

**Minutes of 888th Meeting of the
Town Planning Board held on 29.6.2007**

Present

Permanent Secretary for Housing, Planning and Lands
(Planning and Lands)
Mrs. Rita Lau

Chairperson

Dr. Peter K.K. Wong

Vice-chairman

Mr. Michael K.C. Lai

Dr. Greg C.Y. Wong

Professor Nora F.Y. Tam

Mr. Nelson W.Y. Chan

Mr. Leslie H.C. Chen

Professor David Dudgeon

Professor Peter R. Hills

Mr. Tony C.N. Kan

Mr. Edmund K.H. Leung

Professor N.K. Leung

Professor Bernard V.W.F. Lim

Dr. C.N. Ng

Dr. Daniel B.M. To

Mr. Alfred Donald Yap

Ms. Sylvia S.F. Yau

Mr. B.W. Chan

Mr. Walter K.L. Chan

Mr. Raymond Y.M. Chan

Mr. Y.K. Cheng

Ms. Anna S.Y. Kwong

Mr. K.Y. Leung

Director of Planning
Mrs. Ava S.Y. Ng

Director of Lands
Mr. Patrick L.C. Lau

Assistant Director (2), Home Affairs Department
Ms. Margaret Hsia

Principal Assistant Secretary (Transport),
Environment, Transport and Works Bureau
Ms. Sharon Ho

Deputy Director of Planning/District
Miss Ophelia Y.S. Wong

Secretary

Absent with Apologies

Ms. Carmen K.M. Chan

Mr. David W.M. Chan

Dr. Lily Chiang

Mr. Stanley Y.F. Wong

Ms. Maggie M.K. Chan

Mr. Felix W. Fong

Professor Paul K.S. Lam

Dr. James C.W. Lau

Ms. Starry W.K. Lee

Director of Environmental Protection
Ms. Anissa Wong

In Attendance

Assistant Director of Planning/Board
Mr. Lau Sing

Chief Town Planner/Town Planning Board
Mr. W.S. Lau

Senior Town Planner/Town Planning Board
Miss Winnie Lau

Agenda Item 1

[Open Meeting]

[The meeting was conducted in Cantonese.]

Confirmation of Minutes of the 887th Meeting held on 15.6.2007

1. The minutes of the 887th held on 15.6.2007 were confirmed without amendment.

Agenda Item 2

Matters Arising

- (i) Confidential Item

[Closed Meeting]

2. The first item of matters arising was recorded under confidential cover.

- (ii) Designing Hong Kong Harbour District's Submission

[Open Meeting]

[The meeting was conducted in Cantonese.]

3. The correspondence between Designing Hong Kong Harbour District (DHKHD) and the Secretariat of the Board was tabled as Document A at the meeting for Members' reference, a copy of which had been forwarded to Members earlier. The Chairperson informed Members that DHKHD had urged for open hearing in his email of 21 and 23.6.2007. Pursuant to the transitional and saving provisions of the Town Planning (Amendment) Ordinance 2004, objections made under the pre-amended Ordinance should continue to be processed in accordance with the relevant provisions of the pre-amended Ordinance. There was no provision for the conduct of open meeting in the pre-amended Ordinance.

4. The Secretary informed Members that the pre-amended Ordinance was silent on whether the Board meetings should be held in public or private. The Board had the discretion to determine its rules of meetings, but it needed to ensure that the conduct of open meetings would comply with the principles of protection of personal data under the Personal Data (Privacy) Ordinance and non-disclosure of confidential information under the equitable doctrine of confidentiality. The s.6(6) hearing scheduled for this meeting involved about 700

objectors and it would be impossible to obtain their consent for open meeting as some could not be contacted at all.

5. The Chairperson opined that the request for open hearing was generally in line with the spirit of the amended Ordinance for the promotion of a more transparent and open planning system. Noting that extensive public engagement exercise had been conducted in respect of the planning work of Wan Chai Development Phase II by the Harbour-front Enhancement Committee, the proposed amendments to the Wan Chai North Outline Zoning Plan (OZP) had, to a great extent, taken into account the public views collected. Furthermore, the amendments would be gazetted for public inspection and objection under s.6(7) of the pre-amended Ordinance. Open hearing for the further objections could be considered. She invited Members to consider whether the further hearing should be open to the public.

6. In light of the absence of expressed provision for opening s.6(6) hearing, the established practice of conducting s.6(6) hearing in camera, the possibilities of open hearing for the further objections to the proposed amendments and the practical difficulties in ascertaining the consent of all objectors on open hearing under s.6(6), a Member concurred that the Board should not exercise discretion to open up the s.6(6) hearing, but could consider opening up the s.6(8) hearing on further objections.

7. After deliberation, the Board decided not to agree to DHKHD's request for open hearing for the previous objections to the draft Wan Chai North OZP No. S/H25/1. The Board, however, agreed to conduct open hearing for the further objections, if received, to the proposed amendments to the Plan under s.6(8) of the pre-amended Ordinance. The further objectors and the related original objectors would be notified of the hearing arrangement prior to the hearing.

[Mr. Tony C.N. Kan and Ms. Margaret Hsia left temporarily and Professor N.K. Leung left the meeting at this point.]

Agenda Item 3

Report Back of Public Consultations on the Draft Revised Wan Chai North Outline Zoning Plan (OZP) No. S/H25/1C and the Draft North Point OZP No. S/H8/19D
(TPB Paper No. 7847)

[Open Meeting]

[The meeting was conducted in Cantonese.]

8. The following representatives of the Government and the study consultants were invited to the meeting :

Ms. Phyllis Li	Chief Town Planner/Special Duties, Planning Department (PlanD)
Miss Katy Fung	Senior Town Planner/Special Duties, PlanD
Mr. L.T. Ma	Project Manager (HK Island & Islands), Civil Engineering & Development Department (CEDD)
Mr. S.K. Lam	Chief Engineer/Hong Kong (2), CEDD
Mr. Bosco Chan	Senior Engineer 5 (HK Island Division 2), CEDD
Mr. Wan Man-leung	Deputy Project Manager/Major Works(2), Highways Department (HyD)
Mr. C.Y. Wong	Senior Engineer 1/Central Wanchai Bypass, HyD
Mr. K.K. Lau	Deputy Commissioner/Planning & Technical Services, Transport Department (TD)
Mr. Andy Yau	Chief Engineer/Traffic Engineering (HK), TD
Mr. Eric Ma	}
Mr. Peter Cheek	} Maunsell Consultant Asia Limited
Ms. Carmen Au	}

Presentation and Question Session

9. The Chairperson extended a welcome and invited Ms. Phyllis Li to brief Members

on the outcome of the public consultation.

10. With the aid of a Powerpoint presentation, Ms. Phyllis Li said that Members on 20.4.2007 considered the draft revised Wan Chai North OZP No. S/H25/1C and North Point OZP No. S/H8/19D, and agreed that the draft revised OZPs were suitable for consultation. She went on to cover the following aspects as detailed in Paper No. 7847 :

- (a) the various committees and District Councils consulted and the public briefing held by the Sub-committee on Wan Chai Development Phase II Review of the Harbour-front Enhancement Committee (HEC Sub-committee) as set out in paragraph 3 of the Paper; and

[Mr. Tony C.N. Kan returned to join the meeting at this point.]

- (b) a summary of the public comments and the responses of the Government in respect of the need for the Trunk Road (Central-Wan Chai Bypass) (CWB), the need and extent of reclamation, Road P2 and slip roads in Wan Chai and North Point, the CWB Ventilation Building at Tin Hau, land uses in Wan Chai, Causeway Bay Typhoon Shelter and North Point, pedestrian accessibility to the waterfront, impacts of the construction works, the study approach of the Wan Chai Development Phase II Review, the statutory procedures for gazetting the proposed amendments to the draft OZP No. S/H25/1, and compliance with the Protection of the Harbour Ordinance as set out in paragraphs 4 and 5 of the Paper.

[Ms. Margaret Hsia returned to join the meeting at this point.]

11. The Chairperson said that the proposed amendments to the draft Wan Chai and North Point OZPs were drawn up after wide and extensive public consultations and engagement. A Member who attended the public briefing organized by the HEC Sub-committee in the previous week and coupled with the findings of the comprehensive consultation reported in the Paper considered that there was sufficient information for the Board to make an informed decision.

12. On the Government's response that the proposed relocation of the depot of the

Food and Environmental Hygiene Department (FEHD) 'cannot be accepted' unless an alternative site could be identified, a Member urged that the search for alternative site should continue in order to address the public concern and to provide more scope for harbour-front enhancement. On the Chairperson's suggestion that PlanD should follow up with FEHD on the relocation of the depot, Ms. Phyllis Li clarified that the FEHD's depot would be reconfigured to facilitate the CWB project and new boundaries had already been set back from the waterfront. FEHD had also utilized the land underneath the flyovers, where appropriate, for depot purpose. Relocating the depot was the long-term objective.

13. As Members had no further question to raise, the Chairperson thanked the representatives of the Government and the study consultants for attending the meeting. They all left the meeting at this point.

Deliberation Session

14. After deliberation, Members noted the comments received from the public and the Government responses as detailed in the Paper. Members also agreed to request PlanD to take up with FEHD to identify a suitable site for the relocation of the depot.

A Vote of Thanks

15. As Mr. Patrick L.C. Lau, Director of Lands, could not attend the meeting for the whole day, the Chairperson advised Members at this point that today was the last working day of Mr. Patrick Lau with the Government before proceeding to retirement leave. On behalf of Members, she thanked Mr. Lau for his contribution to the Board and wished him a happy and healthy retirement.

Agenda Item 4

Consideration of Further Proposed Amendments to the Draft Wan Chai North Outline Zoning Plan No. S/H25/1

(TPB Paper No. 7855)

[Open Meeting]

[The meeting was conducted in Cantonese.]

16. The following representatives of the Government and the study consultants were invited to the meeting.

Ms. Phyllis Li	Chief Town Planner/Special Duties, Planning Department (PlanD)
Miss Katy Fung	Senior Town Planner/Special Duties, PlanD
Mr. L.T. Ma	Project Manager (HK Island & Islands), Civil Engineering & Development Department (CEDD)
Mr. S.K. Lam	Chief Engineer/Hong Kong (2), CEDD
Mr. Bosco Chan	Senior Engineer 5 (HK Island Division 2), CEDD
Mr. Wan Man-leung	Deputy Project Manager/Major Works(2), Highways Department (HyD)
Mr. C.Y. Wong	Senior Engineer 1/Central Wanchai Bypass, HyD
Mr. K.K. Lau	Deputy Commissioner/Planning & Technical Services, Transport Department (TD)
Mr. Andy Yau	Chief Engineer/Traffic Engineering (HK), TD
Mr. Eric Ma	}
Mr. Peter Cheek	} Maunsell Consultant Asia Limited
Ms. Carmen Au	}

Presentation and Question Session

17. The Chairperson extended a welcome and invited Ms. Phyllis Li to brief Members on the further proposed amendments to the draft Wan Chai North OZP No. S/H25/1.

18. With the aid of a Powerpoint presentation, Ms. Phyllis Li made the following main points as detailed in Paper No. 7855 :

Background

- (a) on 20.4.2007, the Board considered the proposed amendments to the draft Wan Chai North OZP No. S/H25/1 and agreed that the draft revised OZP No. S/H25/1C should be adopted as the basis for the preliminary consideration of the previous objections to the draft OZP No. S/H25/1. Moreover, the Board requested PlanD to work out the appropriate planning control on the future design of the relevant “Other Specified Uses” (“OU”) sites;
- (b) on the same day, the Board gave preliminary consideration to the previous objections and decided to propose amendments as per the draft revised OZP No. S/H25/1C to meet or partially meet these objections;

Proposed Further Amendments to Draft OZP

- (c) in response to the Board’s request, which was also to address the concerns of some previous objections over the visual impact of the buildings/structures on the waterfront, the following remark was proposed to be incorporated in the Notes of the “OU(Helipad)” , “OU(Pier)” , “OU(Railway Ventilation Building)” , “OU(Railway Station Facilities)” , “OU(Central-Wan Chai Bypass Exhaust Vent)” , “OU(Waterfront Related Commercial and Leisure Uses)” and “OU(Public Waterfront Promenade and Water Recreation Related Uses)” zones :

‘The exterior design of any new development or redevelopment, or any change to the exterior design of an existing structure/building, including that for a use specified in Columns 1 and 2 above, requires permission from the Town Planning Board under section 16 of the Town Planning Ordinance.’;

- (d) in addition, it was further proposed not to incorporate the revised Master

Schedule of Notes (MSN) to the draft OZP as it was unrelated to the objections and thus should be the subject of a separate amendment exercise; and not to include the previously proposed “OU(Exhibition Centre)” zone for the Atrium Link Extension since the Extension was still under construction and not all approval conditions had been fulfilled; and

- (e) the above further proposed amendments were incorporated into the draft Wan Chan North OZP No. S/H25/1D at Annex A of Paper No. 7855 for Members’ consideration.

19. Mr. Patrick L.C. Lau sought clarification on the interpretation of ‘existing structure/building’. The Secretary explained that, according to the revised MSN to Statutory Plans endorsed by the Board, ‘existing building’ meant ‘a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned’. Contemplated developments with approved building plans but not yet physically completed would not be taken as ‘existing building’.

20. A Member expressed appreciation of PlanD’s effort in addressing his previous concern over the future design of the relevant “OU” sites.

21. As Members had no further question to raise, the Chairperson thanked the representatives of the Government and the study consultants for attending the meeting. They all left the meeting at this point.

Deliberation Session

22. After deliberation, the Board agreed to adopt the revised Wan Chai North OZP No. S/H25/1D, its Notes and Explanatory Statement as the basis for further consideration of the previous objections to the draft OZP No. S/H25/1.

[Mr. B.W. Chan left the meeting at this point.]

Agenda Item 6

Proposed Amendments to the Draft North Point Outline Zoning Plan No. S/H8/20
(TPB Paper No. 7856)

[Open Meeting]

[The meeting was conducted in Cantonese.]

124. The following representatives of the Government and the study consultants were invited to the meeting :

Ms. Phyllis Li	Chief Town Planner/Special Duties, Planning Department (PlanD)
Miss Katy Fung	Senior Town Planner/Special Duties, PlanD
Mr. L.T. Ma	Project Manager (HK Island & Islands), Civil Engineering & Development Department (CEDD)
Mr. S.K. Lam	Chief Engineer/Hong Kong (2), CEDD
Mr. Bosco Chan	Senior Engineer 5 (HK Island Division 2), CEDD
Mr. Wan Man-leung	Deputy Project Manager/Major Works(2), Highways Department (HyD)
Mr. C.Y. Wong	Senior Engineer 1/Central Wanchai Bypass, HyD
Mr. C.Y. Chan	Senior Engineer/Housing & Planning, Transport Department
Mr. Eric Ma	}
Mr. Peter Cheek	} Maunsell Consultant Asia Limited
Ms. Carmen Au	}

Presentation and Question Session

125. With the aid of a Powerpoint presentation, Ms. Phyllis Li and Mr. Eric Ma made the following main points as detailed in the Paper :

- (a) on 20.4.2007, the Board considered the draft North Point Outline Zoning Plan (OZP) No. S/H8/19D prepared on the basis of the Recommended Outline Development Plan of the Wan Chai Development Phase II (WDII) Review and considered it suitable for public consultation. The Board also requested PlanD to work out the appropriate planning control on the design of the relevant "Other Specified Uses" ("OU") sites;
- (b) the further proposed amendments to the draft OZP were as follows :

- (i) to reflect the improved alignment for Slip Road 8 of the Central-Wan Chai Bypass by rezoning a site south of Tsing Fung Street from “Open Space” to ‘Road’. The revised Slip Road 8 would not encroach onto the North Pavilion Garden in the Victoria Park and would affect fewer trees; and
- (ii) to include the following Remark in the Notes of the “OU (Central-Wan Chai Bypass Administration Building)” and “OU (Central-Wan Chai Bypass Ventilation Building)” zones to provide for planning control over the exterior design of structures :

‘The exterior design of any new development or redevelopment, or any change to the exterior design of an existing structure/building, including that for a use specified in Columns 1 and 2 above, requires permission from the Town Planning Board under section 16 of the Town Planning Ordinance.’;

- (c) the Works and Development Committee of the Eastern District Council had no adverse comments on the improved alignment of Slip Road 8; and
- (d) the Planning, Lands and Works Panel of the Legislative Council, the Sub-committee on Wan Chai Development Phase II Review of the Harbour-front Enhancement Committee (HEC Sub-committee) and the four District Councils on Hong Kong Island had been consulted on the proposed amendments relating to WDII. HEC Sub-committee organized a briefing to the public on 23.6.2007. Public views on draft OZP No. S/H8/19D had been reported separately in TPB Paper No. 7847 under agenda item no. 3.

126. In response to a Member’s question on the loss of open space due to the rezoning to reflect the revised Slip Road 8, Mr. Eric Ma replied that, as in the case of the original proposal, the loss would be compensated by the newly formed harbour-front promenade.

127. As Members had no further question to raise, the Chairperson thanked the representatives of the Government and the study consultants for attending the meeting. They

all left the meeting at this point.

Deliberation Session

128. The Chairperson said that the improvement to Slip Road 8 showed the efforts taken by concerned departments in addressing the earlier comment of the Board. She noted that the revised proposal was acceptable to the Eastern District Council.

129. Regarding Members' suggestion that proper and clear traffic signals and signs should be put in place to tie in with the revised traffic arrangement, the Chairperson said that TD should work out the appropriate traffic control measures with appropriate publicity. She asked PlanD to relay Members' concern to TD.

130. After deliberation, Members agreed that :

- (a) the proposed amendments to the draft North Point OZP shown in OZP No. S/H8/20A at Annex A of the Paper and its Notes at Annex B were suitable for exhibition under section 7 of the Town Planning Ordinance;
- (b) the Explanatory Statement (ES) at Annex C should be adopted as an expression of the planning intentions and objectives of the Board for various land use zonings of the OZP and issued under the name of the Board; and
- (c) the ES was suitable for exhibition for public inspection together with the OZP and the Notes.

Agenda Item 7

Any Other Business

[Open Meeting]

[The meeting was conducted in Cantonese.]

131. There being no other business, the meeting was closed at 5:35 p.m..