

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

**Minutes of 4th Meeting**

Date : 7 February 2005  
Time : 2:30 p.m.  
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. Greg Wong	Representing Hong Kong Institution of Engineers
Mr. Hardy Lok	Representing Society for Protection of the Harbour Limited
Dr. Alvin Kwok	Representing Conservancy Association
Mr. Charles Nicholas Brooke	
Dr. Chan Wai-kwan	
Mr. Steve Chan	
Mr. Patrick Lau	
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 & Urban Renewal, 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
Mr. Donald Wong	District Officer (Wan Chai) (Acting), Home Affairs Department
Mr. Adrian Ng	Project Manager (Major Works), Highways Department
Mr. Bosco Chan	Secretary

### **In Attendance**

Miss Christine Chow	Principal Assistant Secretary (Planning and Lands)2, Housing, Planning and Lands Bureau
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
Mr. Bryan Li	Senior Executive Officer (Planning) 1, Housing, Planning and Lands Bureau
Mr. Kelvin Law	Representing City Planning Consultants Ltd
Ms. Betty Ho	Representing City Planning Consultants Ltd
Dr. Sujata S Govada	Representing City Planning Consultants Ltd
Dr. Winnie Law	Representing City Planning Consultants Ltd
Mr. Dickson Lo	Representing Maunsell Consultants Asia Ltd

### **Absent with Apologies**

Dr. Andrew L Thomson	Representing Business Environment Council
Mr. Chan Tak-chor	

### **Action**

#### **Welcome message and agenda**

**The Chairman** welcomed Members to the meeting and said that the Society for the Protection of the Harbour Limited (“SPH”) had requested, via a letter of 27 January 2005 to the Chairman of HEC, to withdraw the “Public Engagement Kit”. The matter was referred to the Sub-committee on WDII Review for consideration. Also, a member of the public had made the same request by an e-mail to HEC on 27 January 2005. The Chairman suggested that both items be discussed under A.O.B. Although not able to attend the meeting, **Mr. Paul Zimmerman** had circulated to Members three e-mails, dated 4, 5 and 7 February 2005 respectively, expressing his views on some agenda items. The Chairman suggested Mr. Zimmerman’s views be considered when the items were discussed. Members agreed to the Chairman’s suggestions.

## **Item 1 Confirmation of minutes of 3rd meeting**

- 1.1 **The Chairman** said that the revised draft action minutes had been circulated to Members on 27 January 2005 for comments and no proposed amendment was received. Although **Mr. Paul Zimmerman** made some comments in his e-mail of 4 February 2005, he did not propose any amendment to the revised draft minutes.
- 1.2 **Mr. L. T Ma** pointed out that **Mr. Paul Zimmerman** had commented on the listing in paragraph 4.2 those Members who had abstained from voting.
- 1.3 **The Chairman** said that in last meeting he requested Members to vote on “in favour of” or “against” the resolution, but did not specifically asked who would “abstain”. He recalled that only **Mr. Nicholas Brooke** had explained why he did not show his stance on the resolution.
- 1.4 **Dr. Ng Mee-kam** said that she did not participate in the voting at the last meeting because she considered the resolution not too logical.
- 1.5 **The Chairman** then asked whether any Member would propose any amendment to the revised draft action minutes. As no proposed amendment was made, the revised draft action minutes were confirmed without amendment. **All to note**

## **Item 2 Matters arising**

- 2.1 **The Chairman** said that the suggestion made in paragraph 4.1 of the minutes had been adopted in determining the run down of the collaborators’ working group meeting of 23 January 2005. Regarding paragraph 5.2, **Mr. Paul Zimmerman** had suggested in his e-mail of 7 January 2005 to defer the discussion to the following meeting. **All to note**
- 2.3 **Dr. Chan Wai-kwan** expressed the opinion that action minutes could not give readers a clear picture on what had been discussed in the meetings and proposed reverting back

to the normal full minutes. Should there be any urgent actions required, an action list could be prepared and sent to Members by e-mails.

- 2.4 **The Chairman** said that the format of action minutes was proposed by **Mr. Paul Zimmerman** in the second Sub-committee meeting. He noted that **Mr. Paul Zimmerman** also proposed in his recent e-mail changing back to the normal full minutes. As Members had no objection, **the Chairman** confirmed that the normal full minutes would be adopted as from this meeting.

**Secretary**

- 2.5 **Mr. L T Ma** said that the normal full minutes were useful in recording discussions in meetings, in particular when there were different opinions among Members, and for that reason the normal full minutes were always preferred. So, he had no objection to reverting back to the normal full minutes and suggested that if an action list was necessary, it would be prepared by the Secretary and vetted by the **Chairman** before sending to Members by e-mail.

**All to note**

### **Item 3 Submission from Royal Hong Kong Yacht Club (Paper No. WD 1/2005)**

- 3.1 Mrs. Inge Strompf-Jepsen, Mr. Anthony Tong and Mr. Robert Bird from Royal Hong Kong Yacht Club (RHKYC) presented, with the aid of powerpoint, their ideas for developing the harbour-front at Wan Chai. RHKYC proposed to redevelop ex-Wan Chai Public Cargo Working Area into a marina and to connect Victoria Park to the harbour-front. RHKYC also supported HEC's eight harbour planning principles and the tunnel concept of the Trunk Road through Causeway Bay.

- 3.2 **Dr. Alvin Kwok** said that RHKYC had provided a good example for envisioning of the harbour-front. As an Eastern District Councilor had pointed out in the round-table meeting of 5 February 2005 that there were fishermen inhabiting in the Causeway Bay Typhoon Shelter, the future development in that area should take this constraint into

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consideration.

3.3 **Mr. Nicholas Brooke** said that RHKYC was doing what HEC expected the public to do in providing good ideas for redeveloping the harbour-front, such as tunnel options for the proposed Trunk Road and linking Victoria Park to the harbour-front.

3.4 **Dr. Chan Wai-kwan** said that he would like to know other than water activities, what land activities were proposed to attract the public. **RHKYC** replied that the harbour-front could be developed for dragon boat racing, a cycle track could also be provided and the area could become a convenient leisure spot for people, similar to that at Sai Kung.

3.5 **Mr. L T Ma** thanked RHKYC for their ideas in developing the harbour-front. Noting that the drawings submitted by RHKYC were not too clear on how the proposed Trunk Road would be connected to Island Eastern Corridor, he requested RHKYC to assist in obtaining a copy of the full report from the concerned consultants for further consideration. **RHKYC** replied that they would try to find out if a copy of the full report or more details in this respect could be provided.

**RHKYC**

3.6 **Mr. Thomas Tso** commented that more details would be required to ascertain the engineering feasibility of the ideas proposed by RHKYC. On the other hand, if reclamation was required, the Court of Final Appeal's "overriding public need test" would have to be satisfied.

3.7 **Dr. Ng Mee-kam** said that as RHKYC was one of the major stakeholders of the Wan Chai harbour-front, they would have valuable input at the Envisioning Stage of the Harbour-front Enhancement Review – Wan Chai and Adjoining Areas (HER) project and she strongly recommended RHKYC to attend future public forums and charrettes.

- 3.8 **RHKYC** said that other than the above proposals they would suggest assigning suitable locations, such as at the breakwater, for fishing to promote fishing activities.
- 3.9 **Mr. K K Lau** commented that from transport point of view RHKYC's proposed "tunnel option" for the Trunk Road was to a certain extent similar to Concept A presented in the Public Engagement Kit of the Envisioning Stage. While agreeing to RHKYC's suggestion of providing full connection as far as possible, he pointed out that road tunnel design would be subject to more constraints, and in particular, the requirement of no weaving inside a tunnel would be a major constraint on the provision of connections with the existing road network. For this reason, the feasibility of the connections between the Trunk Roads at Causeway Bay proposed by RHKYC, was doubtful. In particular the two levels of slip roads in tunnels one above another may not be feasible due to site constraints. RHKYC also proposed an additional connection point from Wan Chai North to the westbound Trunk Road, but no details were provided. In fact, Government had considered providing that connection before, but still could not reach a feasible design. He stated that RHKYC's overall ideas were valuable from envisioning point of view, but the engineering feasibility would have to be established.
- 3.10 **Mr. Hardy Lok** said that the general public, unlike RHKYC, might not be financially viable in developing their proposals. He suggested HEC or the government to provide financial assistance to the public in developing good ideas into proposals, otherwise, the exercise might be received as advocating government's own ideas for the Trunk Road only. He opined that it would be worth considering spending the \$5 million funding assigned to HEC for public participation activities.
- 3.11 **The Chairman** opined that the matter would have to be considered on a case-by-case basis. **Dr. Alvin Kwok** said that it would be more appropriate to discuss this topic under agenda item 5.

- 3.12 **Mr. Thomas Tso** said that with the various expertise within government, it should be able to evaluate the ideas collected during the Envisioning Stage.
- 3.13 **Dr. Ng Mee-kam** opined that the \$5 million reserved for HEC might not be insufficient. She pointed out that at the Envisioning Stage, ideas would not need to have been well developed. However, at the Realization Stage, more resources would be required for developing the ideas received.
- 3.14 **Ms. Betty Ho** said that City Planning would include RHKYC's ideas for discussion in the coming forums and charrettes.
- 3.15 There being no more questions from members, **the Chairman** thanked RHKYC for presenting the ideas to the Sub-committee.

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**Item 4. Progress report on HER (Paper No. WD 2/2005)**

- 4.1 **The Chairman** suggested going through the paper paragraph by paragraph first and had an overall discussion on the whole paper afterwards.
- 4.2 In response to the question from **Dr. Alvin Kwok** on not accepting the request of RHKYC to act as collaborator for HER as mentioned in paragraph 3, **Ms. Betty Ho** explained that those organizations that might have conflict of interest would not be appropriate to act as collaborators. Nevertheless, being key stakeholders, they would be invited to the public forums to express their views and concerns.
- 4.3 **Dr. Ng Mee-kam** said that it was debatable whether the key stakeholders would be appropriate to act as collaborators; given that they were more interested in the area and knowing more about the harbour-front.
- 4.4 In response to the question from **Dr. Alvin Kwok** on the

mechanism of deciding which organization should act as a collaborator, **Mr. L T Ma** said that the matter could be discussed and decided by the HER Task Force. **The Chairman** agreed.

4.5 For paragraphs 5 to 8, **Dr. Ng Mee-kam**, referring to the round-table meeting of 5 February 2005, said that the Eastern District would have concern on the project because part of Causeway Bay was within the boundary of Eastern District. She suggested that Eastern District Council should be consulted as early as possible. She said that she was also puzzled about whether the title of the project “Wan Chai and adjoining areas” should be amended to make specific reference to the Eastern District.

4.6 **Mr. L T Ma** responded that a meeting with the Joint Committee on Infrastructural Issues of the Four District Councils of Hong Kong Island (Joint Committee), which included the Eastern District Council, to brief the District Councils on the HER project was originally scheduled for 14 January 2005 but was subsequently cancelled as the chairpersons of the District Councils had to attend another urgent meeting.

4.7 **The Chairman** supplemented that that meeting was supposed to be the second meeting with the Joint Committee. When the HEC members had met the Joint Committee firstly in November 2004, the HER project had already been introduced to the District Councils. He opined that the HER Task Force should liaise closely with the District Councils and in particular the Eastern District Council should be consulted before starting the HER project’s public engagement activities. Regarding the project title, he opined that “Wan Chai and adjoining areas” was acceptable because the phrase “adjoining areas” had already included that part of the Eastern District in question.

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4.8 **Dr. Ng Mee-kam** invited **Mr. Patrick Lau** to provide details/results of the workshop on 5 January 2005 organized by the Eastern District Council on proposed development

**Mr.  
Patrick  
Lau**

along the harbour-front.

4.9 **Mr. Patrick Lau** said that part of the HER project area was within the boundary of Eastern District. In the first Joint Committee meeting, the chairman of the Public Works and Development Committee of the Eastern District Council had invited the HEC Sub-committee to liaise closely with the Eastern District Council on the HER project.

4.10 **Dr. Alvin Kwok** said that paragraph 12 mentioned that the content and flow of the consultation digest was discussed and endorsed by the Sub-committee at its meeting of 14 December 2005. However, he considered that the discussion at that meeting did not provide specific details.

4.11 **Dr. Chan Wai-kwan** opined that there was insufficient communication among the Sub-committee Members, and between the HER Task Force and the Sub-committee itself. To improve the situation, he suggested the Secretary to report to Sub-committee Members periodically by e-mail on the progress of the HER project.

**Secretary**

4.12 **Dr. Alvin Kwok** said that the word “empower” in the first sentence of paragraph 15 was not appropriate and suggested that the phrase “provide information to” would reflect the actual situation better.

4.13 **Dr. Ng Mee-kam** said that some CE@H members had comments on the sustainability principles and indicators set out in Appendix 3 of Annex 4 (brief report on collaborators’ working group meeting held on 23 January 2005). They considered the sustainability principles and indicators on transport and land use were insufficient.

4.14 **Ms. Betty Ho** explained that the sustainability principles and indicators were worked out together with the collaborators at the collaborators’ working group meeting held on 23 January 2005. Those related to transport issues were categorized under “Accessible for all” and “Local and regional connectivity”. City Planning had added a few

more sustainability principles and indicators, those highlighted with asterisks, to fill the obvious gaps. If Members considered that the sustainability principles and indicators were still insufficient, more could be added. These principles and indicators developed would be discussed later with the public in the public forums and charrettes.

- 4.15 **The Chairman** suggested that the HER Task Force might consider adding a few more suitable sustainability principles and indicators. The updated preliminary set of sustainability principles and indicators would then be presented to the collaborators for consideration. **HER Task Force**
- 4.16 In response to the question from **Dr. Ng Mee-kam** on the mechanism for determining the preliminary set of sustainability principles and indicators, **Ms. Betty Ho** explained that as the collaborators had contributed to the draft set of sustainability principles and indicators, they would be given the chance to comment before finalization by HER Task Force. The draft set of sustainability principles and indicators would then be commented by the public at the public forums.
- 4.17 **The Secretary** informed the meeting that in the invitation letter to the collaborators for the collaborators' working group meeting, it was stated that the collaborators would help to provide a preliminary set of sustainability principles and indicators for discussion by the public.
- 4.18 **The Chairman** suggested holding a HER Task Force meeting as soon as possible after the Chinese New Year to discuss on the arrangement in finalization the preliminary set of sustainability principles and indicators for reporting back to the collaborators. **HER Task Force**

(Post-meeting note: The 4<sup>th</sup> Task Force meeting was held on 15 February 2005.)

- 4.19 **Dr. Ng Mee-kam** said that it was debatable as to which

party would make the final decision on the sustainability principles and indicators and it appeared to be more appropriate to leave it to the public and the consultants. The HER Task Force should have a thorough thinking on the whole process carefully as the same issue would come up again in the evaluation of the sustainability results.

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4.20 **Dr. Greg Wong** agreed to the suggestion of City Planning of marking asterisks on those sustainability principles and indicators not suggested by the collaborators. He suggested the same practice be adopted for additions made by the HER Task Force to prevent confusion.

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Force**

4.21 **The Chairman** concluded that additions to those sustainability principles and indicators suggested by the collaborators should be clearly indicated. The HER Task Force should have a careful thought before reporting back to the collaborators. In this respect, he requested the Secretary to arrange a HER Task Force meeting as soon as possible after the Chinese New Year.

**Secretary**

(Post-meeting note: the 4<sup>th</sup> Task Force meeting was held on 15 February 2005.)

4.22 In relation to the draft table of content for the 2<sup>nd</sup> public engagement kit, **Dr. Chan Wai-kwan** said that the HER Task Force would need to address the following issues:

- i) procedures within the HER Task Force required improvement;
- ii) communications between the HER Task Force and the Sub-committee required improvement;
- iii) roles of the collaborators required clarification;
- iv) what to do with the published Public Engagement Kit.

4.23 **Dr. Ng Mee-kam** considered that making reference in the 2nd Kit to the “highways possibilities” in the 1st Kit was not acceptable as they might again confuse the public. **The Chairman** said that the HER Task Force should be requested to look into the issue in details when deciding on the contents of the new Kit.

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- 4.24 **Dr. Alvin Kwok** suggested the Sub-committee to decide on the approach for handling the published Kit and then requested the HER Task Force to consider the details and make recommendations for endorsement by the Sub-committee.
- 4.25 **Mr. Nicholas Brooke** suggested preparing a self-contained new Kit while the 1<sup>st</sup> Kit should simply be put aside. **Dr. Ng Mee-kam** supported. **The Chairman** concluded that it would be a directive to the HER Task Force that the new kit should be self-contained. **HER Task Force**
- 4.26 **Mr. Thomas Tso** drew Members' attention to the draft table of contents of the 2<sup>nd</sup> Kit, which was at Annex 5 and suggested that Members should voice their comments for consideration by the HER Task Force in preparing the new Kit. He suggested that the Sub-committee should agree on the table of contents of the new Kit and then allow the HER Task Force to work on the details.
- 4.27 **Dr. Ng Mee-kam** said that she had comments on the contents of the new Kit. **The Chairman** requested her to list them out for deliberation in the HER Task Force. **Dr. M.K Ng**
- 4.28 **Dr. Chan Wai-kwan** said that the experience on the outcome of the 1<sup>st</sup> Kit would provide some guidance in formulating the new Kit.
- 4.29 In response to the enquiries by **Dr, Ng Mee-kam, Ms. Betty Ho** explained that the Wan Chai District Councilors would like to know more details about the Trunk Road. To address that, the Trunk Road possibilities were included in the 1<sup>st</sup> Kit. As the sustainability principles and indicators would only be available after the release of the 1<sup>st</sup> Kit, they could only be included in a 2<sup>nd</sup> Kit. As Members had agreed that the new Kit would be self-contained, City Planning would work out the approach and contents for the new Kit. **City Planning**
- 4.30 **Mr. L T Ma** said that as the meeting had agreed publishing a

new Kit which would be self-contained, there was no further need to discuss Annex 5. **The Chairman** agreed.

- 4.31 In response to the comment made by **Mr. Hardy Lok** that the word “stimulate” could not be found in the 1<sup>st</sup> Kit, **Mr. L T Ma** said that the word was used in the collaborators’ working group meeting and the press conference on the 23 January 2005. He suggested that the comment be considered by the HER Task Force when preparing the new Kit. **HER Task Force**
- 4.32 **Mr. Hardy Lok** asked the HER Task Force to consider improvement on means for stimulating views and ideas from the public. **The Chairman** requested to put it on record for the HER Task Group to follow up. **HER Task Force**
- 4.33 **Dr. Ng Mee-kam** had concern on how the “overriding public need test” mentioned in paragraph 19 could be satisfied and suggested seeking legal advice in this respect. **The Chairman** agreed and suggested the matter be recorded for necessary actions in due course.
- 4.34 **Mr. Hardy Lok** opined that the three concepts presented in the 1<sup>st</sup> Kit did not provide sufficient guidance for the public to envision ideas for the harbour-front and could mislead the public to think that reclamation was inevitable. **The Chairman** requested the comment be recorded and be considered by the HER Task Force. **HER Task Force**
- 4.35 **Dr. Alvin Kwok** commented that for paragraph 20, reports of the press already appeared on 23 January 2005, thus both dates should have been mentioned. Regarding paragraph 21, he considered that the first sentence should read “Against the above background, Dr. Ng Mee-kam and Dr. Alvin Kwok requested at the evening of 23 January 2005 an urgent meeting with CEDD. Subsequently, the Sub-committee Chairman convened ....”. **The Chairman** agreed.
- 4.36 In response to the question from **Mr. L T Ma**, the

**Chairman** clarified that while the original request was to meet CEDD, the meeting was actually a meeting of the HER Task Force.

- 4.37 Regarding paragraph 23, **Dr. Chan Wai-kwan** reported that the round-table meeting of 5 February 2005 had discussed the following topics: **All to note**
- i) reclamation;
  - ii) traffic issues;
  - iii) the existing harbour-front; and
  - iv) integration between Wan Chai hinterland with the harbour-front.

He summarized that several messages were clearly expressed at the round-table meeting. Firstly, the participants paid due regard to the Protection of the Harbour Ordinance and the Court of Final Appeal's "overriding public need test". Secondly, there were no objection to resolve the traffic issues and the need for the Trunk Road. Thirdly, many good ideas on land use and integration with the hinterland were proposed, including the idea of connecting Victoria Park with the harbour-front. Finally, the participants were aware of the need to balance among several inter-related but competing issues which formed an useful basis for further intellectual discussion on the matter.

- 4.38 **Mr. Nicholas Brooke** suggested and **the Chairman** agreed that it should have been mentioned in paragraph 21 that some Sub-committee Members had assisted in accepting interviews by the media to clarify the objectives of HER.
- 4.39 Regarding Annex 6 (updated work plan for Envisioning Stage), **the Chairman** drew Members' attention that in view of the need to consult Eastern District Council before starting the public forums, it was likely that the review programme would slip. He invited Members' views on the matter for follow up by the HER Task Force.
- 4.40 **Dr. Chan Wai-kwan** suggested stopping the discussion on the paper at paragraph 23 leaving the subsequent paragraphs

to be discussed in the HER Task Force meeting.

4.41 **Dr. Ng Mee-kam** said that according to the programme in Annex 6, the questionnaires for the public survey would be uploaded onto the web-site after the Chinese New Year. She noted, however, that the questionnaires could be revised as the focus was on the Trunk Road possibilities. She suggested making a decision at the meeting.

4.42 **Mr. L T Ma** said that Wan Chai District Council would organize a public forum on 6 March 2005 and had invited the support of the Sub-committee. In view of the likely slippage of the programme, he suggested to have a decision at the meeting so that the Wan Chai District Council could be informed accordingly.

4.43 **Mr. Donald Wong** added that Wan Chai District Council had booked the Southorn Playground for a public forum on 6 March 2005. In view of the very tight programme, an early decision would be necessary so that the Wan Chai District Council could be informed earlier and postpone the forum if necessary.

4.44 **The Chairman** concluded that in view of the likely slippage of the programme of HER, the Wan Chai District Council should be informed about the latest situation.

**Mr. Donald  
Wong**

(Post meeting note: DO(Wan Chai) had informed the relevant Wan Chai District Council members about postponing the public forum of 6 March 2005.)

4.45 With respect to the overall comments on the progress report on HER, **Mr. Nicholas Brooke** was of the opinion that the much wider issue with respect to roles, responsibilities and resources had to be considered. He suggested looking forward for improvements as the same might happen again. He also considered that internal communication had to be improved. Externally, he suggested providing trainings to Members in facing the media. He advised that before meeting the media, one should decide three key messages

for passing to the media. Mr. Brooke remarked that all Members were still at the learning curve and hoped the same would not happen again.

4.46 **Dr. Chan Wai-kwan** said that he regretted that it seemed that the public had been misled after the Public Engagement Kit was released but believed that this was not intentional. He opined that there were communication problems among members of the Sub-committee and between the HER Task Force and the Sub-committee. All these problems had to be resolved to prevent similar problems to happen again in future. On the procedural side, the programme was too tight and the Members did not have a chance to look at the Kit before distributing to the public. He requested for vetting the new Kit by the Sub-committee before releasing it to the public. He also acknowledged that it was difficult to strike a balance in providing the right amount of information to facilitate public engagement; too much information might mislead the public and too little could not arouse the public to provide constructive feedback. He suggested including a constraint list and a wish list in the new Kit to facilitate public engagement.

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4.47 **Dr. Ng Mee-kam** agreed to the suggestion of presenting a constraint list and wish list in the new Kit. She also suggested indicating to the public the cost of each wish. She noticed that due to the tight programme, the Members did not have time to vet the published Kit. She wanted to know if government had any procedures and programme for issuing consultation digest.

4.48 In response, **Mr. Thomas Tso** said that the programme of preparing and releasing the new Kit would be decided by the HER Task Force and that the government did not have special procedures to follow as far as the issue of consultation digests was concerned. He was advised by the department that it would take about a week to print the digest before it could be released to the public.

4.49 **Mr. L T Ma** added that the Sub-committee would need to

decide the programme for publishing the new Kit. As the new Kit would touch upon the matter of sustainability development, it might need to consult the Sustainability Development Unit of the government. On effect on existing facilitates, the affected parties would need to be consulted. For example, EPD should be consulted for the sewage treatment plant and the Hong Kong Electric Company for the power sub-station in Wan Chai. Hence the prior consultation would be an issue dependent and would need to be further discussed.

4.50 **Mr. Patrick Lau** said that it was the experience of the workshop on the proposed development along the harbour-front in Eastern District that some fishermen were willing to voice out their needs. In this regard, the HER Task Force might need to make allowance in time to consult the Eastern District Council to engage their views.

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4.51 **Mr. Nicholas Brooke** reminded that those potential issues would need to be handled carefully.

4.52 **Dr. Chan Wai-kwan** said that in the round-table meeting of 5 February 2005, some collaborators said that they should be better briefed on what their roles were and how best they could contribute in the HER project. He suggested that the collaborators could participate more in HER project. For example, like Wan Chai District Council, the collaborators could propose their own activities in engaging the public's views.

4.53 **Dr. Chan Wai-kwan** proposed organizing a walk along the harbour-front from the sand depot at North Point under the Island Eastern Corridor to Central. **Mr. L T Ma** agreed to consider.

**CEDD**

4.54 Regarding the published Kit, **Dr. Chan Wai-kwan** commented that there were two possible approaches for handing it, namely:

- i) explain to the public that there was no pre-determined intention to proceed with any reclamation and the 3

concepts were for information only, for stimulating the public to provide their own ideas and if needed, supplements to 1<sup>st</sup> kit should be published; or

- ii) withdraw the Kit if that approach was more neat and tidy.

4.55 **Dr. Ng Mee-kam** suggested issuing a new Kit for the sake of saving the effort of explaining to the public. In response to the Chairman, **Dr. Ng Mee-kam** clarified that she did not mean a formal withdrawal of the Kit.

4.56 **Mr. Thomas Tso** said that the Sub-committee might appear to be too bureaucratic to “recall” the published Kit and that this would not benefit the image of the Sub-committee. As it had been decided that a self-contained new Kit would be released to replace the 1<sup>st</sup> one, he doubted if it was necessary for the Sub-committee to formally withdraw the 1<sup>st</sup> Kit.

4.57 **Dr. Chan Wai-kwan** suggested that the new Kit would be in a different colour and bear the HEC logo only.

4.58 **Mr. Steve Chan** suggested providing some elaboration from legal point of view on the “overriding public need test” in the new Kit so that the public could judge whether their wishes would satisfy the test or not.

4.59 **The Chairman** recalled that at the first meeting of the HEC, government had circulated a document relating to the judgment of the CFA with explanation on the “overriding public need”. He requested if government could provide further assistance in this matter.

4.60 In response, **Mr. Thomas Tso** said that the CFA judgment had set an “overriding public need test”. He agreed that this information could be included in the new Kit to facilitate public engagement.

4.61 **Mr. Hardy Lok** said that he would prefer withdrawing the published Kit formally and suggested to vote on the matter.

- 4.62 **Dr. Greg Wong** raised his concern on the technical steps for withdrawing the published Kit formally as he considered it not practicable to do so.
- 4.63 **Mr. Hardy Lok** explained that by “formal withdrawal” he meant issuing a press release to inform the public that the published Kit had become obsolete and would be replaced by a new one.
- 4.64 **Mr. Thomas Tso** said that HEC should show its unity in front of the public. He said that a “withdrawal” would not be constructive to the image of the Sub-committee.
- 4.65 **Dr. Ng Mee-kam** said that there should be a message clearly stating that since the 1<sup>st</sup> Kit could not serve the purpose of explaining the HER project and had caused confusion to the public, it would be withdrawn.
- 4.66 **Mr. Patrick Lau** and **Dr. Alvin Kwok** agreed that a clear message to the public was important.
- 4.67 **Dr. Chan Wai-kwan** said that he had no strong views on whether the Kit should be withdrawn. If a withdrawal was deemed necessary, the message to the public must be made clear.
- 4.68 **Dr. Greg Wong** said that as it was not practicable to withdraw the published Kit physically, he supported the idea of issuing a press release to inform the public that the published Kit would be replaced by a new one.
- 4.69 In response to the **Chairman’s** question on whether the press release should be issued at the point of withdrawal or till the new Kit was ready for distribution, **Dr. Greg Wong** said that the press release should be issued as soon as possible with the message that a new Kit would be published later.
- 4.70 **Mr. Steve Chan** cautioned that the press release should be carefully drafted as it might create unexpected problems

leading to another urgent meeting.

4.71 **The Chairman** said that it was likely that the press release would attract the media to interview the HEC members again and they should be prepared for it. **All to note**

4.72 **Dr. Chan Wai-kwan** said that he was not too worried about the effect of the press release as long as it was factually correct.

4.73 The meeting then discussed and agreed on the following wording of the press release: **All to note**

“In Chinese:

有鑑於共建維港委員會轄下灣仔發展計劃第二期檢討小組委員會於一月二十三日發表的「優化灣仔及鄰近地區海濱的研究」公眾參與小錦囊內容引致公眾有所誤解，認為提及的三個構思為要被選取的具體方案，故此小組委員會今日（二月七日）決定取代該小錦囊，並將盡快制定另一本促進公眾參與及構想的小錦囊。

In English :

The Harbour-front Enhancement Committee’s Sub-committee on Wan Chai Development Phase II Review met today (February 7) and discussed the contents of the “Harbour-front Enhancement Review – Wan Chai and Adjoining Areas: Public Engagement Kit” issued on January 23, 2005. As the three illustrations contained in the Kit had given rise to confusion with the result that the original objectives of issuing the Kit were not fully comprehended by the community, the Sub-committee decided that it will issue another Kit as soon as possible to replace the original Kit to facilitate public engagement and envisioning.”

(Post-meeting note: the press release was issued on 7 February 2005 according to the agreed wording.)

**Item 5 Fostering genuine partnership from within (Paper No. WD 3/2005)**

5.1 **Dr. Alvin Kwok** briefed Members that the paper had summarized the work of the Sub-committee in the past months and expressed the wishes of him and **Dr. Ng Mee-kam** on partnership in governance and he expected. **Dr. Alvin Kwok** explained that they had four observations as follows:

- i) a narrowing cultural gap among the members;
- ii) a narrowing gap in trusting the ability of the lay public;
- iii) a narrowing gap between expert-led and partnership approach; and
- iv) a narrowing gap between black box and transparent practice.

5.2 Based on the above observations, **Dr. Alvin Kwok** suggested the following improvement:

Within HEC

- i) improving the communications among members by suitable activities;
- ii) reinforcing the working relationship among HEC, government and the consultants with the consultants accountable to the HEC;
- iii) increasing transparency and openness both internally and externally;
- iv) having the secretariat answerable to HEC.

Between HEC and the general public

- i) having sufficient funding for the Sub-committee to carry out its own activities/research in particular on public participation;
- ii) capacity and institutional building to ensure genuine partnership.

5.3 **Dr. Ng Mee-kam** supplemented that they made the suggestions with the vision of formulating and building up a new culture in partnership on governance.

- 5.4 **Mr. Thomas Tso** responded that he was pleased that the new approach in partnership of governance was experimented in HEC. The approach could be fine-tuned and improved from time to time. He pointed out that the setting up of the HEC was already a step towards fostering a partnership between government, the public, the business sector and professional institutions, and that government would try its best in providing assistance to ensure smooth operation of HEC. Regarding resources, he hoped that members would appreciate that the government had its own rules in allocation of resources. Government would firstly rely on internal resources before turning to outside resources after exhausting in-house ones. On the issue of accountability, he pointed out that the secretariat was answerable to HEC. Agreeing to the point that the HEC was still at the learning stage, it would be important to improve the communication and trust among members.
- 5.5 **Mr. Nicholas Brooke** agreed to the paper as it addressed the wider issue with respect to roles, responsibilities and resources that he mentioned earlier. As a start, he suggested that the HEC should consider and resolve the difficult issues such as to build up consensus within HEC.
- 5.6 In response to the question of **the Chairman** on the way forward with the paper, **Mr. Nicholas Brooke** suggested submitting it to HEC for discussion at its next meeting in March 2005.
- 5.7 In submitting the paper to the HEC, **Dr. Chan Wai-kwan** suggested that the HEC be requested to consider the following two issues:
- i) more dedicated secretariat service from the government; and
  - ii) a mechanism and rules on how to use the funding \$5 million allocated to HEC from government.
- 5.8 **The Chairman** said that it would be the responsibility of the Sub-committee to put up an initiative with budgetary

proposal to HEC for consideration and endorsement; the HER project was a good example. The government would then follow up with the necessary procedures.

- 5.9 **Mr. Thomas Tso** said that apart from the \$5 million for 2004-05, another \$5 million had been earmarked for the HEC. The Main Committee and the Sub-committees should base on their work programme to consider how the money could be spent on justifiable grounds.
- 5.10 Referring to the suggestion that the consultants should be accountable to the HEC, **Mr. Anthony Kwan** pointed out that according to the consultancy agreement of the Kai Tak Planning Review, the consultant was accountable to Planning Department. Nevertheless, as Planning Department was accountable to the HEC Sub-committee on South East Kowloon Development Review, the consultants were accountable to HEC indirectly.
- 5.11 **Mr. L T Ma** said that the consultancy agreement for HER project was signed between the consultants and CEDD. Similar to the Kai Tak case, the consultants were accountable to HEC indirectly.
- 5.12 **Mr. Thomas Tso** said that consultancy agreements had to be signed between the consultants and a legal entity, in this case the CEDD. While the consultants were accountable to the government contractually, the projects were initiated and steered by the Sub-committee and the Sub-committee had a role to play on the interaction with the consultants.
- 5.13 **The Chairman** agreed that as HEC was not a legal entity, the government would be the most appropriate party to sign the consultancy agreements with consultants.
- 5.14 **Dr. Greg Wong** suggested making the following points on the paper when submitting it to the HEC:
- i) presence of cultural gap between different parties with different background should be expected; it might not be a problem;

- ii) he believed that the secretariat, irrespective of being answerable to government, was actually serving the Committee like many other statutory organizations;
- iii) if the consultants were required to be accountable to HER Task Force, it might be more appropriate for the consultants to be accountable to HEC. However, as HEC was not a legal entity, it was acceptable and appropriate to have the consultancy agreement signed between the government and the consultants. It should be noted that it would be unrealistic for the HEC, which comprised members on a voluntary basis, to take up the role of project management; which could only be undertaken by the government. The HEC should be more concerned about whether the specified targets were achieved or not; and
- iv) regarding increasing transparency and openness, he preferred some guidelines to be established for meeting the media and the members should also agree a baseline in advance before any press conference.

5.15 **Dr. Ng Mee-kam** said that the image of HEC was not clear and improvement was needed. Also, Members needed to establish trust among themselves before they could work together. Regarding the funding allocated to HEC, flexibility should be allowed for HEC to spend the money without too many procedures to be followed.

5.16 **The Chairman** requested **Dr. Alvin Kwok** and **Dr. Ng Mee-kam** to incorporate into the paper the comments made before submitting it to HEC. **Dr. Greg Wong** and **Mr. Patrick Lau** suggested that the paper be submitted in the name of **Dr. Kwok and Dr. Ng**.

**Dr. Alvin Kwok and Dr. M K Ng**

5.17 **The Chairman** said that he would like to take the chance to express some of his personal opinion. He considered that for successful partnership, ownership would be essential. He also appreciated that some members had stressed at the urgent meeting on 24 January 2005 that handling external issues should be priority over settling internal matters, and had then participated actively and effectively in that respect.

**Item 6 Progress report on submissions and requests received (Paper No. WD 4/2005)**

- 6.1 **The Chairman** noted that the submission from RHKYC had been discussed under agenda item 3. **All to note**

**Item 7 Any other business**

- 7.1 **The Chairman** invited Members to note the proposed meeting schedule for 2005 that was tabled. Also, an additional meeting to consider the Final Report of the Envisioning Stage of HER was suggested in end April/early May, but the exact date might need to be revised due to the slippage in programme of HER. As no comments were raised by Members, **the Chairman** confirmed that the proposed meeting schedule was adopted. **All to note**
- 7.2 Regarding SPH's letter to the Chairman of HEC, **the Chairman** said that, it had already been discussed and decided in conjunction with agenda item 4 above and no further discussion was necessary. **Mr. Hardy Lok** agreed.
- 7.3 Regarding the letter from a public person to HEC Chairman requesting withdrawal of the published Public Engagement Kit, **the Chairman** said that as the Sub-committee had agreed to replace it, no further discussion was necessary. He requested the HEC Secretariat to reply to that public person accordingly. **HEC Secretariat**
- 7.4 There being no other business, the meeting was adjourned at 7:00 p.m. The next meeting was scheduled for 9:30 a.m. of 12 April 2005.

Secretariat, HEC Sub-committee on  
Wan Chai Development Phase II Review  
April 2005