

1. The meeting was resumed at 9:20 a.m. on 5.11.2013.
2. The following Members and the Secretary were present at the resumed meeting:

Mr Thomas T.M. Chow

Chairman

Mr Stanley Y.F. Wong

Vice-chairman

Professor S.C. Wong

Professor Edwin H.W. Chan

Mr Rock C.N. Chen

Dr C.P. Lau

Ms Julia M.K. Lau

Mr Laurence L.J. Li

Mr Roger K.H. Luk

Ms Anita W.T. Ma

Dr W.K. Yau

Professor K.C. Chau

Mr H.W. Cheung

Dr Wilton W.T. Fok

Mr Ivan C.S. Fu

Mr Lincoln L.H. Huang

Ms Janice W.M. Lai

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Ms Christina M. Lee

Mr F.C. Chan

Deputy Director of Lands (General)

Mr Jeff Y.T. Lam

Director of Planning
Mr K.K. Ling

[Closed Meeting]

3. The Secretary informed Members that a letter from Mr Chan Ka Lok dated 4.11.2013 was tabled at the meeting. Mr Chan expressed discontent against the Chairman stopping his presentation on 4.11.2013, and considered that the 10-minute time limit imposed on the oral presentation by each representer and commenter had contravened the fair hearing principle and was in breach of procedural justice. Mr Chan asked the Town Planning Board (the Board) to uplift the 10-minute time limit.

4. As Mr Chan Ka Lok's letter had been copied to the media, the Chairman suggested that a reply should be made to Mr Chan explaining that the special meeting arrangements as set out in the "Guidance Notes on Attending the Meeting for Consideration of the Representations and Comments in respect of the Draft Central District (Extension) Outline Zoning Plan (OZP) No. S/H24/8" (the Guidance Notes) had been formulated after thorough deliberation amongst Members and considered by the Board as reasonable, justifiable and necessary in order to ensure a fair and efficient meeting in view of the over 19,000 representations and comments received and that more than 1,000 representers and commenters had indicated that they would attend the meeting. He said that a reply should be sent by the Secretariat of the Board making reference to the Guidance Notes. Members agreed.

Presentation and Question Session

[Open Meeting]

5. The following Government representatives and representers were invited to the meeting at this point:

Miss Elsa Cheuk - Chief Town Planner/Special Duties (CTP/SD),
Planning Department (PlanD)

Mr Timothy Lui - Senior Town Planner/Special Duties (STP/SD),
PlanD

Mr C.T. Lam - Senior Engineer/Hong Kong (2), Civil Engineering
and Development Department (SE/HK2, CEDD)

R2140 – Liu Wing Yu

Mr Liu Wing Yu - Representor

R2231 – Cheng Cheuk Wang

Mr Cheng Cheuk Wang - Representor

6. The Chairman extended a welcome and explained the special arrangements for consideration of the representations and comments in respect of the OZP. He said that each representor/commenter would be allocated 10 minutes' speaking time. If an authorised representative was appointed by more than one representor/commenter to represent them, that authorised representative might use the cumulative time allotted to all the persons he represented to make his oral submission. Request for further time for the oral submission from a representor/commenter or his authorised representative would be considered by the Board and the Board retained the discretion whether to allow such which would only be exercised upon sufficient cause shown and after taking into account all relevant circumstances. If his request was allowed by the Board, he would be either given further time in the same allotted session to make his submission (if time permitted), or notified of the date when he would be invited to return for such purpose. The Chairman then invited the representatives of PlanD to brief Members on the background to the case.

[Mr Dominic K.K. Lam returned to join the meeting at this point.]

7. With the aid of a Powerpoint presentation, Miss Elsa Cheuk repeated the presentation that was made in the session of the meeting on 4.11.2013 as recorded in paragraph 21 of the minutes of 4.11.2013.

[Professor Edwin H.W. Chan returned to join the meeting at this point.]

8. The Chairman then invited the representors to elaborate on their representations. For the efficient conduct of the meeting, the Chairman asked the representors/commenters not to repeat unnecessarily long the same points that had already

been presented by previous representers.

R2140 - Liu Wing Yu

9. Mr Liu Wing Yu made the following main points:

- (a) the extent of public consultation on the Central Military Dock (CMD) was not adequate such that many people were not aware that CMD would be built on the waterfront;
- (b) according to the Government's Announcements in the Public Interest (APIs) and hoardings erected at the Central and Wan Chai reclamation area, a world class waterfront promenade would be provided between Sheung Wan and Wan Chai for public enjoyment. It was only realised later from newspapers that a section of the promenade along the Central harbourfront would be occupied by a military dock;
- (c) the Government's APIs and hoardings had misled the public in the sense that the provision of CMD within the waterfront promenade was not mentioned. The reliability and fairness of the previous public consultation exercises were therefore doubtful. This explained why the rezoning of the subject site from "Open Space" ("O") to "Other Specified Uses" annotated "Military Use (1)" ("OU(MU)1") had attracted a large number of public objections;
- (d) while the right of the Garrison to provide a military facility in Central District was not questioned, it was unsatisfactory that the public had not been properly consulted on CMD until its construction works had nearly been completed;
- (e) the zoning and annotation of the subject site as shown on the OZP had been amended without proper public consultation. As in the case of granting licence for free television service, the Government had changed its policy unilaterally;

- (f) there was a clear distinction between military facility and military use. A military facility would only be used by the People's Liberation Army (PLA) when in need for defence purposes, but land under military use would be permanently occupied by PLA and could not be accessed by the public without PLA's agreement;
- (g) the need to provide a military facility on the Central waterfront was acceptable as this was in accordance with the Sino-British Joint Declaration. However, the need for a piece of land for military use in Central District was questionable as a naval base had already been provided at Stonecutters Island and the Central Barracks were located not far away. If the land for military use was always occupied and fenced off by the Garrison for military use, the site would not be available for public enjoyment;
- (h) the use of the subject site as a military dock was incompatible with the adjoining waterfront promenade. Handing over the management of the subject site to the Garrison was not in line with the public aspiration for having a harbourfront promenade for public enjoyment. There would be management issues when people walking and playing along the waterfront promenade had unintentionally intruded into the military dock;
- (i) the land area occupied by CMD and its ancillary facilities was not justified as back-up facilities for military use had been provided in the Garrison Headquarters located in close proximity and the usage of CMD was expected to be low. The area occupied by CMD should be minimised as it should only be for berthing of vessels and there should be no need for the ancillary structures. The waterfront should as far as possible be reserved for public use; and
- (j) the OZP should not be amended and a territory-wide public consultation on CMD was necessary.

[Actual speaking time of R2140: 10 minutes]

R2231 - Cheng Cheuk Wang

10. Mr Cheng Cheuk Wang made the following main points:

- (a) as the amendments to the OZP would affect the long-term land use of the site, the Board should not agree to the amendments given that there were uncertainties in the future management and operation of CMD;
- (b) there was no written agreement from the Garrison to open the land area of the military dock for public use when it was not in military use. As the management and operation of CMD would be under the purview of the Garrison, its opening to the public would be entirely decided by the Garrison. There was no channel for the public to make enquiry to the Garrison. If the Garrison only opened the subject site for one to two hours and once in a month, the public would in effect be deprived of the right to use the subject site as a waterfront promenade;
- (c) there was no precedent for opening a military facility of the Garrison for public use except on special occasions such as open days;
- (d) the Garrison had always been the beneficiary of the Government's land policy. While Choi Yuen Tsuen had to be relocated to make way for the construction of the Express Rail Link, the Garrison's military airfield at Shek Kong nearby had remained undisturbed. Similarly, the Kowloon East Barracks site was not rezoned to residential use even though there was great pressure for increasing housing land supply in Hong Kong;
- (e) it was unreasonable to have a site managed by the Garrison located in the middle of a sizable public open space. There would be no legal basis for the public to claim compensation from the Garrison for any incident

that happened in the military dock. Moreover, there would be confusion and problems in law enforcement between the Hong Kong Police Force and PLA at the subject site; and

- (f) the former naval base at the Tamar Basin had been reprovisioned at Stonecutters Island. There was no strong need to provide further military facilities in the Central harbourfront area. In view of the small area of CMD together with its limited and small-scale ancillary facilities which could only cater for one to two vessels, CMD could not be a functional military site for defence purposes. CMD might only be used for ceremonial activities symbolising the national sovereignty of the Chinese Government. There was no strong justification on ground of defence to locate CMD at the subject waterfront site by sacrificing the public's right to enjoy the waterfront promenade.

[Actual speaking time of R2231: 10 minutes]

11. As the presentations from the Government representatives and the representers had been completed, the Chairman invited questions from Members.

CMD

12. In response to the question of the Chairman on the area and design of CMD, Miss Elsa Cheuk referred to a slide showing a photo of the subject site and said that CMD, with a site area of about 0.3 hectare, was required to be reprovisioned under the Defence Land Agreement (DLA) for defence purposes. The CMD with its four ancillary structures of a total area of about 220m² was to meet the defence requirements of the Garrison. CMD was fitted with folding gates on its eastern and western sides. The gates would be hidden in the ancillary structures when the dock was not in military use and was open for public access. When the military dock was closed for military use, the public could use a pedestrian walkway to the immediate south of CMD for continuous connection in the east-west direction.

13. With an aid of the visualiser, Miss Elsa Cheuk continued to say that CMD,

including its ancillary facilities and access arrangements, had been made known to the public during the extensive public engagement (PE) exercise of the Urban Design Study for the New Central Harbourfront (UDS). There were descriptions and plans showing the broad area, location and conceptual design of CMD and its ancillary facilities in the relevant publicity documents of UDS including the Information Digest and the Final Report. Detailed information of UDS had been uploaded to the study website for public viewing. Referring to a slide showing a perspective view of the promenade design, Miss Cheuk said that the Government also presented the architectural design of CMD, as part of the works of the advance promenade at the new Central harbourfront, to the Central and Western District Council (C&WDC) and the Harbourfront Commission's Task Force on Harbourfront Developments on Hong Kong Island (HKTF) in May and October 2010 respectively.

14. A Member asked whether there would be folding gates on the southern side of the CMD site. Referring to a slide showing an aerial photo of the Central harbourfront, Miss Elsa Cheuk said that folding gates similar to those fitted on the eastern and western sides of the site would be provided on the southern side and hidden in the ancillary structures when not in use.

Opening the CMD Site for Public Use

15. The Chairman asked when and how CMD would be opened for public use. Miss Elsa Cheuk said that at the request of the HKSAR Government, the Garrison had agreed to open the area of the military dock to the public when the dock was not in military use, having regard to its operation and need for protecting the military dock. The Government had publicly stated on several occasions about the Garrison's agreement. The commitment of the Garrison had also been conveyed to various bodies including the Legislative Council (LegCo), the District Councils (DCs) and the Board during the previous consultation exercise.

16. In response to the enquiry of the Chairman regarding their views on the opening up of CMD, Mr Liu Wing Yu (R2140) said that the HKSAR Government and the Garrison's undertaking to open up the CMD site for public use when it was not in military use should be recorded in written form in order to relieve public concerns. Mr Cheung

Cheuk Wang (R2231) said that since the folding gates would be hidden in the ancillary buildings and the paving of the CMD site was similar to that of the public promenade, the public would not be aware of the demarcation of the public open space and the CMD site when it was not open for public use. Law enforcement and safety issues might arise if the public had unintentionally intruded into the CMD site.

17. A Member asked how definite was the commitment of the Garrison on opening up the CMD site for public use. Miss Elsa Cheuk said that the Garrison fully understood that the design of CMD had integrated with the promenade at the Central harbourfront. The Garrison's agreement to open up CMD as part of the public promenade when it was not in military use had been made known to the public on several occasions, including the PE exercises of UDS in 2007 and 2008 and the briefings to C&WDC and HKTF in 2010. The HKSAR Government would liaise closely with the Garrison on the operational details and arrangements for opening CMD to the public when not in military use, and disseminate the relevant information to the public in future.

18. A Member asked if the landing steps of CMD would be open for public use. Miss Elsa Cheuk said that only the land area of CMD, excluding the four ancillary structures and landing steps, would be open for public use when it was not in military use. Public berthing activities would be catered for at the public piers at Central Piers 9 and 10 located to the northwest of CMD.

19. The same Member asked whether the area to the immediate south of CMD would also be occupied for military use if required. Miss Elsa Cheuk referred to a slide showing a photo of the subject site and said that the area south of CMD formed part of the waterfront promenade for public use and was zoned "O" on the draft OZP. Military use would be confined within the "OU(MU)1" zone. The Chairman remarked that the area to the immediate south of CMD was not an OZP amendment item in the current exercise.

20. In response to the question of another Member, Miss Elsa Cheuk said that when CMD was not in military use, it would be used by the public as part of the waterfront promenade.

21. Another Member enquired about the land status of the CMD site. Miss Elsa

Cheuk said that according to Article 7 of the Basic Law, “the land and natural resources within the HKSAR shall be State property. The HKSAR Government shall be responsible for their management, use and development and for their lease or grant to individuals, legal persons or organizations for use or development”. Under DLA, a number of military sites and military facilities including CMD were to be handed over to or reprovisioned for the Garrison. According to the Garrison Law, controlling military facilities was one of the defence functions and responsibilities of the Garrison. No land grant document was required between the HKSAR Government and the Garrison for the provision of military sites. CMD would be handed over to the Garrison for management after completion of the relevant works and procedures.

Need for Zoning Amendment

22. In respect of some representers’ concern that the Garrison’s agreement to open the military dock was not explicitly stated in the draft OZP or other public documents, Miss Elsa Cheuk said that as the Notes or the ES of the OZP should only include matters that reflected the planning intention, it was not appropriate for the Board to impose operational details in the Notes or ES of the OZP.

23. In response to the Chairman’s question, Miss Elsa Cheuk said that the dock was a military facility to be reprovisioned under DLA. The public had been fully consulted on the location of the military dock at the Central harbourfront in the past when the Board prepared the OZP, leading to the approval of the OZP in 2000, and the intention to have a military dock at the Central waterfront and its location had been clearly indicated in the OZP. Referring to a slide showing the amendments to the OZP, Miss Cheuk said that since the area and design of CMD had not been decided at that time, it was represented by a straight line annotated “150m Military Berth (subject to detailed design)” on the approved OZP. The annotation remained unchanged on the subsequent versions of the OZP until the subject amendments were incorporated into the draft OZP No. S/H24/8. Miss Cheuk continued to say that as the design of CMD had been confirmed and the construction works were reaching the final stage, it was the usual practice of PlanD to amend the OZP to reflect the final delineation and dimension of the military dock.

24. A Member asked why the military berth was annotated with “subject to

detailed design” on the previous versions of the OZP. Miss Elsa Cheuk said that at the time of the publication of the approved OZP in 2000, the design and the area of the military dock were not yet decided at that juncture. Hence, the dock was represented by a straight line annotated “150m Military Berth (subject to detailed design)” on the OZP. Mr Timothy Lui supplemented that it was a common practice to annotate “subject to detailed design” on statutory town plans for proposed developments with no detailed design available at the juncture of plan-making. Miss Cheuk drew Members’ attention to other locations on the same OZP including the “Elevated Walkways” and the “Open Space Deck over Depressed Road P2” located to the southeast of the CMD site where the annotation “subject to detailed design” was used.

25. Noting that a representer said that the military dock was not indicated on the approved OZP No. S/H24/2 and the annotation of “150m Military Berth” did not carry the same meaning as military use, a Member asked whether the change in the annotation of the CMD site from “150m Military Berth” to “OU(MU)1” zone was to reflect the conversion of a temporary facility to a permanent land use. Miss Elsa Cheuk said that it had all along been the planning intention to construct a military dock at the Central waterfront and its location had been presented on the OZP since 2000. As detailed design was not available at that time, the military dock was represented by a straight line annotated “150m Military Berth (subject to detailed design)” on the OZP. The “OU(MU)1” zoning for CMD was to reflect the as-built delineation and dimension of the military dock. The change in the description of the military dock and the deletion of “subject to detailed design” was not related to the temporary or permanent nature of the use and facility.

26. A Member referred to Annex III of DLA and said that a 150m coastline had to be left free for construction of a military dock. This Member asked about the planning practice for delineating a coastline in plan-making. Mr K.K. Ling said that the determination and delineation of a coastline in plan-making would make reference to the ‘High Water Mark’. In context of DLA, the requirement to reserve a 150m coastline was essentially for berthing of military vessels and the actual land requirement and required ancillary facilities of the military dock could only be determined at the detailed design stage later. As the intention was to open the military dock for public use when it was not in military use, it was an urban design objective at the outset to integrate CMD with the promenade design.

27. In response to questions from Members, Miss Elsa Cheuk said that a straight line annotated “150m Military Berth (subject to detailed design)” was presented on the approved OZP in 2000 to reflect the relevant requirement of DLA as the detailed design of the military dock was not available at that time. Nevertheless, the conceptual design of the military dock had as far as practicable been incorporated into the relevant materials of UDS for public consultation purpose. Considering that the Central harbourfront was an important public asset, it had all along been the intention to integrate the design of CMD into the waterfront promenade.

28. In response to the Vice-chairman’s question regarding the representers’ view on the public consultation process, Mr Liu Wing Yu (R2140) said that the Garrison’s commitment to open CMD was not subject to any monitoring mechanism, and the management and law enforcement responsibilities of CMD were unclear. It would not be good planning to rezone the CMD site to “OU(MU)1” before its detailed management and operational arrangements were sorted out.

Public Consultation

29. The Vice-chairman and a Member asked about the extent and coverage of the public consultation exercises involving the CMD site. Miss Elsa Cheuk said that it had all along been the intention of the Government to disseminate relevant information on the CMD site to the general public. The location and conceptual design of CMD had been made known to the public in the past, not least in the context of the planning process leading up to the approval of the OZP in 2000, and the PE exercises of UDS in 2007 and 2008. The Government had been closely liaising with the Garrison on the design requirements of CMD and endeavoured to incorporate the relevant information on the conceptual design of CMD into UDS for public consultation. Miss Cheuk said that the conceptual design of CMD as part of the waterfront promenade and opening CMD for public access when it was not in military use had been made known to the public on several occasions since 2002, including the PE exercises of UDS in 2007 and 2008 and the briefings to C&WDC and HKTF in 2010. Views of the local stakeholders and relevant bodies had been taken on in account in finalising the design of CMD.

30. Miss Elsa Cheuk continued to say that the publication of the amendments to the OZP involved a public consultation process. Under the Ordinance, amendments to draft plans would be published in the Gazette for public inspection for 2 months during which any person might make representation to the Board in respect of the draft plan. All representations received by the Board during the 2-month plan exhibition period would be published for public inspection for three weeks and any person might make comment on the representations to the Board. All the representers and commenters would be invited to attend the Board meeting to present their views.

31. Noting PlanD's responses on the public consultation aspect for CMD, the Vice-chairman asked Mr Liu Wing Yu (R2140) about his views on the CMD proposal. Mr Liu said that since the relevant TPB Paper was only made available to the representers one week before the meeting took place, he was unable to digest all the information before the meeting due to the large volume of documents. The TPB Paper should have been made available to the representers earlier. Referring to a slide showing the amendments to the OZP, Mr Liu also commented that the broad area of CMD was not indicated on the approved OZP in 2000. The general public would not be aware of the amendments to OZPs since they would seldom read the Government Gazette. In the subject case, the public had clearly been misled by the Government's API and hoardings.

32. A Member followed up and asked about the extent and coverage of the public consultation exercises involving CMD from 2000 to 2013. Miss Elsa Cheuk said that given the strategic location of the Central Reclamation and having regard to views and concerns expressed by the public and relevant stakeholders on the extent of reclamations, PlanD in 2007 commissioned UDS which involved an extensive two-stage PE exercise that was launched in May 2007 and April 2008 respectively. UDS covered the entire planning scheme area of the Central District (Extension) OZP and part of the Central District OZP, and aimed to refine the existing urban design framework and identify the urban design objectives and urban design issues within the study area and the key sites. Referring to the Illustrative Master Layout Plan (MLP) prepared under UDS, Miss Cheuk said that the waterfront promenade including the proposed CMD had been identified as one of the key sites, i.e. Site 7, in the study. The PE exercise of UDS involved a wide range of activities including public exhibitions, roving exhibitions, comment cards, face-to-face interviews, telephone polls, focus group workshop, community engagement

forum, briefings to relevant public and advisory bodies, guided tours and consolidated forums.

33. In response to the question of a Member, Miss Elsa Cheuk said that PLA had not been approached on the design of CMD during the study process of UDS.

34. A Member asked when Plan H-3 of the Paper, i.e. “MLP of UDS”, was made available for public consultation. Mr Timothy Lui said that the plan was extracted from the “Illustrative MLP” of UDS and prepared for the purpose of this meeting. The MLP was included in both the Stage 2 PE: Consultation Digest in 2008 and Information Digest of UDS in 2011. The conceptual design of CMD and its four ancillary structures had been indicated on the MLP. The same Member asked whether CMD had been indicated in the consultation materials for Site 7 during the PE exercise of UDS. With the aid of the visualiser, Mr Lui said that it had been clearly stated in the Consultation Digest of UDS that, under Site 7, the CMD site formed part of the waterfront promenade and would be open for public use when it was not in military use.

[Ms Anita W.T. Ma returned to join the meeting at this point.]

35. The Secretary said that conceptual design of the CMD site and its operation, i.e. open for public use when it was not in military use, had been subject to extensive public consultation under UDS. With the aid of the visualiser, Mr Timothy Lui referred to the relevant pages of the Stage 2 PE Report of UDS and elaborated that the PE programme for UDS comprised two stages: Stage 1 PE, which took place from May to June 2007, focused on the urban design objectives, urban design issues and sustainable design assessment framework relating to the Central harbourfront; whilst Stage 2 PE took place from April to July 2008 and focused on collecting public views and suggestions on, inter alia, the proposals for the refined urban design framework and design concepts for the key sites. To facilitate public participation, a wide range of engagement activities was conducted and public views were collected between 2007 and 2009 through various channels. Specifically, the details of the Stage 2 PE activities of UDS were summarised below:

- (a) two large scale public exhibitions with physical models, virtual interactive 3D models and other illustrative materials had been held and

a total of about 13,700 visitors visited the public exhibitions;

- (b) seven roving exhibitions, visited by a total of about 11,340 visitors, were held at various locations to supplement the public exhibitions;
- (c) comment cards were distributed at the exhibition venues to solicit the responses from the public regarding their views on the refined urban design vision, the design framework for the new Central harbourfront, and design concepts for the eight key sites. It was explicitly stated in the comment cards for Site 7 that under both design concept options of the waterfront promenade, CMD would form part of the promenade and would be open for public access when it was not in military use;
- (d) a comprehensive public opinion collection exercise had been undertaken by the Hong Kong Polytechnic University to solicit views of the public through two rounds of face-to-face interviews and two telephone polls;
- (e) public submissions in the forms of letters, faxes, emails, plans, etc. were received from various organisations and individuals;
- (f) a focus group workshop and a community engagement forum were held to gauge the views of members of the public, and relevant stakeholders, concern groups, professional groups, academic institutions, and public and advisory bodies;
- (g) briefings on the study proposals were made to relevant public and advisory bodies including the Board, the then Harbourfront Enhancement Committee and its Task Group on UDS, LegCo, Land and Building Advisory Committee, Antiquities Advisory Board, all the 18 DCs and professional institutes and organisations;
- (h) guided tours were provided to seven schools and two interested organisations;

- (i) a consolidation forum was organised in February 2009 to report the public views gathered from different channels during the Stage 2 PE of UDS; to provide a platform for the public to present their alternative design proposals and other comments/suggestions; and to conduct a focused, in-depth and structured public discussion on the critical issues under UDS. A comment form was distributed to participants of the forum to seek their views on specific issues relating to UDS proposals, including the waterfront promenade and CMD in Site 7; and

- (j) all the views and suggestions collected during the PE exercise had been recorded and consolidated into the Stage 2 PE Report of UDS for analysis. In the PE Report, various key issues relating to Site 7, including the location and design of the military dock, were discussed, with public views highlighted and responses by the study team and concerned Government departments provided.

36. Mr Timothy Lui continued to say that the territory-wide public consultation exercise was not confined to the residents of Central and Western District but all people of Hong Kong. All the relevant information on UDS including the Information Digest, the PE reports and presentation materials had been uploaded to the UDS website for public viewing.

37. In response to the enquiry of the Chairman regarding the views on the public consultation process, Mr Cheng Cheuk Wang (R2231) said that the PE exercise of UDS was conducted on the basis of the whole new Central Harbourfront rather than focusing on the military dock. As only a small proportion of the written descriptions and illustrations in the consultation materials of UDS were related to the military dock, the public views collected would not be a good indication of the public acceptance and awareness of the military dock.

38. A Member asked whether the military use of the four ancillary structures of the military dock had been spelt out during the public consultation exercise of UDS. With the aid of the visualiser, Miss Elsa Cheuk said that the ancillary structures had been included as part of the military dock and annotated on the relevant plans and illustrations

of the PE documents.

39. Another Member asked whether it would be a public perception during the PE exercise of UDS that the subject site would be part of the waterfront promenade but without a military dock and the ancillary facilities. Miss Elsa Cheuk said that the broad area of CMD, its ancillary facilities and the landing steps were clearly annotated on the development concept plan of Site 7 prepared for the Stage 2 PE of UDS in 2008. The said plan had been uploaded to the UDS website for public viewing.

40. Referring to a slide showing a perspective view of the promenade design, Mr Liu Wing Yu (R2140) said that the public might not be aware that the subject site and the ancillary buildings would be used for CMD. It was also doubtful if the folding gates had been shown in the models and presentation materials of the military dock in the course of public consultation exercises. As such, the public might not be aware that CMD would be closed off from public access when it was in military use and that the decision to open CMD for public access would be subject to the Garrison.

41. As all the representers attending the session had completed their presentations and Members had no further question to raise and no more representers arrived to attend the session at that moment, the Chairman thanked the representers and the Government representatives for attending the meeting. They all left the meeting at this point.

42. The Chairman said that as no more representers had arrived to attend this session of the meeting, the meeting would be adjourned at this juncture.

[Closed Meeting]

43. As the representers and commenters had already been notified of the rules and procedures of the meeting as set out in the Guidance Notes, Members generally considered that the representers and commenters should attend the scheduled session of the meeting in accordance with the date and time indicated in the notice of meeting issued by the Board. Since the representers had been asked to attend the meeting at 9:00 a.m., those who failed to attend on time or arrived after the adjournment of the meeting should be treated as absentees. Nevertheless, the Board could consider re-scheduling such representers to

another session if reasonable explanations could be produced to the satisfaction of the Board. Members agreed that the meeting should be adjourned until the next scheduled meeting session.

44. The Vice-chairman said that the meeting so far had been conducted smoothly and effectively. This was a good demonstration of the merits of the special meeting arrangements. He also suggested that Members consider whether the representers and commenters should be reminded, possibly by telephone, to attend the upcoming sessions of the meeting on time as scheduled. Noting that two letters had already been issued to each representer and commenter before the meeting, with the first letter asking whether they would attend the meeting and the second letter informing them of the date and time of the session of the meeting in which they would be heard by the Board, Members considered that it would be more practicable and effective to remind the representers and commenters to attend the scheduled session of the meeting on time by posting a reminder on the Notice Board in the Board's website.

45. The meeting was adjourned at 12:05 p.m.