

立法會
Legislative Council

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by the Administration)

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Panel on Planning, Lands and Works

**Minutes of special meeting
held on Friday, 26 April 2002 at 8:30 am
in Conference Room A of the Legislative Council Building**

Members present : Dr Hon TANG Siu-tong, JP (Chairman)
Hon LAU Ping-cheung (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, JP
Hon LAU Wong-fat, GBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Albert CHAN Wai-yip
Hon WONG Sing-chi
Hon IP Kwok-him, JP

Member attending : Hon CHAN Yuen-han, JP

Members absent : Hon James TO Kun-sun
Hon WONG Yung-kan
Hon Timothy FOK Tsun-ting, SBS, JP

Public officers attending : **Item I**

Mr Daniel CHENG
Principal Assistant Secretary/Planning
Planning and Lands Bureau

Ms LAU Shui-chi
Chief Town Planner/Standards and Studies
Planning Department

Item II

Mr Daniel CHENG
Principal Assistant Secretary/Planning
Planning and Lands Bureau

Miss Ophelia WONG
Assistant Director/Board
Planning Department

Mr Wilson SO
Chief Town Planner/Town Planning Board
Planning Department

Clerk in attendance : Miss Salumi CHAN
Chief Assistant Secretary (1)5

Staff in attendance : Mrs Queenie YU
Senior Assistant Secretary (1)6

Action

I. Pedestrian Planning Study

(LC Paper No. CB(1)1508/01-02(01) — Paper provided by the Administration)

The Chairman briefed members that the Planning Department (PD) had commissioned a Study on Planning for Pedestrians. The Study aimed to provide practical guidance on how to achieve better pedestrian environments in Hong Kong. The Administration was in the process of conducting the first stage public consultation. The views collected would be taken into account in the next stage of the Study to develop pedestrian planning guidelines and standards.

2. With visual aid equipment, the Chief Town Planner (Standards and Studies) of Planning Department (CTP(SS)/PD) briefed members on the objectives of the Study, problems for pedestrians, lessons from overseas and design concepts, as detailed in the Consultation Digest. She also highlighted that the Study included action areas in Hong Kong, Kowloon and the New Territories up to five in number

where pedestrian problems would warrant improvement and concept plans would be drawn up to test the viability of policies and proposals that would guide future pedestrian planning. The action areas would be carefully selected to be representative of the types of problems and needs that were commonly experienced in Hong Kong by pedestrians. The results of the testing would form the basis for the formulation of concept plans and planning standards and guidelines to improve the pedestrian environment.

Viability of policies and proposals for better pedestrian environments

3. In view of the scarcity of land and high population density in Hong Kong, Mr IP Kwok-him queried the viability of implementing policies for better pedestrian environments in urban areas. Citing the widening of the pavement at Caine Road as an example, Mr IP pointed out that considerable time had been taken for the resumption of the land required for the project. Whilst recognizing the existing constraints, the Principal Assistant Secretary (Planning) of Planning and Lands Bureau (PAS(P)/PLB) pointed out the need to improve pedestrian environments so as to address the current problems for pedestrians. The Administration aimed to develop an attractive pedestrian network of streets and public spaces that were safe, pleasant and convenient to use. As a start, a draft Strategy for Pedestrian Planning had been prepared for public consultation. The draft Strategy was planned for the new development areas, such as reclaimed areas, as well as the developed areas. Members' views expressed at previous meetings of the Panel on the provision of pedestrian linkages between new development areas, such as the reclaimed areas in South East Kowloon, Wanchai and Central, and the developed areas would be taken into consideration. At the second stage of the Study, concept plans would be drawn up for the action areas to test the feasibility of proposals that would guide future pedestrian planning.

Principle of "Pedestrian First"

4. Mr TAM Yiu-chung supported the application of the principle of "Pedestrian First" in the planning for pedestrians. However, he pointed out that a number of departments, such as the Housing Department, Transport Department, Highways Department and Territory Development Department, had not adopted this principle in the planning of pedestrian facilities in new towns. For example, there was no cover for part of the pedestrian walkway from Yat Tung Estate to Fu Tung Estate in Tung Chung, and there was no convenient pedestrian facility for the residents of Chun Hing New Village in Yuen Long to cross the road. Mr LAU Ping-cheung and Miss CHAN Yuen-han also supported the principle of "Pedestrian First". In this connection, Mr LAU considered that the planning for new town development should be led by planners, rather than by the development of infrastructure such as road network. PAS(P)/PLB advised that a multi-disciplinary approach would be adopted by the Administration in formulating the Strategy for Pedestrian Planning. In any case, pedestrians would always come first.

Concrete improvement measures

5. Mr Albert CHAN Wai-yip considered that the principle of “Pedestrian First” should be applied not only in the overall planning for better pedestrian environments in Hong Kong, but also in the drawing up of improvement measures for the existing footpaths and pedestrian links. All relevant bureaux and departments should ensure the effective application of this principle. Mr CHAN requested the Administration to put in place concrete measures to address the existing problems for pedestrians in a systematic manner and within a reasonable timeframe. Guidelines on design of footpaths and pedestrian links should be developed, e.g. the standard width of footpath. In planning for new development areas, consideration should be given to providing safer, more convenient and comfortable pedestrian access. Road signs and street light poles should be properly placed to avoid obstructing pedestrian movement. Consideration should also be given to promoting pedestrian access to public transport facilities and nearby areas. In response, PAS(P)/PLB said that the Study aimed to formulate a broad planning framework setting out the principles, concept, guidelines and standards for pedestrian planning. They would be incorporated into the Hong Kong Planning Standards and Guidelines available for public reference. In the next stage of the Study, the Administration would address the existing problems for pedestrians and make recommendations for implementation. As a number of bureaux and departments participated in the Study and action areas had been selected to test the viability of policies and proposals, experience would be gained in the process to facilitate smooth implementation.

6. Mr Albert CHAN also considered that the pedestrian links to railway stations should be improved and that the criteria for the provision of covered pedestrian links for areas within 500 metres of railway stations should be relaxed to enable the provision of such links to nearby housing estates. Moreover, the provision of pedestrian links to new railway stations should tie in with the completion schedule of railway development projects. In this connection, Mr CHAN pointed out that the pedestrian facilities in the vicinity of the new West Rail Tsuen Wan Station did not tie in with the opening schedule for the station in 2003. The Chairman requested the Administration to consider Mr CHAN’s views.

7. Mr WONG Sing-chi considered the planning concept too broad brush without any concrete proposals. He suggested the Administration to consider the impact of loading and unloading activities along streets on pedestrians and business operators and the impact of footpath widening on traffic. PAS(P)/PLB reiterated that concrete measures would be considered by the Administration at the next stage of the Study.

8. Mr IP Kwok-him said that the Central and Western District Council had expressed concern about the pedestrianization scheme at Lan Kwai Fong. In view of the adverse impact of the Scheme on business operation, shop operators had requested that the starting time for the Scheme be revised from 6:00 pm to 9:00 pm.

Mr Abraham SHEK Lai-him requested the Administration to assess the impact of pedestrianization schemes on traffic, business operation and local community.

9. Referring to page 9 of the Consultation Digest, Miss CHAN Yuen-han said that she supported a strategy for pedestrian planning and that "Hong Kong's public areas should comprise streets, pedestrian plazas and footways that are lively, interesting, vibrant and add character to the city". She considered that improvement measures should be made to facilitate pedestrian access for the elderly and physically disabled, for example, to the hilly areas in Tze Wan Shan District.

Timeframe and cost for the study

10. Responding to Mr Abraham SHEK, CTP(SS)/PD advised that the Administration aimed to complete the public consultation report for the first stage of the Study by the end of May 2002. Responding to Mr WONG Sing-chi, CTP(SS)/PD stressed that the views collected from this round of public consultation would be taken into account in the second stage of the Study for the development of pedestrian planning guidelines. Depending on the outcome of the first stage consultation, action area concept plans to be developed in the second stage of the Study might be available for consultation around the end of 2002.

11. Responding to Mr IP Kwok-him, CTP(SS)/PD advised that the consultancy fee for carrying out the first and second stages of the Study would roughly be about \$4 million. Mr IP, Mr Albert CHAN and Mr WONG Sing-chi considered it too costly for producing only a simple Consultation Digest and questioned the need for engaging a consultant for the Study. CTP(SS)/PD explained that the actual work involved would be more than what had been presented in the Consultation Digest as other work had been/would be documented in working papers. Mr CHAN considered it more cost-effective for the Administration to focus its efforts on coordinating the relevant bureaux and departments to resolve the existing pedestrian problems.

(Post-meeting note: According to the information provided by the Administration after the meeting, the exact contract sum for the consultancy fee for carrying out the first and second stages of the Study was \$3.14 million.)

Way forward

12. At the request of members, PAS(P)/PLB undertook to provide a written response to the suggestions raised by members at the meeting.

(Post-meeting note: The Administration's written response was circulated to members vide LC Paper No. CB(1)2638/01-02 on 4 October 2002.)

II. “Comprehensive Development Area” zoning

(LC Paper No. CB(1)1508/01-02(02) — Paper provided by the Administration)

13. The Chairman advised that when the Secretary for Planning and Lands briefed the Panel on the Chief Executive’s 2001 Policy Address at the Panel meeting on 2 November 2001, members had raised some issues relating to the Comprehensive Development Area (CDA) zoning. To address the issues raised, the Administration had prepared a paper on the current practice of CDA zoning on statutory plans for discussion at this meeting.

14. At the invitation of the Chairman, the Chief Town Planner / Town Planning Board of the Planning Department briefed members on the paper with visual aid equipment.

Review of CDA sites

15. Mr Abraham SHEK Lai-him supported CDA zoning to facilitate development or redevelopment of sites in accordance with a carefully formulated comprehensive plan. He however noted that while the paper provided by the Administration set out successful examples on development through CDA zoning, it did not mention about unsuccessful examples. Citing the CDA site at Hanoi Road where the development had been put on hold for more than a decade as an example, Mr SHEK was concerned about the situation that there had been no or little development progress for some CDA sites. The Assistant Director/Board of Planning Department (AD(B)/PD) pointed out that in response to some comments from the development-related sectors that the CDA zoning might result in planning blight due to the freezing of piecemeal individual developments, the Town Planning Board (TPB) had undertaken since 1998 annual review of all CDA sites which had been designated for more than three years. The CDA zoning would only be retained for sites with positive prospects of implementation, or where there were other good reasons for retaining the CDA zoning. At present, 65 of the 114 CDA sites already had approved Master Layout Plans (MLPs) for development. The CDA site at Hanoi Road was only an individual case. The Principal Assistant Secretary (Planning) of Planning and Lands Bureau (PAS(P)/PLB) also pointed out that as a general principle, an area would not be designated as CDA if there were other alternative planning mechanisms to achieve the desired planning objectives. TPB and the Planning Department (PD) would keep track of the progress of the development of individual CDA sites on a regular basis in accordance with the established mechanism.

16. Noting that a total of 656.1 hectares of land were involved in the current 114 CDA sites, Mr Abraham SHEK considered that it would not be in the interest of the owners concerned and the community as a whole for the substantial quantity of land to be left undeveloped. He suggested that TPB should, in its annual review exercise, remove those sites which did not have any prospects for comprehensive

development from the list of CDA sites. Mr Albert CHAN shared Mr SHEK's views. He pointed out that due to the uncertainties of the development plan for the CDA sites, CDA zoning had not only affected the rights of the owners concerned but also the development potential of the nearby areas. He therefore requested the Administration to establish a mechanism to protect the rights of the owners concerned and to reduce the uncertainties due to the freezing of land for CDA zoning. For example, a time period, say, a 5-year period, should be imposed for a site designated as a CDA site. If there was no development plan for the site after the 5-year period, the site should be rezoned for other uses. Moreover, the owners concerned should be compensated for being deprived of the right to develop the land in question. Mr LAU Ping-cheung supported Mr CHAN's view that the owners concerned should be compensated. He also requested the Administration to consider shortening the 3-year period, which was used as a benchmark for reviewing whether CDA zoning should be retained for the sites in question.

17. In response, (AD(B)/PD) advised that application for development in a CDA zone had to be made to TPB in the form of a MLP. TPB, in conducting its annual review of the CDA sites that had been designated for more than three years, would invite the developers concerned or their agents to complete a proforma and state any technical problems related to the compliance of approval conditions. Based on the information obtained, PD would co-ordinate with the relevant departments to resolve the problems. In the annual CDA Review, TPB would examine each and every CDA which had been designated for more than three years and still shown no sign of implementation (i.e. no MLP submitted). The CDA zoning of these sites would only be retained unless there were good reasons for retaining it. For sites where there were no good reasons for retaining their CDA zoning, such as the sites where substantial difficulties were experienced in the resumption of land or where multiple ownership was involved, TPB would take an initiative to rezone the sites for other land uses. At times, TPB would allow the development of the CDA sites by phases, or divide the sites into smaller sites to facilitate the implementation of the development plan upon request by the developers. TPB would also increase the development intensity of the sites to enhance the incentive for redevelopment.

18. Mr Albert CHAN reiterated the need for the Administration to establish a mechanism to protect the rights of the owners concerned and to reduce the uncertainties due to the freezing of land for CDA zoning. At Mr CHAN's request, (AD(B)/PD) agreed to reflect members' views to TPB upon the next CDA review.

19. Referring to Table 2 of the paper provided by the Administration, Mr Abraham SHEK sought clarification on the measures put in place by the Administration to facilitate the development of the 26 CDA sites which had been designated in response to requests of quasi-government bodies and private developers but still without approved MLP. (AD(B)/PD) responded that some of the 26 CDA sites had been designated for less than three years. As regards the remaining CDA sites, the developers concerned had so far not revealed to the Administration any

development-related problems. Mr SHEK requested the Administration to provide a list of the existing 114 CDA sites by types of land (Government Land/ Land Allocation to Quasi-Government Bodies/Private Land), indicating which of them had been zoned as CDA for more than three years.

20. Mr LAU Wong-fat declared that he was one of the directors of a company which owned lands in Tai Kiu Village in Yuen Long. He pointed out that while the Village was designated as a CDA site a decade ago, it failed to take on development because of the substantial difficulties involved in land resumption caused by multiple ownership. While supporting the concept of CDA zoning to open up new opportunities for development in rural areas, Mr LAU asked whether the Administration had considered how the complex issues caused by multiple ownership should be addressed. (AD(B)/PD) said that as far as she knew, many of the CDA sites did not involve multiple ownership whilst redevelopment of sites with multiple ownership and dilapidated buildings could be target areas of the Urban Renewal Authority. As regards Tai Kiu Village, TPB had reviewed the case in March 2002 and agreed to rezone it to Village Type Development. However, a number of persons raised objections to the rezoning and requested TPB to retain it as a CDA site. The objections were still being processed. The case, which by no means the only example, illustrated that in private owners' view, CDA zoning was a better alternative to facilitate development of the site in question.

21. Mr IP Kwok-him enquired about the number of case/applications submitted by private developers for amendment(s) to the approved MLPs for CDA sites with subsequent changes in the number of size of residential units. (AD(B)/PD) undertook to provide the information after the meeting.

Consultation

22. Mr LAU Wong-fat enquired whether TPB would consult the owners concerned before designating a site as CDA site. (AD(B)/PD) advised that under the established mechanism, the relevant parties were notified of the proposed CDA zoning upon gazetting of the relevant statutory town plans. Mr LAU Ping-cheung considered that the Administration should review the consultation process for designating a site as CDA to ensure that all relevant parties, including individual property/land owners, were notified of the proposed change. (AD(B)/PD) further advised that the Administration was considering, in the context of the review of the Town Planning Ordinance (Cap.131), ways to improve the current consultation mechanism, including the viability of notifying the individual affected owners more directly.

(Post-meeting note: The Administration's written response to members' concerns and suggestions raised at the meeting was circulated to members vide LC Paper No. CB(1)25/02-03 on 10 October 2002.)

Way forward

23. At the suggestion of Mr Abraham SHEK, the Panel agreed that relevant professional bodies and Heung Yee Kuk (HYK) be invited to give written views on CDA zoning.

(Post-meeting note: The proposed list of organizations for inviting submissions was issued to members vide LC Paper No. CB(1)1687/01-02 on 9 May 2002 for comments. Letters were issued to five professional bodies and HYK in mid-May 2002. With the concurrence of the Chairman, the submissions received were forwarded to the Administration for comments on 5 July 2002.)

III. Any other business

Meeting arrangements for May 2002

24. Members agreed that the regular meeting originally scheduled for 3 May 2002 at 8:30 am be re-scheduled to enable members to attend the meeting of the Subcommittee to Study the Proposed Accountability System for Principal Officials and Related Issues scheduled for the same time slot.

25. Members also agreed that two meetings be scheduled for May 2002, i.e. on 8 May 2002 at 8:30 am and 16 May at 8:30 am, to discuss the following items:

- (a) Land Sale and Development Programme for 2002/03 to 2006/07;
- (b) Speeding up of public works projects — proposed legislative amendments;
- (c) Review of the Pilot Coordinated Maintenance of Buildings Scheme; and
- (d) Proposed overseas duty visit of the Panel.

26. The Chairman advised that Mr Abraham SHEK had proposed that the new draft Wan Chai North Outline Zoning Plan No. S/H25/1, which was provided by the Administration and issued to members vide LC Paper No. CB(1)1570/01-02 on 22 April 2002, be discussed at a meeting of the Panel. Members agreed that the subject be discussed at the meeting on 8 May or 16 May 2002.

(Post-meeting note: The subject of “Wanchai Development Phase II — New draft Wan Chai North Outline Zoning Plan No. S/H25/1” was discussed by the Panel at its meeting on 8 May 2002.)

27. There being no other business, the meeting ended at 10:45 am.

Legislative Council Secretariat

22 November 2002