

立法會
Legislative Council

LC Paper No. CB(1) 28/02-03
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by the Administration)

Ref : CB1/PL/PLW/1

Legislative Council
Panel on Planning, Lands and Works

Minutes of meeting
held on Wednesday, 8 May 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 James TO Kun-sun
Hon Timothy FOK Tsun-ting, SBS, 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 CHOY So-yuk

Members absent : Hon WONG Yung-kan
Hon LAU Wong-fat, GBS, JP

Public officers attending : **Agenda Item IV**

Mr Thomas TSO
Deputy Secretary (Planning and Lands)
Planning and Lands Bureau

Mr Gary YEUNG
Principal Assistant Secretary (Lands)
Planning and Lands Bureau

Mr R D POPE
Director of Lands
Lands Department

Mr Patrick LAU
Director of Lands (Designate)
Lands Department

Agenda Item V

Mr Thomas TSO
Deputy Secretary (Planning and Lands)
Planning and Lands Bureau

Mr Daniel CHENG
Principal Assistant Secretary (Planning)
Planning and Lands Bureau

Mr CHEUNG Tai-yan
Project Manager/Hong Kong Island and Islands
Territory Development Department

Mr K K LING
District Planning Officer/Hong Kong
Planning Department

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

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

I. Confirmation of minutes of meeting

(LC Paper No. CB(1)1561/01-02 — Minutes of the special meeting held on 20 February 2002)

The minutes of the special meeting held on 20 February 2002 were confirmed.

II. Information papers issued since last meeting

2. Members noted the following information papers issued since the last meeting -

- (a) Information paper on the implementation of the Comprehensive Building Safety Improvement Loan Scheme (LC Paper No. CB(1)1506/01-02);
- (b) Information notes on Wanchai Development Phase II — New draft Wan Chai North Outline Zoning Plan No. S/H25/1 (LC Paper No. CB(1)1570/01-02);
- (c) Information notes on processing of small house applications raised by LegCo Members at the case conference with the Administration on 1 March 2002 (LC Paper No. CB(1)1611/01-02(01)); and
- (d) Information paper on West Kowloon Reclamation Concept Plan Competition (LC Paper No. CB(1)1616/01-02).

III. Date of next meeting and items for discussion

(LC Paper No. CB(1)1560/01-02(01) — List of outstanding items for discussion

LC Paper No. CB(1)1560/01-02(02) — List of follow-up actions)

Special meeting on 16 May 2002

3. Members agreed that the special meeting scheduled for Thursday, 16 May 2002 at 8:30 am be split into two meetings, as follows -

- (a) Informal meeting from 8:30 am to 8:45 am
To discuss the proposed overseas duty visit of the Panel.
- (b) Special meeting from 8:45 am to 10:45 am
To discuss the following three items -
 - (i) Proposed overseas duty visit of the Panel;

- (ii) Review of the Coordinated Maintenance of Buildings Scheme; and
- (iii) Speeding up of public works projects — proposed legislative amendments.

4. On paragraph 3(a) above, the Chairman advised that the Research and Library Services Division of the LegCo Secretariat had conducted a research study on London, Berlin, Warsaw, Moscow, Singapore, the Nordic Countries and Macau. The Clerk would circulate the information notes to members in due course.

Special meeting on 30 May 2002

5. Members agreed that a special meeting be scheduled for Thursday, 30 May 2002 at 2:30 pm to discuss the following two items:

- (a) Capital injection into the Urban Renewal Authority (proposed by the Administration); and
- (b) Use of the Tamar site for the development of the Central Government Complex, new LegCo building and other compatible community facilities (proposed by Mr LAU Ping-cheung).

6. On paragraph 5(a) above, members noted that the Administration planned to submit the relevant financial proposal to the Finance Committee (FC) for consideration at its meeting on 21 June 2002.

(Post-meeting note: As the Council meeting on Wednesday, 29 May was expected to extend to Thursday, 30 May, the special Panel meeting originally scheduled for 30 May at 2:30 pm was re-scheduled for Friday, 31 May at about 3:30 pm (immediately after the House Committee meeting).)

Special meeting on 6 June 2002

7. The Chairman reminded members that a special meeting had been scheduled for Thursday, 6 June 2002 at 10:45 am to discuss with the Administration and representatives of Heung Yee Kuk (HYK) on the following issues raised by HYK at the meetings with LegCo Members on 13 February 2001 and 29 January 2002 -

- (a) Review of the ex-gratia zonal compensation system for land resumption in the New Territories; and
- (b) Issues relating to the suspension of the village expansion area projects.

Regular meeting on 14 June 2002

8. Members agreed that the regular meeting originally scheduled for Friday, 7 June 2002 at 8:30 am be re-scheduled to Friday, 14 June 2002 at 8:30 am to discuss the following items -

- (a) Comprehensive Review of the Buildings Ordinance — Proposed Amendments to the Buildings Ordinance; and
- (b) Processing of small house applications.

9. On paragraph 8(b) above, members noted that the subject had been raised at the case conference attended by LegCo Members, members of the Tai Po District Council and the Administration on 1 March 2002. An information note on the subject provided by the Administration had been circulated to members vide LC Paper No. CB(1)1611/01-02 (paragraph 2(c) above).

IV. Land Sale and Development Programme for 2002/03 to 2006/07

(LC Paper No. CB(1)1560/01-02(03) — Paper provided by the Administration)

10. The Deputy Secretary for Planning and Lands (Planning and Lands) (DSPL) briefed members that the one-year Land Sale Programme (LSP) for 2002/03 and the four-year Land Development Programme (LDP) for 2003/04 to 2006/07 had been announced by the Government on 4 March 2002. The one-year LSP set out details of the sites to be sold by scheduled auctions and tenders, and provided an Application List which specified the sites available for application. As in previous years, the LSP had been drawn up with reference to the relevant factors including market conditions. The amount of land put on sale for 2002/03 was similar to that of last year. Two sites taken out from the Application List system were included in the first land auction for 2002/03 held on 15 April 2002. The Administration had for the first time announced the accepted minimum prices offered by the two applicants concerned. The new arrangement would continue as it was well received by the market.

11. The Director of Lands (D of L) then briefed members on the LSP for 2002/03 as detailed in the paper provided by the Administration. He highlighted that ten private residential sites and ten petrol filling station sites were scheduled for auction and tender respectively. Of the ten private residential sites, eight were less than one hectare in area to meet the demand of small and medium sized developers. Apart from the sites scheduled for auction/tender, about 26 hectares of land for private housing development and seven hectares of land for non-housing development were available for application under the Application List system.

Land reserve

12. As the LSP and LDP only showed the estimated land supply for the next five years, Mr Albert CHAN considered that the Administration should provide more information to facilitate members' understanding of the situation, e.g. total land reserve in Hong Kong and the number of years for which they would serve. DSPL advised that the one-year LSP and four-year LDP were annually rolled-forward programmes. This helped Government achieve its policy objective of providing adequate land supply to meet market demand and to facilitate infrastructural developments. Projection for a longer period was not meaningful given the changes in the market conditions and the needs of our community. As regards the need for the creation of a land bank, DSPL pointed out that the public was being consulted on the subject under the study on "Hong Kong 2030: Planning Vision and Strategy".

Application List System

13. Mr Albert CHAN considered it important for the Administration to enhance the transparency of the Application List System. In his view, the Administration should not only disclose the minimum prices offered by successful applicants, but also those offered by unsuccessful applicants and the reasons for the Administration to turn down their applications. He criticized that the Application List System was operated in a "black-box". DSPL disagreed with this statement. He considered that it would not be in the interest of the public to disclose the minimum prices offered by unsuccessful applicants. D of L added that there had been cases where the minimum prices offered by the applicants were much lower than the market price. If the minimum prices offered were disclosed to the public, it might mislead the market and cause confusion. Moreover, developers applying for a piece of land normally would not prefer disclosure of the minimum prices. The disclosure of such information might hold them back from bidding for sites.

14. Mr Albert CHAN was not convinced by the Administration's advice. He did not consider that the disclosure of the minimum prices would mislead the public as they should have their own judgement on whether the prices were reasonable. To ensure that the Application List System was operated in a fair manner, Mr CHAN stressed the need for the Administration to disclose the minimum prices offered by all applicants and the reasons for turning down some of the applications. In view of the Administration's concern about the impact of the disclosure of such information on the market, Mr CHAN suggested that the disclosure be made after a 3-month or 6-month period. D of L pointed out that if such information were disclosed, the Administration's hands would be tied. He assured members that the Application List System was operated in a fair manner and that there was no favouritism towards any developers. Market value was the major criterion for considering whether the minimum price offered by a developer for a site should be accepted or not. A bid below market value would not be accepted. D of L also considered the System highly transparent, as the land was put for sale at public auction.

15. Mr TAM Yiu-chung asked how the market value of a site on the Application List was set. D of L advised that a committee in his department would, on the basis of the up-to-date information and analysis provided by the professional staff in Lands Department, set the market value of the site. Responding to Mr TAM's further question, DSPL advised that the number of applications received varied from time to time, depending very much on the situation of the property market. D of L also advised that there was no charge for such applications.

Allocation of land for residential projects of railway corporations

16. Referring to the information on "Estimated Allocation of Land (in Hectares) for Residential Use between 2001/02 and 2005/06" provided by the Administration to the Panel on 3 July 2001 (LC Paper No. CB (1)1675/00-01), Mr IP Kwok-him noted that the then estimation was that 36 hectares of land would be allocated in 2002/03 to the Kowloon-Canton Railway Corporation (KCRC) for its residential projects. However, it was mentioned in paragraph 6 of the paper provided by the Administration for this meeting that 24 hectares of land would be provided for railway residential projects in 2002/03. Mr IP sought clarification on the discrepancy between the two figures (36 and 24 hectares). The Principal Assistant Secretary (Lands) of Planning and Lands Bureau (PAS(L)/PLB) advised that land to be provided for railway residential projects would be allocated to the railway corporations under private treaty grants. The actual number of land grants to be exempted in 2002/03 would be subject to the progress of individual projects.

17. Mr IP Kwok-him asked whether the Government was subsidizing the two railway corporations by providing land under private treaty grants for their residential projects. DSPL clarified that that was not the case. The land was granted at full market value. In considering the amount of land to be allocated to the two railway corporations, the Administration would take into account a number of relevant factors, such as financing of the railway projects, engineering interface matters. Overall, the grant of land to the railway corporations for railway projects was under the purview of the Transport Bureau and Finance Bureau.

18. Mr LAU Ping-cheung was concerned whether a mechanism was in place to ensure that the number of residential units developed by the two railway corporations and the timing of putting these units for sale would tie in with the market demand. DSPL pointed out that normally, the two railway corporations developed residential projects jointly with private developers. They acted in response to market demand in order to maximize their returns. The situation was monitored by a committee under the Housing Bureau.

Allocation of land for housing development

19. Referring to the speech made by the Chief Secretary for Administration at the Council meeting on 17 April 2002 that the Administration had modified the land grant mechanism for housing development, Mr TAM Yiu-chung enquired about the modifications made. DSPL advised that the only modification made was to formalize the existing arrangements by assigning an existing committee to make recommendations on the allocation of sites for housing development. Under the modified mechanism, the Committee on Planning and Lands Development (CPLD), chaired by the Secretary for Planning and Lands and comprised representatives of relevant bureaux and departments, would discuss whether the site should be used for public or private housing development. Recommendations made by CPLD would be submitted to the Steering Committee on Land Supply for Housing (Steering Committee) chaired by the Chief Secretary for Administration for its consideration and decision.

20. Mr IP Kwok-him pointed out that in the past, recommendations on the allocation of land for public housing would be put up directly to the Steering Committee rather than through CPLD. DSPL said that the change was to formalize the procedures for allocation of land for housing development, so as to strike a right balance in the allocation process and to serve the best interests of the community as a whole.

V. Wanchai Development Phase II — New draft Wan Chai North Outline Zoning Plan No. S/H25/1

(LC Paper No. CB(1)1570/01-02 — Information paper provided by the Administration

LC Paper No. CB(1)1667/01-02(01) — Joint submission from Dr CHAN Wai-kwan, Mr Christopher CHENG and Mr Daniel HEUNG)

21. The Chairman said that at the Panel meeting on 7 December 2001, the Administration had briefed members on the key proposals of the Wan Chai Development Phase II (WDII) project, including the proposal to reduce the total reclamation area from 23.6 hectares to 22.4 hectares and the withdrawal of the proposal to construct a Harbour Park on the reclamation area. When the Town Planning Board (TPB) considered the draft Wan Chai North Outline Zoning Plan (OZP) on 22 March 2002, TPB noted that there were divided views on the proposed Harbour Park. TPB finally decided to retain the Harbour Park in the draft OZP to provide an opportunity for the community to further discuss on the Harbour Park proposal. At the request of the Panel, the Administration was invited to attend this meeting to brief members on the details of the new draft OZP. The Chairman also drew members' attention to a paper jointly submitted by three current/former TPB members received by the Panel in support of the proposed Harbour Park.

22. DSPL advised that the new draft OZP with the Harbour Park was published under section 5 of the Town Planning Ordinance on 19 April 2002 for public inspection until 19 June 2002. He stressed that the Administration had not made a final decision on whether the Harbour Park proposal should be adopted. The Administration was prepared to listen to more views on the proposal before making its decision.

23. With visual-aid equipment, the District Planning Officer (Hong Kong) of Planning Department (DPO(HK)/PD) highlighted the following points -

- (a) The new draft Wan Chai North OZP No. S/H25/1 gazetted on 19 April 2002 included new reclamation along the Wan Chai and Causeway Bay waterfront and existing areas to the north of Gloucester Road excised from the draft Wan Chai OZP No. S/H5/20 and the draft North Point OZP No. S/H8/16.
- (b) The proposed Harbour Park was not a new concept. In early 2000, the concept of a proposed Harbour Park was included in the Consultation Digest for public comments on the development options with regard to the extent of reclamation under the WDII project and the land use proposals at the reclaimed area. Views on the proposed Harbour Park were divided; some supported such creative idea but others opposed to the reclamation required for the Park.
- (c) TPB considered that the concept of Harbour Park was in line with its Vision Statement for the Victoria Harbour that it would "bring the people to the harbour and the harbour to the people". It would also provide a site on the Hong Kong Island to view the Victoria Harbour. TPB finally decided to retain the Harbour Park in the draft OZP to provide an opportunity for the community to further discuss on the Harbour Park proposal.
- (d) The Administration would collect public views during the 2-month consultation period before making its decision on whether feasibility study on the Harbour Park should be conducted in the next phase of the project.

Proposed Harbour Park

Justifications for the proposed Harbour Park

24. Pointing out that both the Eastern District Council and the Wan Chai District Council had raised strong objection to the Harbour Park proposal, Mr IP Kwok-him criticized the Administration for retaining the proposal in the draft OZP. As the Victoria Harbour was a precious resource of Hong Kong, LegCo Members had, during deliberation of some previous development proposals, clearly indicated their stance that they would only accept reclamation works which were absolutely necessary, such as those for providing land for transport infrastructure. Mr IP stated that the Democratic Alliance for Betterment of Hong Kong considered the Harbour Park proposal unjustified and was therefore against the proposal. He also questioned whether the proposal would contravene the provisions in the Protection of the Harbour Ordinance (PTO) (Cap. 531).

25. DSPL assured members that the Administration fully appreciated the need for the protection of the Victoria Harbour and that the Harbour Park proposal would not contravene the provisions in PTO. In considering a reclamation proposal, the Administration would normally consider the overall benefits the proposal would bring to the community and the loss of harbour area due to reclamation. He stressed that TPB had not decided to go ahead with the Harbour Park proposal at this stage. It had only decided to include the proposal in the new draft OZP to allow more time for the public to discuss on the proposal. Responding to Mr IP Kwok-him, DPO(HK)/PD advised that in the last round of consultation, the Administration had received more objection views than supportive views on the Harbour Park proposal.

26. Miss CHOY So-yuk was not convinced that the Harbour Park proposal would not contravene the provisions in PTO. She pointed out that under PTO, the Victoria Harbour was to be protected and preserved as a special public asset and a natural heritage of Hong Kong people, and for that purpose there should be a presumption against reclamation in the Harbour. Miss CHOY expressed her strong objection to further reclamation works in the Harbour and requested the Administration to provide the legal advice it obtained on whether proposals in the new draft Wan Chai North OZP, in particular the proposed Harbour Park, would contravene the provisions in PTO. DSPL agreed to provide the information.

Admin

27. Pointing out that the Harbour Park proposal was not included in the Administration's submission to the Public Works Subcommittee and FC on 19 December 2001 and 11 January 2002 respectively, Mr Albert CHAN considered it highly improper for the Administration to include the proposal in the new draft OZP after a sum of \$111.1 million had been approved by FC for the WDII project. The Principal Assistant Secretary (Planning) of Planning and Lands Bureau (PAS(P)/PLB) clarified that the funds approved by FC would be used for conducting detailed design

works and site investigation works for the WDII project, but not for the Harbour Park proposal which was still under public consultation.

28. Whilst supporting the idea of providing better design for the existing Causeway Bay Typhoon Shelter breakwater, Mr Albert CHAN considered the proposed Harbour Park involving reclamation of 2 hectares of land a substantial change from the original proposal. Citing the new Kellett Island Marina breakwater as an example, he suggested that alternative options be explored, such as the provision of a pedestrian corridor along the breakwater. PAS(P)/PLB appreciated Mr CHAN's views and reiterated that both the Administration and TPB would further consider public views on the proposed Harbour Park before making a decision.

29. Mr Abraham SHEK Lai-him supported the construction of the proposed Harbour Park, as it would provide more open space for the public and provide an additional tourist node. To enable the public to have a better understanding of the merits of the proposal, he considered that the Administration should explain to the public on the reasons why TPB had retained the proposal in the new draft OZP. Ir Dr Raymond HO Chung-tai and Mr LAU Ping-cheung also supported further consultation of the public on the proposal.

Pedestrian linkages to the proposed Harbour Park

30. To ensure that the Harbour Park would be easily accessible by the public, Ir Dr Raymond HO considered that pedestrian linkages should be provided to connect the hinterland with the waterfront and Harbour Park. Mr LAU Ping-cheung also considered it important for the Administration to provide such pedestrian linkages to achieve the objective of bringing the people to the Harbour and Harbour to the people. DPO(HK)/PD advised that two pedestrian linkages would be provided for the purpose.

Provision of open space

31. Responding to Mr Albert CHAN, PAS(P)/PLB advised that while the two hectares of land proposed for the Harbour Park would be counted towards the standard provision of open space for the Wan Chai and Causeway districts, the Administration would not reduce the open space on land in these two districts accordingly.

Comprehensive Development Area (CDA) development

32. Mr Abraham SHEK noted that a site of 2.56 hectares located to the north of Harbour Road and west of Wan Chai Sports Ground was zoned "CDA" to facilitate comprehensive development. As there were insufficient open spaces and parks in Wan Chai, he considered that the proposed CDA site should be used as open space. PAS(P)/PLB explained that the site was intended for exhibition and entertainment development with the incorporation of the proposed North Hong Kong Island Line (NIL) Exhibition Station, a public transport interchange (PTI) to cater for future

operational need and to relocate the existing bus terminus at the north of the Harbour Centre and the terminal facilities at ExPo Drive East. Comprehensive development for exhibition, convention and leisure facilities had been proposed for the area above the PTI.

33. Mr Abraham SHEK considered that the area above the PTI should be used for open space development, but not high-rise buildings. DSPL pointed out that as open space development was planned for the waterfront areas, the need for such development at the CDA site was not obvious. He also pointed out that development for the site was subject to building height restrictions so as to ensure that it would be compatible with the development of the waterfront areas and the existing building heights of the nearby developments. DPO(HK)/PD and PAS(P)/PLB added that the CDA development was subject to a maximum building height of 100 metres (including roof-top structures, projections and advertisement signs) above Principal Datum (PD), i.e. a building of 20 storeys plus, and a maximum non-domestic gross floor area of 128 100 square metres with a plot ratio of about 5. The actual development for the CDA site required submission of planning application to TPB in the form of a Master Layout Plan with details of the proposed land uses, the nature, dimensions and height of all buildings to be erected on the site.

34. Mr Abraham SHEK pointed out that the development of a building of 20 storeys plus in the proposed CDA site would block the view of the nearby buildings. To address this problem, he considered that the development for the CDA site should not exceed the height of a seven-storey building and that the Administration should consider underground development at the site. He stressed that the public should be consulted on whether the site should be used for open space development or other purposes.

35. Responding to Mr IP Kwok-him, DPO(HK)/PD advised that the highest point of the existing Hong Kong Convention and Exhibition Centre (HKCEC) was about 80 metres above PD. Mr IP Kwok-him was of the view that the CDA development should not exceed the height of the existing HKCEC.

36. Mr LAU Ping-cheung was also in favour of developing the CDA site for open space. He pointed out that if high-rise buildings were to be developed at the site, high construction cost for the buildings would be required for the necessary structural protection of the underground station.

37. Referring to the Administration's proposal to establish a new International Exhibition Centre (IEC) at Chek Lap Kok considered by FC on 21 December 2001, Miss CHOY So-yuk queried the need for provision of additional convention and exhibition facilities in Wan Chai and how IEC could stay competitive and viable in the face of provision of such facilities in Wan Chai. PAS(P)/PLB stressed that the Administration had not finalized the land use for the CDA site. Exhibition and convention, entertainment and recreation uses were included as possible land use for

the site for planning purpose only. A Master Layout Plan would have to be submitted by any interested developer for the approval of TPB. In this connection, Mr IP Kwok-him said that he did not see the need for providing additional convention and exhibition facilities in Wan Chai.

38. Mr Abraham SHEK, Ir Dr Raymond HO, Mr LAU Ping-cheung and Mr IP Kwok-him were concerned that if the CDA site were to be used for exhibition and convention facilities, it would aggravate the traffic congestion problem in Wan Chai North. Mr SHEK suggested the Administration to consider setting up the proposed exhibition and convention facilities in West Kowloon, instead of Wan Chai. DSPL said that while the development plan for West Kowloon had yet to be finalized, the Administration was of the view that the traffic congestion problem in Wan Chai North could be addressed by introducing improvement measures. The Project Manager (Hong Kong Island and Islands) of Territory Development Department added that the traffic congestion problem at Gloucester Road would be relieved by the Central-Wan Chai Bypass and a number of improvement measures. For example, the dual two-lane Convention Avenue would be changed to dual three-lane, and the single lane Hung Hing Road flyover would be changed to two-lane, and designated areas would be reserved for marshalling of trucks going to HKCEC.

Proposed temple

39. In reply to Ir Dr Raymond HO's enquiry, DPO(HK)/PD advised that the proposed Temple was for the relocation of the existing floating Tin Hau Temple currently moored within the Causeway Bay Typhoon Shelter. In view of the recent incidents about the improper management of works contracts of some temples, Ir Dr Raymond HO urged the Administration to closely monitor the works contract of the proposed Temple.

Waterfront related commercial and leisure uses

40. Referring to the site reserved for "waterfront related commercial and leisure uses", Mr IP Kwok-him considered that the commercial activities involved should be related to the leisure activities in the surrounding areas, such as outdoor café.

VI. Any other business

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

Legislative Council Secretariat
10 October 2002