light on the approach. The Sub-committee on Harbour Plan Review would follow on that exercise. He added that the Government had no objection to adopting some of the principles of the proposed sustainable development approach.
- 5.11 **The Chairman** summarized that there was a consensus on

the need for enhanced public participation and the Sub-committee would follow up with Government on the time-table and work plan.

Item 6 Any Other Business

- 6.1 **The Chairman** invited Members to note the meeting schedule tabled at the meeting. He said that additional meetings could be arranged if required.
- 6.2 There being no other business, the meeting was adjourned at 5:15p.m. The next meeting was scheduled for 13 October 2004.

Secretariat, HEC Sub-committee on
Wan Chai Development Phase II Review
October 2004

**HEC Sub-committee on
Wan Chai Development Phase II Review**

**Revised Terms of Reference
(incorporating discussions on 11 August 2004)**

To assist HEC in monitoring and giving advice on the Planning and Engineering Review of Wan Chai Development Phase II (the Review) taking into account the implications on the associated areas along the harbour-front.

Specifically, the Sub-committee will –

- (a) Provide comments on and monitor the planning, design and development issues including land use, transport and infrastructure, landscaping and other matters relating to the implementation proposals under the Review;
- (b) Advise on the public involvement strategy at various stages of the Review; and
- (c) Report to HEC on its findings and recommendations on a regular basis.

Secretariat,
HEC Sub-committee on
Wan Chai Development Phase II Review
August 2004