

1. The meeting was resumed at 9:00 a.m. on 16.2.2017.
2. The following Members and the Secretary were present at the resumed meeting:

Permanent Secretary for Development  
(Planning and Lands) Chairman  
Mr Michael W.L. Wong

Professor S.C. Wong Vice-chairman

Mr Lincoln L.H. Huang

Dr Wilton W.T. Fok

Mr Dominic K.K. Lam

Mr Ivan C.S. Fu

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Ms Sandy H.Y. Wong

Mr Franklin Yu

Chief Transport Engineer /Hong Kong, Transport Department  
Mr Peter C.K. Mak

Principal Environmental Protection Officer (Metro Assessment), Environmental  
Protection Department  
Mr Tong W.H. Cheung

Assistant Director of Lands/Region (1)  
Mr Simon S.W. Wang

**Agenda Item 1 (Continued)**

[Open Meeting]

Consideration of Representations and Comments in respect of Draft Kennedy Town and Mount Davis Outline Zoning Plan No. S/H1/20  
(TPB Paper No. 10244)

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[The meeting was conducted in Cantonese]

3. The Chairman said that the meeting was the third hearing day of the representations and comments in respect of the Draft Kennedy Town and Mount Davis Outline Zoning Plan No. S/H1/20 (the draft OZP).

4. The Secretary said that Members' declaration of interests were made in the first hearing session on 7.2.2017 (paragraphs 2 to 4 of the minutes of 7.2.2017) and the second hearing session on 15.2.2017 (paragraph 4 of the minutes of 15.2.2017). No further declaration of interests had been received from Members since then. Members noted that Mr Raymond K.W. Lee, Mr Martin W.C. Kwan, Mr H.W. Cheung, Professor K.C. Chau, Mr Sunny L.K. Ho, Ms Janice W.M. Lai, Mr Patrick H.T. Lau, Mr H.F. Leung, Mr Philip S.L. Kan, Dr Lawrence W.C. Poon, Mr K.K. Cheung, Dr C.H. Hau, Mr Thomas O.S. Ho, Mr Stephen L.H. Liu, Professor T.S. Liu, and Miss Winnie W.M. Ng had tendered apologies for not attending the meeting.

**Presentation and Question Sessions (Continued)**

5. The Chairman said that reasonable notice had been given to the representers and commenters inviting them to attend the hearing, but other than those who were present or had indicated that they would attend the hearing, the rest had either indicated not to attend or made no reply. As reasonable notice had been given to the representers and commenters, Members agreed to proceed with the hearing of the representations and comments in their absence.

6. The following government representatives and consultants, as well as representers, commenters and their representatives were invited to the meeting at this point:

**Government representatives and consultants**

Planning Department (PlanD)

- Mr Louis K.H. Kau - District Planning Officer/Hong Kong (DPO/HK)
- Mr Derek P.K. Tse - Senior Town Planner/Hong Kong (STP/HK5)

Environmental Protection Department (EPD)

- Mr Richard W.Y. Wong - Senior Environmental Protection Officer (Metro Assessment) 3 (SEPO(MA)3)

Civil Engineering and Development Department (CEDD)

- Ms Carrie K.Y. Leung - Senior Engineer/7 (SE/7)
- Mr Derek H.F. Kwok - Engineer/5 (E/5)

Mott MacDonald Hong Kong Limited (MMHK) (the Consultants)

- Mr Eric M.K. Ching - Director – Environment
- Mr P.K. Chan - Senior Environmental Consultant

**Representers/Commenters and their representatives**

R149 - 城西關注組

R163 – Cheung Kai Yin

- Ms Cheung Kai Yin - Representer and representer's representative

R3258 – Fung Yu Kwan Frankie

R3452 – Ip Mei Yan

R3453 – Lee Kwok Yu

R3688 – Fung Shui Foon

R3690 – Mou Lok Sum

R3699 – See Sau Ying

R3702 – Foon Shui Kim

R3727 – Chan Shiu Kong

R3778 – Sai Mu Wu

R3794 – 高嘉恩

R3802 – 王慧明

R3823 – Andy Yee

R3833/C176 – Angela Chan

R3844 – Lee Wing See

R3845 – Cecil Fu

R3847/C227 – Chan Hoo Wai

R3886 – Idy Lam

R3891 – Janet Ho Wai Ching

R3917 – Leung Chi Lim Leslie

R3924 – Liu Ng Man Vanessa

R3932 – Wong Kok Hon

R3961 – Shirley Leung

R3963 – Siu Shan Tam

Alliance for Protecting Cadogan Park (APCP) - Representers' and commenters' representative

(represented by

Mr Mok Kun Ki,

Mr Mak Chi Kit,

Mr Samson Chan Wai Sun,

Mr David Fu Chee On,

Ms Cheung Kai Yin,

Ms Lau Ka Sin,

Ms Wong Kin Ching,

Ms Tse Tsz Ying,

Mr Chan Sam Choi,  
Ms Lesley Lee,  
Ms Ma Lai Ying and  
Mr Wong Kai Chiu)

R442 – Wu Shing Choi

Mr Wu Shing Choi - Representor

R975 – Shum Man Ting

Ms Shum Man Ting - Representor

7. The Chairman extended a welcome and explained the procedures of the hearing. He said that the representatives of PlanD would first brief Members on the background to the representations and comments. The Chairman would then invite the representers/commenters or their representatives to make oral submissions. To ensure efficient operation of the hearing, each representor/commenter or their representative was allotted 10 minutes for making presentation. There was a timer device to alert the representers/commenters or their representatives two minutes before the allotted 10-minute time was to expire and when the allotted 10-minute time limit was up. Question and answer (Q&A) sessions would be held after all attending representers/commenters or their representatives had completed their oral submissions on that day. Members could direct their questions to government representatives, representers/commenters or their representatives. After the Q&A sessions, the hearing of the day would be adjourned, and the representers/commenters or their representatives and the government representatives would be invited to leave the meeting. After hearing of all the oral submissions from the representers/commenters or their representatives who attended the meetings, the Town Planning Board (the Board) would deliberate on the representations/comments in their absence, and inform the representers/commenters of the Board's decision in due course.

8. The Chairman then invited the representatives of PlanD to brief Members on the background to the representations and comments. With the aid of a PowerPoint presentation, Mr Louis K.H. Kau, DPO/HK, repeated the presentation that was made in the morning

session of the meeting on 7.2.2017, the main topics of which were mentioned in paragraph 12 of the minutes of 7.2.2017 (a.m. session).

[Mr Alex T.H. Lai and Mr Franklin Yu arrived to join this session of the meeting during DPO/HK's presentation.]

9. The Chairman then invited the representers, commenters and their representatives to elaborate on their written submissions.

R149 – 城西關注組

R163 – Cheung Kai Yin

10. With the aid of a Powerpoint presentation, Ms Cheung Kai Yin made the following main points:

- (a) she was a member of 城西關注組 (Sai Wan Concern) which was formed about two years ago to serve as a communication channel by explaining planning proposals to residents of the Western District and collecting and reflecting local views to the Board. She was also a community officer of the Democratic Party and a co-opted member of the Central and Western District Council;
- (b) the major concern of the local residents was on the rezoning of the Cadogan Street Temporary Garden (CSTG) site for residential development. As illustrated by examples in other waterfront promenades in the Central and Western District such as Sun Yat Sen Memorial Park and the Central Waterfront Promenade, CSTG was irreplaceable by the proposed waterfront park (Amendment Item A1) for the following reasons:
  - (i) waterfront parks were usually located far away from residential areas and not conveniently accessible for the local residents in

- particular the elderly and the wheel-chair users, even if pedestrian subway and/or footbridge connections were provided;
- (ii) waterfront promenades were often lacking in seating and shelters. The density and quality of trees in CSTG were much higher than those in the Sun Yat Sen Memorial Park. As the waterfront area was subject to strong sea breeze, it was not feasible to grow big trees along the waterfront promenades as shelters for the users; and
  - (iii) the functions of CSTG and waterfront promenades were different. The CSTG was mainly catering for passive recreational activities including chatting, picnicking and chess playing while waterfront promenades were mainly used for jogging and exercising activities or serving as an access route along the waterfront;
- (c) the “Open Space” (“O”) zone near Sai Ning Street (Amendment Item A2) was small in size. It was mainly intended for preservation of two existing old trees and provision of a buffer between the adjoining residential developments. Not much greening was envisaged to be provided in that “O” zone;
- (d) the Belcher Bay Park was already heavily used by the residents of Shek Tong Tsui, Kennedy Town and Sai Ying Pun. Further increase in the number of users would adversely affect the quality of the park;
- (e) the major open spaces in the Central and Western District including Hong Kong Park, Sun Yat Sen Memorial Park and the Central Waterfront Promenade were not located within residential neighbourhoods and were not frequently used by the local residents. It was unfair to include those open spaces in the overall assessment of open space provision for that district;

- (f) based on the Hong Kong Planning Standards and Guidelines (HKPSG), there was a shortage of open space in the Planning Scheme Area of the OZP as well as in most areas of Hong Kong Island. As Hong Kong 2030+ had advocated an even higher standard for provision of open space, CSTG should be retained in order to enhance the provision of open space in the Area;
- (g) the supply of housing units had exceeded the total number of households in Hong Kong. According to the 2017 Policy Address, the projected supply of first-hand private residential properties for the coming three to four years was about 94,000 units, which was a record high in 12 years and more than half of the Government's 10-year target of 180,000 units for private housing. The need for rezoning the CSTG site for private housing development was questionable; and
- (h) a planning application for rezoning an "O" site at Tak Shing Lane in Sai Ying Pun for residential use was rejected by the Metro Planning Committee (MPC) of the Board in 2015 mainly on the ground that the site was required to serve as a spatial and visual relief in the congested built environment. A similar approach should be adopted for the CSTG site. Not every single site should be developed for residential use.

R442 –Wu Shing Choi

11. Mr Wu Shing Choi made the following main points:

- (a) he moved into the Kennedy Town area some 10 years ago and enjoyed its tranquil environment;
- (b) the OZP amendments would not bring about any improvement but would make the Kennedy Town area more congested. The lack of comprehensive planning would result in degradation of environmental quality;



- (c) the land use review for Kennedy Town should have been undertaken before completion of the MTR West Island Line when the traffic condition of the area was poor. There was no need to identify more property development sites for MTRC as the company had been doing well in its business;
- (d) the main aspiration of the local residents was to maintain the status quo. Any drastic change would affect the living of the residents; and
- (e) professional town planners should endeavour to uphold their integrity instead of blindly following the order of the Administration. They should use their professional knowledge to serve the community.

R975– Shum Man Ting

12. Ms Shum Man Ting made the following main points:

- (a) recently completed private housing developments in the Kennedy Town area including Cadogan and The Hudson were luxury housing developments for rental which could not meet the housing needs of local people;
- (b) the Kennedy Town area had been subject to adverse air quality impact as it was located close to a refuse transfer facility. The air quality aspect should be taken into account in the planning process. The best solution to enhance air ventilation in the area was to maintain the status quo for the CSTG site;
- (c) CSTG was unique in many ways. It was the only park in the Western District where pet dog facilities were provided. There was a green lawn in CSTG which was frequently used by different groups and organisations including primary schools, kindergartens and ethnic minority people for

educational and recreational purposes. Moreover, facilities in CSTG were enhanced regularly as evident by the recent provision of shelters and exercising equipment;

- (d) there were insufficient justifications for the proposed private housing development at the CSTG site. While the proposed private housing development would only provide a few hundred of flats, substantial resources had to be devoted to the provision of mitigation measures to support the development;
- (e) the former police married quarters and vacant school site at Ka Wai Man Road were potential sites for housing developments. Those existing available sites should be considered for development first before the rezoning of public open space;
- (f) distribution of open space was more important than quantity. Open spaces should be provided at accessible locations to the local residents; and
- (g) the proposed stepped building height profile for the Kennedy Town area should not be an important planning consideration as the area was not a popular vantage point and the height profile could only be visible from the sea.

[Dr Wilton W.T. Fok left this session of the meeting at this point.]

R3258 – Fung Yu Kwan Frankie

R3452 – Ip Mei Yan

R3453 – Lee Kwok Yu

R3688 – Fung Shui Foon

R3690 – Mou Lok Sum

R3699 – See Sau Ying

R3702 – Foon Shui Kim

R3727 – Chan Shiu Kong

R3778 – Sai Mu Wu

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R3802 – 王慧明

R3823 – Andy Yee

R3833/C176 – Angela Chan

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R3845 – Cecil Fu

R3847/C227 – Chan Hoo Wai

R3886 – Idy Lam

R3891 – Janet Ho Wai Ching

R3917 – Leung Chi Lim Leslie

R3924 – Liu Ng Man Vanessa

R3932 – Wong Kok Hon

R3961 – Shirley Leung

R3963 – Siu Shan Tam

13. Mr Mok Kun Ki said that a booklet prepared by APCP had been distributed to Members at the hearing session on 15.2.2017 in support of their oral submissions. Members noted.

14. With the aid of a Powerpoint presentation, Ms Cheung Kai Yin made the following main points:

- (a) the MPC of the Board had previously rejected a planning application for rezoning an “O” site at Tak Shing Lane in Sai Ying Pun for residential use mainly on the ground that the site was required to serve as a spatial and visual relief in the congested built environment. Based on the same principle, the CSTG site should be retained as open space such that air ventilation in that part of the Kennedy Town area could be enhanced;
- (b) the CSTG site should not be used for infill private residential development given the prevailing market trend to develop very small flats which were

not beneficial to both the future occupants and the existing residents in the surrounding area;

- (c) residential zones should be developed for the intended residential use rather than other uses such as hotel through obtaining planning permission. That would lessen the need to rezone public spaces for residential development and hence minimizing local objections;
- (d) a number of local residents had expressed concern on the potential traffic impact of the proposed developments on the already congested streets particularly Belcher Street, Catchick Street and Davis Street. As the traffic congestion was mainly caused by a combined effect of on-street loading/unloading, pick up/drop off activities and the narrow configuration of the streets, it would not be resolved by building more roads; and
- (e) the proposed developments would bring about a population increase of about 10,000 which would increase the demands for school, health care and community facilities in the area.

15. With the aid of a Powerpoint presentation, Mr David Fu Chee On made the following main points:

- (a) CSTG was regarded by the local residents as a compensation for their sacrifice in accepting those polluting and unpleasant uses in Kennedy Town in the past;
- (b) since the completion of CSTG in 1999, a number of private residential developments had been implemented in the Kennedy Town area which provided a total of some 3,750 units with a population of about 12,000. In addition, several new developments and redevelopment projects at Catchick Street, Smithfield and Hau Wo Street were in the pipeline. Thus, the future population of the area would far exceed the planned

population of 90,600 estimated by PlanD. There was however insufficient public open space to meet the needs of the existing and planned population;

- (c) the Hong Kong Zoological and Botanical Gardens and Hong Kong Park were serving people of the whole territory but not the residents of the Central and Western District. It was unfair to include those parks in the overall assessment of open space provision;
- (d) while some new public open spaces had recently been implemented in the area including the sitting-out areas at Catchick Street and at Smithfield, they were all provided with hard-paved surface and planted only with small and young trees, and hence could not replace the current role of CSTG;
- (e) the role of CSTG could also not be substituted by other existing open spaces in the area, including the Kennedy Town Temporary Recreation Ground and the Forbes Street Temporary Playground which comprised mainly active recreational facilities such as sports pitches and children playgrounds, and the Ka Wai Man Road Garden which was on sloping ground and barely accessible by the local residents especially the elderly. As for Belcher Bay Garden, it was located quite distant away from the residential neighbourhoods in Kennedy Town and already in heavy use by the residents of Shek Tong Tsui;
- (f) the traffic at the junction of Belcher Street/Cadogan Street was relatively light and smooth because the bottlenecks were located in other sections of Belcher Street and Cadogan Street where frequent pick-up/drop-off, loading/unloading and illegal parking activities were taking place;
- (g) Victoria Road also suffered from traffic congestion occasionally in particular during the Ching Ming and Chung Yeung festivals and when

the traffic along New Praya, Kennedy Town had to slow down in order to avoid the seawater splashed up from the harbour;

- (h) as at least three junctions along Victoria Road and Cadogan Street around the CSTG site had to be signalised upon implementation of the OZP amendments, new bottlenecks would be created along those roads. The proposed road layout might not be able to absorb the future increase in traffic brought about by the proposed residential developments, school, public car park and tourism-related facilities in the vicinity;
- (i) the trams would occupy significant road space and create noise nuisance when turning around the corners at Catchick Street, Davis Street, Belcher Street and Cadogan Street. The conflict between trams and other transport modes due to limited road space had often resulted in traffic accidents. Diversion of the tram routes should be considered by the Government;
- (j) it was uncertain whether the number of trees planted in the proposed waterfront park would be greater than that of CSTG;
- (k) a double standard had been adopted in designating the non-building area (NBA)/building gap requirements. While a 30m NBA was designated at the China Merchants Godown site, the proposed building gap at the private residential site at the CSTG site had a width of only 15m, which would be of minimal effect in facilitating air ventilation in the area;
- (l) all vantage points adopted in the visual impact assessment were located at the sea or the proposed waterfront park. If other major public viewing points on the landward side such as the junction of Belcher Street/Cadogan Street were adopted, the visual impact of the proposed developments should be much more prominent; and

- (m) as the proposed number of residential blocks at the CSTG site had been reduced from six to four, the visual and air ventilation impacts of the development should be re-assessed.

[Mr David Y.T. Lui left this session of the meeting at this point.]

16. Mr Chan Sam Choi made the following main points:

- (a) the OZP amendments were not good planning since the needs of elderly people had not been taken care of. CSTG should not be rezoned for residential use as other open spaces in the Kennedy Town area were either too far away or inaccessible to the elderly;
- (b) the public consultation regarding the proposed demolition of CSTG was insufficient. For sustainable long-term planning, more emphasis should be placed on conservation rather than demolition;
- (c) as all the potential sites for compensatory planting had already been used up in the MTR West Island Line project, no further site might be available for accommodating the compensatory planting arising from the demolition of CSTG; and
- (d) there were other sites in Kennedy Town, such as Ka Wai Man Road Garden, which should be considered for development. CSTG should be preserved and linked up with the proposed waterfront park and the waterfront promenade in the Central and Western District.

17. With the aid of a PowerPoint presentation and video clippings, Mr Wong Kai Chiu made the following main points:

- (a) since 2000, a number of redevelopment projects had taken place in the Kennedy Town area which resulted in a sharp increase in population. Such increase had led to significant changes in the type and nature of

shops and services in the area. Many old shops had been closed down and replaced by pubs and restaurants alike. The number of pet shops and health care services had also increased. The increase in population had also resulted in a shortage of school places. The sustainability of any further development in the area was therefore questionable;

- (b) as many of the new residential developments were not provided with their own car parks, the demand for car parking spaces was high. This had led to inflated rental costs which were unaffordable by the local residents. Thus, local residents would prefer to parking their cars illegally on the streets. The problem could not be alleviated by the proposed public car park in the CSTG site given the envisaged high rental cost of the parking spaces;
- (c) the proliferation of pubs and restaurants had attracted people from other districts to Kennedy Town for dining and leisure. Since most of those people used private cars, it resulted in a significant increase in road traffic. Thus, the illegal parking problem had become even more serious in particular along Cadogan Street and Forbes Street, which often led to blockage of traffic and traffic congestions in the wider area. Given the increase in road traffic, the number of traffic accidents was also on a rising trend. There was grave concern that the traffic condition would further aggravate upon implementation of the proposed residential and tourism-related developments under the OZP amendments;
- (d) some public spaces in the area were located behind buildings and not accessible to the general public. Similar design might be adopted for the public open space within the proposed residential development at the CSTG site;
- (e) the visual impact of the proposed development at the CSTG site should be assessed from view points on the landward side in the context of the



existing buildings along Cadogan Street, Catchick Street and Victoria Road;

- (f) since the proposed number of residential blocks at the CSTG site had reduced from six to four, the visual and air ventilation impacts of the development should be re-assessed; and
- (g) in conclusion, the proposed demolition of CSTG for development would only aggravate the existing problems and offer no benefit to the local residents. The CSTG should therefore be retained.

[The meeting was adjourned for a short break of 5 minutes.]

18. With the aid of a PowerPoint presentation, Mr Mak Chi Kit made the following main points:

- (a) before rezoning public open spaces for residential development to help tackle the housing shortage problem, the Government should first consider the underlying reasons for the problem and the needs of the Hong Kong people;
- (b) given its proximity to the MTR station, prominent location near the sea and the substantial capital cost involved in decontaminating the site, the CSTG site would likely be developed to another luxury housing similar to The Merton. According to the statistics provided by the Rating and Valuation Department (RVD), the vacancy rate of 'luxury housing' had been maintained at a level of about 8 to 10% since 2011. Thus, luxury housing was not the major source of housing needs and there was absolutely no need to sacrifice CSTG for another luxury housing development;
- (c) according to the Census and Statistics Department, there were some 2.65 million housing units in Hong Kong while the total number of households

was only 2.38 million. From 2011 to 2015, some 98,000 units had been built but the number of households had only increased by some 62,200. As illustrated by the situation in the Mainland, a substantial increase in housing supply would only bring about many vacant buildings, but the flat prices remained very high. Thus, increasing housing supply could not solve the housing problem;

- (d) according to RVD, between end 2015 to 2016, the private domestic price index had increased by 7% from 285 to 306.8. As the prices were recorded after the implementation of ‘additional tough measures’ by the Government in November 2015, it was apparent that the increase in housing supply could not help suppress property price;
- (e) the need for housing should not be indefinite. The Government had never indicated when the need would be satisfied even after several rounds of land sale and rezoning exercises. It was clear that the Government’s approach in tackling the housing problem was wrong;
- (f) as pointed out by a number of academics and economists, the property market of Hong Kong had direct correlation with interest rate. The combined effect of the inflow of ‘hot money’ as a result of low interest rate and the export of capitals from the Mainland had substantially pushed up the amount of investments in Hong Kong’s property market. As demonstrated in the recent sale of land in Kai Tak, the land prices had been pushed up even with the increase in land supply. Thus, it would not be effective to tackle the problem by increasing housing supply;
- (g) on the other hand, the population of Hong Kong had increased by some 860,000 since the return of sovereignty in 1997. However, the HKSAR Government did not have a clear population policy. Given that the land, environmental and natural resources were limited, the increase in population should not be indefinite and the associated problems should not be unconditionally absorbed by the town planning process;

- (h) public open spaces were serving important functions in the society in terms of landscape value, social linkage and environmental protection. Their value could not be quantified by economic means, nor could they be regarded as of low value that would be disposed of for property development. There had been too many cases which involved the rezoning of open space in the past and the current provision of open space in Hong Kong was much lower than those in Shanghai, Singapore and New York;
- (i) rezoning of public open space was unnecessary since there were still land available for development in Hong Kong such as brownfields and golf courses. It was also wrong to permit the change of use of land and properties in the residential zones to other purposes such as hotels and guest houses, and to leave the brownfield sites undeveloped;
- (j) trees were not only of landscape value but also of historical and cultural significance. However, the current tree compensatory practice was unsatisfactory as the compensated trees were often small in size, at inaccessible locations and could not be enjoyed by the general public;
- (k) in conclusion, the demolition of CSTG for development would not bring about greater benefits to the general public as the housing problem could not be resolved by increasing the housing supply. The Board should exercise its independent judgment in considering the rezoning of CSTG instead of facilitating unreasonable government policy;
- (l) he urged Members to undertake site inspections to the concerned areas in order to appreciate the needs and aspirations of the local residents; and
- (m) CSTG should be preserved. Alternatively, after decontamination it could be reinstated to a park with a view to promoting social cohesion and tourism development.

19. With the aid of a PowerPoint presentation, Mr Mok Kun Ki made the following main points:

- (a) as shown in the options of decontamination proposed in the Environmental Impact Assessment (EIA) report for Demolition of Buildings and Structures of the Kennedy Town Incineration Plant (KTIP) and Kennedy Town Abattoir (KTA), it was feasible to carry out decontamination works of the subject area by phases. Thus, the decontamination works for CSTG could be undertaken after completion of the works in other contaminated areas or even not be carried out at all;
- (b) the borehole sampling method adopted in the EIA report was ‘convenient’ sampling in which the distribution of sampling locations was illogical. Since the area subject to the highest level of contamination was KTIP, borehole samples should have been taken at and around the ex-KTIP site. However, the area to the immediate west of the ex-KTIP site, including the current bus terminus which was proposed for residential development under the OZP amendments, had not been included in the sampling and hence decontamination works. If that site was contaminated, the construction workers and occupants of the future development might be subject to health and safety risks;
- (c) the proposed decontamination works as recommended in the EIA report was based on outdated data collected in 2002. According to the additional samples collected by CEDD in 2013, there had been substantial changes to the level and content of the contaminants as compared to those collected in 2002. The validity of using such outdated data for assessing the current situation of soil contamination and determining the decontamination method was highly questionable. Such problem would not only affect the scope and method of the proposed decontamination works and the consideration of the relevant OZP amendments by the Board, it might also violate the essence of the EIA Ordinance. Moreover, contamination of the CSTG site was not directly related to the operation of KTIP. It was unjust to assume in the

EIA report that the CSTG site would be developed for residential use before the consideration of representations by the Board;

- (d) the biopile method recommended in the EIA report for decontamination was only one of the bio-remediation methods which involved the use of organisms to remove or neutralise pollutants from a contaminated site. The phytoremediation method, which adopted a plant-based approach of remediation, was considered more feasible for decontamination of the CSTG site than the biopile method. It was because the CSTG site was fully covered with plants which had the natural ability to bioaccumulate, degrade, transform or render harmless organic contaminants in the soils. In fact, phytoremediation should have already taken place in CSTG as the garden had been in place for about 18 years. Hence, phytoremediation would be a more effective and economic alternative to biopile for decontaminating the CSTG site;
- (e) the two models used for air quality assessment in the EIA report were outdated and for short-term projects which were not up to international standards and might not be appropriate for assessing the impact of the decontamination process which had a time span of 7 years or even longer. It was also doubtful whether the models could sufficiently take into account the wind flow direction in the concerned area, and the air quality impact on the surrounding areas was under-estimated;
- (f) the air pollution monitoring measures recommended in the EIA report were inadequate. The monitoring of lead and NO<sub>2</sub> had not been included in the decontamination works monitoring protocol. As those contaminants were colourless, tasteless and odourless, with long-term exposure, they could be hazardous and harmful to human lives even under low concentration;
- (g) the greening and trees in CSTG could help filtering the contaminated dust raised by the decontamination works for the adjoining areas and act as a barrier protecting the surrounding local residents; and

- (h) in the light of the above, the need and scope for decontamination of the CSTG site should be re-assessed based on updated data before the land use of the CSTG site and other contaminated areas could be determined. If the use of the CSTG site remained as open space, decontamination works for the site would not be required as the contaminated soil was at a depth of up to 9m below ground level and under stable condition.

20. The meeting was adjourned for lunch break at 12:40 p.m.

21. The meeting was resumed at 2:20 p.m. on 16.2.2017.

22. The following Members and the Secretary were present at the resumed meeting:

Mr Michael W.L. Wong Chairman

Professor S.C. Wong Vice-Chairman

Ms Christina M. Lee

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Franklin Yu

Principal Environmental Protection Officer (Metro Assessment)  
Environmental Protection Department  
Mr Tony W.H. Cheung

Assistant Director of Lands/Region (1)  
Lands Department  
Mr Simon W.S. Wang

[Mr Stephen H.B. Yau and Dr Lawrence K.C. Li arrived to join this session of the meeting at this point.]

Presentation and Question Sessions

[Open Meeting]

23. The following government representatives and consultant and the representers/commenters or their representative were invited to the meeting at this point:

**Government representatives and consultant**

*Planning Department (PlanD)*

Mr Louis K.H. Kau - District Planning Officer/Hong Kong, (DPO/HK), PlanD

Mr Derek P.K. Tse - Senior Town Planner/Hong Kong, PlanD

*Transport Department (TD)*

Mr Gordon W.Y. Yip - Engineer/Central and Western 3, TD

*Environmental Protection Department (EPD)*

Mr Richard W.Y. Wong - Senior Environmental Protection Officer (Metro Assessment) 3 (SEPO(MA)3), EPD

*Civil Engineering and Development Department (CEDD)*

Ms Carrie K.Y. Leung - Senior Engineer/7 (SE/7), Special Duties (Works) Division, CEDD

Mr Derek H.F. Kwok - Engineer/5 (E/5), Special Duties (Works) Division, CEDD

*Consultants*

Mr P.K. Chan - Senior Environmental Consultant, Mott MacDonald Hong Kong Limited (the Consultant)



**Representers/Commenters and their representatives**

R3258 – Fung Yu Kwan Frankie

R3452 – Ip Mei Yan

R3453 – Lee Kwok Yu

R3688 – Fung Shui Foon

R3690 – Mou Lok Sum

R3699 – See Sau Ying

R3702 – Foon Shui Kim

R3727 – Chan Shiu Kong

R3778 – Sai Mu Wu

R3794 – 高嘉恩

R3802 – 王慧明

R3823 – Andy Yee

R3833/C176 – Angela Chan

R3844 – Lee Wing See

R3845 – Cecil Fu

R3847/C227 – Chan Hoo Wai

R3886 – Idy Lam

R3891 – Janet Ho Wai Ching

R3917 – Leung Chi Lim Leslie

R3924 – Liu Ng Man Vanessa

R3932 – Wong Kok Hon

R3961 – Shirley Leung

R3963 – Siu Shan Tam

Alliance for Protecting Cadogan - Representers' and commenters'  
Park (APCP) representatives

(represented by

Hon Law Kwun Chung,

Hon Hui Chi Fung,

Mr Mok Kun Ki,

Mr Chan Wai Sun, Samson,

Mr Fu Chee On, David,  
Ms Lau Ka Sin,  
Ms Wong Kin Ching,  
Ms Lesley Lee,  
Ms Ma Lai Ying,  
Mr Wong Kai Chiu, and  
Dr Charlton Cheung)

R173 – Wong Ching Fung

Mr Wong Ching Fung - Representer

24. The Chairman extended a welcome and invited the above representatives of APCP to continue with their oral submission.

25. Hon Hui Chi Fung made the following main points:

(a) he was a member of the Central and Western District Council (C&WDC), an elected Legislative Council (LegCo) Member of Hong Kong Island Geographical Constituency and a resident of Kennedy Town;

*Fallacy in Planning*

(b) the consideration on the need to demolish the Cadogan Street Temporary Garden (CSTG) for residential development was complicated by the decontamination issue;

(c) the Government's proposal to carry out the demolition and decontamination works of the ex-Kennedy Town Incineration Plant (ex-KTIP) and ex-Kennedy Town Abattoir (ex-KTA) sites and its adjoining area in one go was supported by C&WDC years ago on the understanding that it was in line with the established practice of the Government albeit the after use of the sites and their surrounding area was not yet formulated at that time;

- (d) the main objective of the comprehensive land use review on the western part of Kennedy Town conducted by PlanD was to complement the Government's long-term housing strategy. Due to the need to provide more residential flats to meet the acute housing demand, decontamination of CSTG was considered by the Government as a pre-requisite to facilitate the future residential development on the site as proposed;
- (e) CSTG had been a very important and popular open space for the local community for almost two decades and the local residents were not aware of the presence of underground contaminants within the garden. Given that EPD had previously confirmed that the general usage of the temporary garden without excavation of the surface soil would not pose imminent health threat to the local residents, there was no strong justification to demolish CSTG for decontamination works;
- (f) officials from PlanD had previously advised that the land use review was conducted based on the government departments' advice that CSTG had to be demolished for decontamination purpose. Alternative land use proposal might have been formulated if there was an option of excluding CSTG from the works area of the decontamination project;
- (g) although C&WDC was consulted on the three decontamination options with different costs and duration, the feasible option of excluding CSTG from the decontamination project was not explored. The negligence on the part of the Government to review other feasible options would likely be subject to judicial review on grounds of Wednesbury reasonableness;
- (h) decontamination had been used as an excuse for demolishing CSTG for residential development, in particular when the site located near the waterfront could be used for luxurious private residential development. The public would doubt if the proposed land use was a form of collusion to meet the demand of developers for providing more private residential flats;

*Unique Open Space*

- (i) CSTG was a unique public open space with a sizeable lawn where a variety of activities could be held. Besides, there was inadequate open space provision in the Kennedy Town area and the inclusion of Hong Kong Park and Hong Kong Botanical and Zoological Garden in the assessment of open space provision for the Central and Western District was unreasonable as those open spaces were not located in close proximity to the local residents of the area;
- (j) the Board was urged to consider the social value of CSTG and the presence of alternative proposal to preserve the existing CSTG;

[Dr Frankie W.C. Yeung arrived to join this session of the meeting at this point.]

*Traffic Impact*

- (k) the existing road capacity of the Western District was already saturated and the CSTG site was located at the busiest intersection of Victoria Road/Cadogan Street/Belcher Road in Kennedy Town. Any future residential development in this part of the Western District would further worsen the existing adverse traffic condition of the area;

*Environmental Impact Assessment (EIA)*

- (l) the approved EIA report was not valid due to its outdated information and incorrect methodology, in particular, the decontamination method by plants/trees, which was widely studied, had not been taken into account in preparing the EIA report. The approval of the EIA report would be subject to legal challenge;

- (m) the EIA report should be updated using the latest information and methodology taking into account the effect of natural decontamination by the existing plants in CSTG;

[Ms Christina M. Lee arrived to join this session of the meeting at this point.]

*Social Impact*

- (n) the retention of the existing CSTG was considered a better land use option as the local residents could continue to enjoy the quality open space. There were alternative feasible land use proposals put forth by APCP in its recent submission to compensate for the loss in flat production in the CSTG site;
- (o) the decontamination process which would likely last for more than 10 years would adversely affect the health of and pose psychological threat to the local residents. No decontamination works would be required if the status quo of CSTG was maintained and the garden could serve as a buffer for the local residents from adverse impacts of the decontamination works at the remaining area;
- (p) the provision of about 600 flats at the expense of the loss of an important and valuable open space for the local community was unjustified. Social cost was an important consideration that should be taken into account in the planning process; and
- (q) the compensation for the loss of CSTG by the proposed waterfront promenade was unacceptable due to the mismatch in its implementation programme.

26. Hon Law Kwun Chung made the following main points:

- (a) he was an elected LegCo Member of the Hong Kong Island Geographical Constituency;
- (b) the current planning for the CSTG site was unjust and unfair. The land use proposal for the CSTG site was not planned for the benefit of the local residents but was in favour of the developers for the provision of 600 luxurious flats and in support of the transformation of the Kennedy Town area into a vibrant commercial area under the project of “Lighting Up Kennedy Town” (點亮堅城);
- (c) the redevelopment of the CSTG site had aroused wide public discussions in the community as well as the LegCo Public Works Subcommittee where funding approval of related works was sought;
- (d) the redevelopment of CSTG was a contentious issue in that thousands of adverse representations were received from the local residents; C&WDC had previously requested the Development Bureau (DEVB) to defer the submission of the OZP amendments to the Board; the decontamination project of CSTG and its vicinity was put on hold by the Finance Committee of LegCo in April 2016; and the Task Force on Harbourfront Developments on Hong Kong Island of the Harbourfront Commission had shared the local residents’ views of preserving CSTG;
- (e) the proposal which would incur an estimated cost of \$1.1 billion and an implementation programme of at least seven years was not justified, in particular when it was scientifically proven that decontamination works at CSTG would not be required if the status quo of the site was maintained;
- (f) the decontamination project was only an excuse to achieve the Government’s aim of using the CSTG site for residential development;
- (g) the proposed demolition of CSTG was not justified in that there was an existing shortfall of open space for the local residents in the area. The

assessment on the adequacy of public open space on a district council basis was unreasonable in that those large regional/district open spaces were not located in the residential neighbourhood of the local community. Moreover, the re-provisioned waterfront promenade was not conveniently accessible to the elderly and the children;

- (h) the utilization of CSTG was very high and the Government had not carried out any study to assess the impact of demolishing the garden on the local community, in particular the elderly and the disabled;
- (i) the development of an additional 600 flats on the CSTG site would aggravate the existing traffic congestion. No Traffic Impact Assessment was carried out by the Government to demonstrate that the proposed increase of more than 3,000 flats in the district would not have adverse impact on the existing traffic condition;
- (j) the existing provision of government, institution or community (GIC) facilities such as community hall, library and elderly home in the area was insufficient to meet the local needs. The large-scale replanning of the area should take into account the need of the local residents;
- (k) the biodiversity of CSTG was rich and the large number of mature trees had contributed to the landscape and amenity value of the garden. The greening of the area would be adversely affected if CSTG was demolished; and
- (l) in conclusion, the demolition of CSTG for the sake of decontamination was unjustified and unnecessary. The Government should explain clearly to the public the benefits of the proposed residential project and how it could complement the people-oriented planning. The persistent pursuit of the development proposal despite strong local objection might expose the Government to political risk. Members of the public would likely perceive that there were collusion and private deal between the Government and the

developers or the Liaison Office of the Central People's Government (中聯辦).

27. At this point, Mr Mok Kun Ki, representative of APCP, suggested that the group would like to continue with the remaining part of their presentation after the completion of oral submissions by others to avoid other attendees from prolonged waiting. Members agreed.

#### R173 – Wong Ching Fung

28. Mr Wong Ching Fung made the following main points:

- (a) he was a resident of the Western District and was going to lodge a judicial review against the process of preparing the EIA report and the approval of the EIA report for the decontamination project;

#### *Importance of CSTG*

- (b) apart from CSTG which was a very popular open space in the Kennedy Town and Mount Davis area (the KTMD area), other existing open spaces in the district such as Belcher Bay Park were also very crowded. The loss of CSTG would further aggravate the crowdedness of other public open spaces in the district;
- (c) CSTG was a very popular and important open space for the local residents of the KTMD area. A social impact assessment should be conducted before rezoning to assess the impact of the demolition of CSTG on the health and well-being of the local residents;

#### *The EIA process*

- (d) the EIA process and the approved EIA report was erred in law for the Government had used the outdated data on the concentration and extent of contaminants in the underground soil of CSTG obtained in 2000 and 2003 in



the assessment, when more updated data collected in 2013 at the adjacent bus terminus of CSTG was available;

- (e) according to those data on the concentration and extent of contaminants of CSTG obtained in 2000 and 2003, some contaminants were found in the surface soil of CSTG. That finding was contrary to the previous confirmation of some government officials that the normal usage of CSTG would not be harmful to the health of the general public;
- (f) the Government had failed to provide sufficient ground to explain why the EIA could not be conducted again using the updated information. The information of the EIA report, which was misleading and incomplete, might have constituted procedural impropriety;
- (g) some government officials claimed that the concentration of contaminants of the CSTG would remain unchanged over time and hence the adoption of 2000 and 2003 data in the EIA report was appropriate. However, changes in the depths and concentration of contaminants at the adjacent concrete-paved bus terminus were recorded over the years. It should be expected that similar changes in the depth and concentration of the contaminants would have happened in CSTG as it was covered with vegetation and trees where natural decontamination process could occur over the years. In view of the above, the data used in the EIA report was inaccurate;
- (h) the Board was requested to exercise its judgment to decide whether the results of the approved EIA report, which was based on incomplete and outdated information, should be taken into account in making its decision on the rezoning proposal;
- (i) when the proposed amendments of the OZP was considered by the Board in 2015, the environmental assessment on the alternative land use option of retaining CSTG was not included in the EIA report. The Board was

therefore misled by the EIA report that the site should only be used for residential development;

- (j) the local residents had conducted a lot of research and organized many community activities with a view to preserving CSTG. The decontamination works, which would last for seven years, would not only deprive the local residents of the needed open space during the interim period but also adversely affect the health and daily lives of the local community; and
- (k) the Board was urged not to be misled by the EIA report in making its decision on the land use proposal.

R3258 – Fung Yu Kwan Frankie

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R3963 – Siu Shan Tam

(continued)

29. With the aid of a PowerPoint presentation, Dr Charlton Cheung made the following main points on the decontamination issue:

- (a) the sampling locations within the works area of the ground decontamination project (Decontamination Area) as recorded in the EIA report were incomplete as the majority of the sampling locations were taken at the ex-KTIP site and its surrounding area with only one sampling point located within the CSTG site. According to the plans showing the sampling locations and concentration of contaminants within the Decontamination Area, a high concentration of contaminants including heavy metal and hydrocarbon at and around the ex-KTIP site was recorded. Assuming the contaminants would be freely dispersed, more sampling points should be taken to assess the extent and concentration of contaminants both within and outside the Decontamination Area, in particular when the adjacent bus terminus site located outside the Decontamination Area was also proposed for future residential developments;
- (b) the historical documents revealed that garbage-burning activities were carried out along the coastal area of Kennedy Town near the CSTG site in the past, contaminants such as Benzo(a)pyrene were found near the original coastline where CSTG was located as well as in the central part of the Decontamination Area (i.e. the coastline of the earlier reclamation). As the distribution of contaminants largely coincided with the location of the original and extended coastlines after reclamations, contaminated soil would likely be found in the adjacent areas outside the Decontamination Area such as the areas surrounding the China Merchants Godown;

- (c) noting the government representative's explanation in the previous hearing session that the concentration of contaminants in the Decontamination Area would not change over time as the site was concrete-paved, it could be logically deduced that the concentration of contaminants within the CSTG site would likely be subject to changes over the years as the site was not concrete-paved but covered by trees and vegetation where decontamination by plants might occur;
- (d) referring to plans showing the distribution of contaminants within the Decontamination Area, the concentration of carcinogenic Benzo(a)pyrene were higher in the area to the east of Sai See Street (i.e. the area near the original coastline) whereas heavy metal like lead was mostly concentrated in the area to the west of Sai See Street near the ex-KTIP site and at a shallower depth below ground. Similar results were recorded in the EIA report submitted in 2000;
- (e) given that the potential health hazard associated with the decontamination of Benzo(a)pyrene was much severe than that of heavy metal like lead, consideration should be given to minimizing the decontamination work in the area to the east of Sai See Street by retaining the existing CSTG and concrete-paving the remaining area north of the CSTG site. The reduction of decontamination works to cover only area to the west of Sai See Street would reduce the cost and time required for the project and minimize the adverse health impacts on the local residents. The alternative decontamination proposal should be favourably considered by the Board; and
- (f) most of the sampling locations were concentrated in the ex-KTIP and ex-KTA sites and only a few sampling points were taken at the central part of the Decontamination Area or areas near the original coastline. To ascertain the possibility of reducing the works area of decontamination project, consideration should be given to conducting more complete

borehole samplings at different parts of the Decontamination Area so that a more updated and comprehensive assessment could be conducted.

30. Mr Chan Wai Sun, Samson, made the following main points:

- (a) he received his primary and secondary education in Kennedy Town and had been working in the Queen Mary Hospital for more than 10 years;
- (b) the decontamination works carried out in the area would have adverse impacts on the health of local residents, in particular those elderly living in the residential care homes nearby who were suffering from respiratory or heart diseases, and the mentally handicapped;
- (c) there were inadequate medical services in the Western District to cater for the need of the existing and future residents. The carrying capacity of the existing medical facilities such as public clinic and hospital in the district were already saturated resulting in a long waiting time for specialist consultation and other medical treatment. The additional population in the Kennedy Town area would further aggravate the shortage in medical services. Besides, the increase in traffic for the area might also hinder the efficiency in the rescue during emergency; and
- (d) to support the retention of CSTG, he camped at the site for 30 days during which he witnessed that the garden was frequently visited by many elderly with a number of them suffering from asthma or were on wheelchairs. The demolition of CSTG would take away the easily accessible breathing space from them, forcing them to visit other public open space in the area which was remotely located or inaccessible by wheelchairs, such as the Ka Wai Man Road Garden and the Belcher Bay Park. The proposed residential development for the sake of meeting the demand of the developers for more luxurious flats would deprive the local population including the elderly of the much needed public open space.

31. Ms Lau Ka Sin made the following main points:
- (a) being a member of the “The Community Ambassador” (社區大使隊), a volunteer docent and a resident of the Western District, she was familiar with the history and development of the district;
  - (b) a group of primary school students had previously expressed their concern on the insufficient provision of public open space in the Western District and their desire for a quality waterfront promenade in the district, similar to the one in Siu Sai Wan;
  - (c) the Western District was rich in cultural heritage with high historic value. The rear part of CSTG, where ruins of cow sheds and pigsties and a number of dilapidated signboards were found, preserved the history of the area. CSTG was a quality open space and should be preserved for the benefit of the future generations;
  - (d) being part of the history of the Western District, the Arch and Foundation Stone of the Tung Wah Smallpox Hospital should be preserved;
  - (e) she was told by a builder who was involved in a number of public housing projects that a total of about 20 housing blocks had previously been approved during the term of the former Chief Executive. She doubted whether there was a genuine shortage in public housing flats as presented by the current Government;
  - (f) currently, there was no pet garden and insufficient provision of dog latrine in the Western District except for one small dog latrine adjacent to the bus terminus near CSTG. The demolition of CSTG would affect the existing dog latrine nearby which might lead to an increase in number of abandoned dogs; and

- (g) the Board was urged to retain the unique and quality CSTG to address the locals' aspirations.

[The meeting was adjourned for a short break of about five minutes.]

[Mr Wilson Y.W. Fung left this session of the meeting at this point.]

32. As the presentation from the government's representatives, and the presenters/commenters or their representatives on the day had been completed, the meeting proceeded to the question and answer (Q&A) session. The Chairman briefly introduced the procedures of the Q&A session.

#### *Properties of Contaminants*

33. A Member enquired whether it was possible to differentiate the source of contaminants, whether historic or incinerator-related, and to characterize the risk level of different contaminants, some of which might be subject to natural decay.

34. In response, Dr Charlton Cheung and Mr Mok Kun Ki made the following main points:

- (a) the source of contaminants, whether historic or incinerator-related, might relate to their geographical locations and depths. The historic contaminants were normally located close to the coastlines and deposited at deeper level. The deepest level of the contaminants near the current coastline was about 6m under the seabed while those in the central part of the Decontamination Area near the previous coastline were more than 10m deep. For those incinerator-related contaminants of heavy metal such as lead, they were mostly concentrated near the ex-KTIP site and at a shallow depth of 1 to 2m below ground;
- (b) the concentration and location of contaminants under the surface soil would be rather stable unless the soil layer was removed. It would be difficult to

differentiate whether the contaminants, which comprised heavy metal and hydrocarbon, were generated by garbage-burning or from the incinerator as there was no information on the composition of garbage in the old days;

- (c) the source of the contaminants should not be a material consideration in assessing their risk level as it was the properties of those contaminants that determined whether natural decay occurred. Generally speaking, some hydrocarbons would be subject to a 'half-time' of decay of 5.7 years if the site was covered by vegetation where bacteria-assisted natural decay was possible. The contaminants in CSTG, which had been in existence for about 18 years, would unlikely generate significant hazard impact; and
- (d) for those contaminants which were buried deep under the seabed, the rate of natural decay would be very low given that it was related to the evaporation rate, with some of the contaminants having a very high boiling point of 300 degrees Celsius.

*Retention/Reprovisioning of the Existing CSTG*

35. Two Members had the following questions:

- (a) given that the CSTG site had been used for a public open space for many years, presumably the health hazard of the contaminants at the site should not be significant. Under what circumstances the existing contaminants within CSTG would pose a significant risk to the health of the general public;
- (b) whether there would be any measure to avoid the exposure of underground pollutants if the CSTG site was retained as an open space;
- (c) whether the provision of an open space with similar greenery and tranquil setting as the existing CSTG at another location was considered acceptable by the Alliance;



36. In response, Ms Carrie K.Y. Leung (SE/7, CEDD) and Mr Louis K.H. Kau (DPO/HK, PlanD) made the following main points relating to the retention of CSTG:

- (a) under the current situation, there was no imminent health hazard at CSTG for the reason that the site was covered by concrete layer or top soil. To take forward the long-term land use proposal including a waterfront promenade and residential development and other community facilities in the inland area, decontamination for the entire area including CSTG was required under the approved EIA. Under the existing mechanism and prevailing legislation, decontamination works were still required even if the entire area was to be developed into a permanent public open space; and
- (b) appropriate measures would be formulated by concerned departments to mitigate against possible exposure of underground contaminants if CSTG was to be retained as a temporary open space.

37. In response, Mr Fu Chee On, David, Dr Charlton Cheung, Ms Wong Kin Ching and Mr Mok Kun Ki made the following main points relating to reprovisioning of the public open space:

- (a) the proposal to plant more trees at the proposed waterfront promenade to compensate for the loss of trees at CSTG was welcome. However, the long lead time of about 30 years for the provision of another open space of comparable landscape and amenity value was unacceptable;
- (b) the crux of the matter should not be whether alternative public open space would be provided to compensate for the loss of CSTG. More concern should be given to the adverse health impact of the decontamination works at CSTG on the local residents;
- (c) the reprovisioned public open space should be timely provided and planted with mature trees like those in CSTG. It was also important that

suitable tree species should be provided in order to enhance the landscape and amenity value of the new public open space; and

- (d) it was necessary for the reprovisioned public open space to fulfil four criteria, namely (i) timeliness; (ii) close proximity to the residential neighbourhood; (iii) high landscape/amenity value; and (iv) similar size. Even if a reprovisioned public open space satisfying the above criteria was available, the decontamination of CSTG was still considered unnecessary as it would pose health threat to the local residents and would only be a waste of public money.. The most practical means to address the local residents' concern was to retain the existing CSTG.

*Scope and Method of Decontamination*

38. The Chairman, the Vice-chairman and a Member had the following questions:

- (a) whether decontamination for CSTG was necessary if the site was not planned for any new development;
- (b) whether the exclusion of the CSTG site from decontamination works complied with the prevailing legislation;
- (c) more elaboration on the effectiveness of decontamination method by plants/trees as suggested by the representers/commenters;
- (d) noting from one of the representer's comment that the contaminants might have extended beyond the proposed Decontamination Area, whether it was necessary to carry out similar decontamination works at the existing bus terminus which had been planned for future residential development; and
- (e) what would be the implications on cost and construction programme of the decontamination project if CSTG was excluded from the works area.

39. In response, Mr Louis K.H. Kau, Ms Carrie K.Y. Leung, Mr P.K. Chan (the Consultant) and Mr Derek H.F. Kwok (E/5, CEDD) made the following main points:

- (a) different implementation options for the decontamination works were explored in the EIA report. The EIA report confirmed that it was technically feasible to carry out the decontamination works for the CSTG site at the last phase. Hence, it would be technically feasible to defer the decontamination works for the CSTG site from that for the rest of the Decontamination Area. Notwithstanding the above, the Government considered that it was more desirable to carry out the decontamination works for the entire area in one go;
- (b) the decontamination method by plants/trees as suggested by the representers/commenters was unsuitable for the Decontamination Area in that the pollutants of heavy metal and hydrocarbon were widely spread at different area and at different depths ranging from less than 1m to 12 m, with a maximum depth of 9m at CSTG. The plants/trees roots with absorption ability of the pollutants in general could only reach shallow depths of 0.5m to 1m. Moreover, the method had not been used locally and most of the overseas cases were still at a trial stage, thus the effectiveness of that method had yet to be verified. On the contrary, the two decontamination methods currently proposed in the EIA, namely cement solidification and biopiling, had been adopted in Hong Kong and overseas for many years and were considered effective and acceptable to EPD;
- (c) according to the overseas experience, the majority of the cases would use herbaceous plant mainly for decontamination of pollutants at shallow depths of 0.5m to 1m below top soil. International studies on decontamination method by trees revealed that only some species were capable of decontamination but their effectiveness varied and none of those tree species was native in Hong Kong. Most studies cited the use of trees of *Salicaceae* (楊柳科) which had much deeper roots, and an example of tree species which belonged to *Salicaceae* and could be found in Hong Kong was

Weeping Willow (*Salix babylonica*). However, most of the trees in Hong Kong had shallow roots of about 1m below ground with the main functions of respiration and nutrient absorption, though some might have tap root system which was primarily for supporting the tree structures. The existing trees within CSTG would unlikely be able to remove the contaminants at a depth of 9m. Besides, based on the overseas experience, decontamination by plants/trees had never been used for decontamination of such a large area with high concentration and wide distribution of contaminants. In view of the above, decontamination by plants/trees was considered technically infeasible for the subject decontamination project and therefore not included in the EIA report;

- (d) the existing open-air bus terminus, which was now proposed for residential development, was not part of the Decontamination Area as there was no intention to develop the site at that time. If there was sufficient evidence of contamination, requirements for the future developer to submit decontamination assessment and implement decontamination measure, where appropriate, could be specified in the land sale conditions in consultation with DEP prior to its redevelopment; and
- (e) the estimated cost for the decontamination works for the entire works area involving about 110,000m<sup>3</sup> of contaminated soil (including 20,000m<sup>3</sup> at CSTG) was about \$1.1 billion. It was anticipated that the total cost could be reduced if decontamination works for CSTG were excluded. Nevertheless, there might not be much scope to shorten the construction programme, which took about seven years, given that all the contaminated soils had to be treated within the limited works area and there was a need to re-provision the existing temporary refuse collection point and public car park on site during the construction period.

40. Regarding the future development of the existing open-air bus terminus, Dr Charlton Cheung said that since the site might also contain contaminated soil, the Government should carry out the necessary EIA to ascertain the environmental acceptability of the site before

land sale. The practice of requiring the future developer to carry out the technical assessments at the detailed design stage after the land sale was inappropriate. Moreover, Dr Cheung considered that it was not necessary to decontaminate the CSTG site if the contaminants were located at a depth of 9m.

41. In response to the Consultant's earlier reply that roots of most tree species could only reach shallow soil layer, Dr Charlton Cheung said that it was revealed from the historical records of the Colonial Government between 1860 to 1890 that *Ficus microcarpa*, which had roots penetrated to a depth of 2m to 3m below ground, were prohibited to be planted at roadside to avoid any disruption to the building foundations or underground drains. Photos were shown on visualiser to demonstrate that the roots of those *Ficus microcarpa* could penetrate down to a depth of more than 10m.

42. In response to the Vice-chairman's enquiry, Mr P.K. Chan clarified that the roots of trees with absorption ability in general could only reach the shallow soil layer of less than 1m in order to absorb moisture and respire, and simultaneously absorb pollutants. *Ficus microcarpa* could have an extensive horizontal root spread at an unobstructed shallow space for moisture and nutrients absorption while their deep roots are mainly developed to support the tree structure. According to the prevailing guidelines, there should be a minimum separation distance of 20m between the newly planted *Ficus microcarpa* and any hard structure.

#### *Decontamination Policy*

43. A Members raised the following questions:

- (a) whether similar decontamination works had been carried out in other parts of Hong Kong; and
- (b) what the Government's policy on decontamination was.

44. In response, Mr Derek H.F. Kwok, Ms Carrie K.Y. Leung and Mr Richard W.Y. Wong (SEPO(MA)3, EPD) made the following main points:

- (a) CEDD had carried out decontamination works for a number of projects including the demolition of Cheoy Lee Shipyard for the development of Disneyland; the demolition of shipyards in Northern Tsing Yi to facilitate subsequent reclamation; the redevelopment of ex-Kai Tak Airport; and the demolition of Kwai Chung Incineration Plant. Contaminants such as heavy metal and hydrocarbon were also found in those projects and similar decontamination methods of cement solidification and biopiling, as currently proposed, were used;
  
- (b) the current project which involved the ex-KTIP and ex-KTA sites and its surrounding area was a designated project under the EIA Ordinance. According to site investigation conducted in the EIA, contaminated soil with concentration level exceeding the prescribed threshold was found within the area and decontamination had to be carried out before future long-term development of the area. Although the Government originally planned to commence the decontamination works immediately after the demolition of KTIP and KTA, it was held in abeyance due to the need for allocating the area to MTR Corporation Limited as temporary works area for the construction of the West Island Line (WIL) project; and
  
- (c) in general, if there was a redevelopment proposal where the soil underneath the site had been found contaminated, it was an established policy to make use of the “redevelopment opportunity” to clean up the site for future land uses. In other words, if there was no imminent health risk to the environment, decontamination works would not be required at the contaminated sites until there was redevelopment proposal for future land uses. That explained why the current temporary uses at the ex-KTIP and ex-KTA sites would be allowed to continue and decontamination would only be required at the time when the sites were developed into future long-term uses. For the current project, given that the Government had a comprehensive development proposal for the area and contaminated soils

were found underground in a densely populated urban area, it would be desirable to carry out decontamination work for the whole area in one go.

*Others*

45. Two Members had the following questions:

- (a) whether exposure of contaminants was recorded during the occupation of the area for temporary works area of WIL; and
- (b) how the proposed waterfront promenade would be accessible from the hinterland after the implementation of traffic improvement works.

46. In response to Members' questions, Mr Richard W.Y. Wong and Mr Louis K.H. Kau made the following main points:

- (a) the contaminants within the works area for WIL were found at various depths. Since there had not been large scale excavation within the works area of WIL and the works area was capped by concrete slab which would cut off the exposure pathways of underground contaminants to the environment, no contaminants had been exposed during the occupation of the temporary works area of WIL; and
- (b) as illustrated by a powerpoint slide, new pedestrian footbridges, crossings and widened footpath would be provided to connect the new development area and existing hinterland with the proposed waterfront promenade.

47. In response to a Member's question, Dr Charlton Cheung said that he had a doctoral degree in medical faculty majoring in psychiatry and he had previous experience in measuring the concentration of polycyclic aromatic hydrocarbons.

[Mr Alex T.H. Lai left this session of the meeting during the Q&A session.]

48. As Members had no more question to raise, the Chairman said that the hearing on the day was completed. He thanked the government's representatives, consultants as well as the representers/commenters and their representatives for attending the meeting and said that the Board would resume the hearing on 21.2.2017. The Board would deliberate the representations and comments in closed meeting after completing all the hearing sessions and would inform the representers and commenters of the Board's decision in due course. The government's representatives, consultants as well as the representers/commenters and their representatives left this session of the meeting at this point.

49. There being no other business, this session of the meeting was adjourned at 4:50 p.m.