

立法會
Legislative Council

LC Paper No. CB(1)2023/05-06
(These minutes have been seen
by the Administration)

Ref : CB1/PL/PLW/1

Panel on Planning, Lands and Works

**Minutes of special meeting
held on Thursday, 11 May 2006 at 4:30 pm
in the Chamber of the Legislative Council Building**

Members present : Hon LAU Wong-fat, GBM, GBS, JP (Chairman)
Hon Patrick LAU Sau-shing, SBS, JP (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
Hon WONG Yung-kan, JP
Hon CHOY So-yuk, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Albert CHAN Wai-yip
Hon LEE Wing-tat
Hon LI Kwok-ying, MH
Hon Daniel LAM Wai-keung, BBS, JP
Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki
Hon CHEUNG Hok-ming, SBS, JP

Members attending : Hon CHAN Yuen-han, JP
Hon WONG Kwok-hing, MH

Members absent : Hon James TO Kun-sun
Hon Abraham SHEK Lai-him, JP

**Public officers
attending**

: Agenda item I

Ms Olivia NIP
Deputy Secretary for Housing, Planning and Lands
(Planning and Lands) 2

Ms Ivy LAW
Principal Assistant Secretary for Housing, Planning and
Lands (Planning and Lands) 4

Agenda item II

Ms Elizabeth TSE
Director of Administration

Mrs MAK LOK Suet-ling, Susan, JP
Deputy Director of Administration

Mr Sidney CHAN
Assistant Director of Administration

Mr TANG Ping-kwong
Deputy Government Property Administrator
Government Property Agency

Mr CHEUNG Kin-wah
Chief Property Manager (Management Services)
Government Property Agency

Mr YUE Chi-hang, JP
Director of Architectural Services

Mr Peter YUEN
Project Director
Architectural Services Department

Mr Elvis AU
Assistant Director (Environmental Assessment)
Environmental Protection Department

Mr Lawrence KWAN
Chief Engineer/Traffic Engineering (Hong Kong)
Transport Department

Ms Phyllis LI
Chief Town Planner (Special Duties)
Planning Department

Attendance by invitation : Agenda item II

Individual

Mr Norman de BRACKINGHE

Citizen Envisioning@Harbour

Mr Albert LAI
Convenor

Hong Kong Sustainable Development Forum

Mr John HERBERT
Chairman

Action Group on Protection of The Harbour

Mr LEE Wing-kin
Representative

Individual

Mr Winston Ka-sun CHU
(Represented by Mr Dennis LI)

Individual

Mrs Margaret BROOKE

Central & Western District Council

Mr CHAN Chit-kwai, JP
Member
Central & Western District Council

Ms CHENG Lai-king
Member
Central & Western District Council

Individual

Mr Robert PENDLETON

Individual

Mr NG Kam-chun, Stephen, MH
Member
Wan Chai District Council

The Hong Kong Institution of Engineers

Ir Wilfred W T LAU
Member, Civil Division

Hong Kong Construction Industry Employees General Union

Mr CHOI Chun-wa
Chairman

Individual

Mr Steve CHAN Yiu-fai
Member
Wan Chai District Council

Clear The Air

Ms Annelise CONNELL
Chairperson

Ms Ada SINN
Spokesperson

Friends of The Harbour

Ms Mandy WONG
Campaign Manager

Society For Protection Of The Harbour

Mr LOK Kung-chin, Hardy
Director

Civic Exchange

Ms Christine LOH
Chief Executive Officer

Designing Hong Kong Harbour District/
The Experience Group, Limited

Mr Paul ZIMMERMAN
Convenor, Designing Hong Kong Harbour District and
Principal, The Experience Group, Limited
(Represented by Ms Christine LOH)

Save Our Shorelines

Mr John BOWDEN
Chair

Individual

Ms Santa RAYMOND

Individual

Mr Peter H Y WONG

Clerk in attendance : Ms Anita SIT
Chief Council Secretary (1)4

Staff in attendance : Ms Bernice WONG
Assistant Legal Adviser 1

Mr WONG Siu-yee
Senior Council Secretary (1)7

Ms Christina SHIU
Legislative Assistant (1)7

Action

- I Proposals to lower the compulsory sale threshold for specified classes of lots under the Land (Compulsory Sale for Redevelopment) Ordinance**
- (LC Paper No. CB(1)1316/05-06(01) -- Information paper provided by the Administration
- LC Paper No. CB(1)1188/05-06(01) -- Submission dated 27 March 2006 from Ms Lili CHAN, a member of the public
- LC Paper No. CB(1)1339/05-06(02) -- Submission dated 20 April 2006 from Ms Lili CHAN, a member

of the public)

Briefing by the Administration

The Deputy Secretary for Housing, Planning and Lands (Planning and Lands) 2 (DS/HPL(P&L)2) said that the Administration initiated a consultation in March 2006 on the proposal to lower the compulsory sale threshold for specified classes of lots when applying to the Lands Tribunal for a compulsory sale of the whole lot for the purpose of redevelopment under the Land (Compulsory Sale for Redevelopment) Ordinance (LCSRO). The proposal was aimed at facilitating private sector's redevelopment efforts, thereby arresting building deterioration. In putting forward the proposal, the Administration was mindful of the need to strike a balance between facilitating private redevelopment efforts and protecting individual property rights. The Principal Assistant Secretary for Housing, Planning and Lands (Planning and Lands) 4 (PAS/HPL(P&L)4) then gave a PowerPoint presentation to brief members on the details of the proposal.

(Post-meeting note: The presentation notes (LC Paper No. CB(1)1484/05-06(01)) were issued to members on 12 May 2006.)

Discussion

Balance of interests

2. Dr KWOK Ka-ki considered that the proposal was a dangerous move because Hong Kong had always emphasized the protection of individual property rights. Lowering the current compulsory sale threshold of 90% to 80% would only facilitate developers in applying for compulsory sale at the expense of the interests of small property owners. Given that the Urban Renewal Authority (URA) had already been charged with the responsibility of undertaking redevelopment projects and conferred relevant powers, he did not see good reasons to pursue the proposal of facilitating developers in undertaking redevelopment projects. Moreover, while there were channels for the public to monitor redevelopment projects undertaken by URA, redevelopment projects undertaken by developers were not subject to public scrutiny at all. He was worried that small property owners would be pressurized by developers and queried whether the proposal was put up at the request of developers. He also pointed out that rehabilitation could be adopted as an alternative to redevelopment of buildings aged 40 years or above.

3. In reply, DS/HPL(P&L)2 said that the Administration had always respected private property rights. Enforcement figures of the Buildings Department revealed that dilapidation was more common among older buildings aged 40 years or above. Redevelopment would provide a good opportunity to improve the living environment. The proposal was to lower the application threshold to 80%, whilst the law provided that the Lands Tribunal would consider each application to ascertain whether the buildings warranted redevelopment and

whether reasonable steps had been taken by the applicant to reach agreement with the respective owners, before deciding whether to grant approval.

4. As regards public views on the proposal, DS/HPL(P&L)2 advised that some of the views collected at discussion forums and expressed in submissions received supported the proposal. The Administration had also conducted a telephone survey and quite a number of property owners welcomed the proposal, the reason being that the conditions of old buildings were far from satisfactory and many owners were unable to sell their flats. There was no question of the proposal being aimed at providing benefits to developers. Rather, it was aimed at facilitating the redevelopment of old buildings to achieve a more comfortable and convenient living environment for the community at large. The Administration understood that developers might consider the current proposals not going far enough. However, the Administration would need to strike a delicate balance in this regard.

5. Dr KWOK Ka-ki queried whether the support from some small property owners mentioned by DS/HPL(P&L)2 was representative enough and asked whether the telephone survey had been conducted in a systematic way. DS/HPL(P&L)2 said that the consultation was still in progress but from the data collected from the telephone survey, quite a number of respondents including property owners expressed support for the proposal. A systematic method was used and the respondents were asked a standardized set of questions to facilitate data analysis. She undertook to provide details of the relevant telephone survey.

Admin

(Post-meeting note: The information provided by the Administration (LC Paper No. CB(1)1757/05-06(01)) was issued to members on 15 June 2006.)

6. Mr Albert CHAN said that he objected to the proposal in principle because big developers would benefit from the relaxation of the threshold while small property owners might have to face anxiety and fear arising from compulsory sale. The anxiety to be faced by a large number of small property owners would outweigh the benefits to be gained by those property owners who wished to have their properties purchased by developers for redevelopment. He was worried that those property owners who expressed support for the proposal might have been mobilized by developers behind the scenes. He shared the view that there was already a mechanism in place for URA to designate an area for redevelopment based on public interest, and URA was already conferred the necessary powers for undertaking redevelopment projects. Moreover, redevelopment was not the only solution to solving problems involving old buildings. URA could undertake rehabilitation projects or redevelopment projects of a smaller scale. There was no need to pursue further measures to facilitate redevelopment by developers. He opined that the proposal should be shelved.

7. DS/HPL(P&L)2 reiterated that the Administration had to strike a balance between facilitating private redevelopment efforts and protecting individual property rights. She pointed out that URA had its own mandate in undertaking urban renewal, but URA's resources were not unlimited and redevelopment projects took a long time to complete. For instance, the URA had yet to implement a number of uncompleted redevelopment projects of the former Land Development Corporation. The Administration's proposal was aimed at enhancing participation by the private sector in redevelopment work to improve the living environment of the community.

8. Miss CHOY So-yuk opined that the Administration should balance the interest of those owners who wanted to sell their flats and the interests of those who wanted to keep their flats for whatever reasons. She enquired about how the interest of those owners who did not want to sell their flats could be protected by ensuring that the compulsory sale price would be at a reasonable level.

9. In reply, DS/HPL(P&L)2 said that the Lands Tribunal would consider a host of factors in determining an application, such as building age, state of repair of the building and whether the terms offered by the applicant for the purchase of the shares of the minority owners were fair and reasonable. A minority owner could give comments or raise objection on the valuation report and the Lands Tribunal would decide whether the value of the minority owner's property as assessed in the application was reasonable. The reserve price for the compulsory sale, which took into account the redevelopment potential, would have to be approved by the Lands Tribunal. These measures would provide reasonable protection for the minority owners.

10. Mr Alan LEONG asked whether the handling of sale proceeds would remain unchanged. DS/HPL(P&L)2 said that there was already a comprehensive mechanism in the existing legislation governing the sale procedures and allocation of the proceeds and the same mechanism would continue to be in force.

11. Mr Patrick LAU asked whether the respective individual owners could participate in redevelopment projects, such as having share rights, so as to protect their interest. In reply, DS/HPL(P&L)2 said that the existing legislation did not provide for a mechanism for individual owners to participate in redevelopment projects. However, under the existing mechanism, they could take part in the auction to bid for the lots concerned if they had adequate financial resources. The majority owner would not necessarily be the successful bidder in the auction.

Criteria for lowering the compulsory sale threshold

12. Mr Alan LEONG asked whether the Administration would consider lowering the threshold for dangerous buildings only. He considered that protecting individual property rights was very important. The Administration should have

valid grounds for lowering the threshold and ensuring the safety of residents would be a good reason. In response, DS/HPL(P&L)2 pointed out that if public safety was at stake, it was necessary to take law enforcement actions to prevent old buildings from becoming dangerous buildings, and under the existing legislative framework, the Buildings Department was empowered to take such enforcement actions. Hence, it would not be practical to target the proposal at dangerous buildings only. The Administration's proposal was aimed at encouraging the private sector to explore opportunities for redeveloping older buildings in unsatisfactory conditions.

Admin

13. Mr Alan LEONG enquired whether comparable legislation or measures in overseas jurisdictions would be available. In reply, DS/HPL(P&L)2 said that Singapore used a threshold of 80% for buildings aged 10 years or above, and a threshold of 90% for buildings aged below 10 years. She undertook to further check and provide information on comparable legislation or measures in overseas jurisdictions as appropriate.

(Post-meeting note: The information provided by the Administration (LC Paper No. CB(1)1757/05-06(01)) was issued to members on 15 June 2006.)

14. In response to an enquiry from Mr Albert HO, DS/HPL(P&L)2 said that the existing legislation did not specify any specific building age for compulsory sale, but the Lands Tribunal would take into account building age or conditions of the buildings in considering applications for compulsory sale.

15. Regarding the proposed class of lots with missing/untraceable owners, Mr Alan LEONG and Mr CHEUNG Hok-ming enquired about the definition of "missing/untraceable owners", whether there would be any objective criteria for determining that the owners concerned were missing/untraceable owners and which party would be responsible for making the determination. In reply, DS/HPL(P&L)2 explained that missing/untraceable owners were especially common in older buildings. Redevelopment could not materialize unless there was a solution to the problem. There would be objective criteria specified in the legislation for the Lands Tribunal to determine whether the owners concerned were missing/untraceable owners. The Administration's preliminary idea was that in making such determination, the Lands Tribunal should take into account the actions that had been taken by the applicant to trace the owners within a specific period of time, such as issuing letters, registering with the Lands Registry, posting notices or placing notices in newspapers. Subject to the community's consensus over the proposed classes of lots, the Administration would work out the details.

16. Mr LI Kwok-ying pointed out that some owners living overseas paid government rents and rates through their banks and did not have a correspondence address. Their banks would not release their personal information on account of personal data privacy and they did not have a mandate to transmit messages to

those owners. Whether those owners should be treated as missing/untraceable would be an issue for consideration. The Administration should carefully address these and other potential issues before submitting the legislative proposal. DS/HPL(P&L)2 noted the comments of Mr LI and said that the technical details involved in implementation would be considered in preparing the draft legislation.

17. Dr KWOK Ka-ki commented that the proposal was immature as the Administration did not have any detailed plan on how to handle issues relating to missing/untraceable owners. He was worried that it would create a loophole for developers to exploit. He considered that instead of leaving the work to developers, it should be the Government's work to try to contact those owners whose whereabouts was not readily known. In reply, DS/HPL(P&L)2 reiterated that the Lands Tribunal had established procedures on how to contact owners and the Administration would identify ways to handle issues relating to proposed class of lots with "missing/untraceable owners".

18. In reply to an enquiry from Mr Albert HO, DS/HPL(P&L)2 clarified that the three proposed classes of lots in paragraph 6 of the Administration's paper (LC Paper No. CB(1)1316/05-06(01)) to enjoy a lower threshold of 80% for compulsory sale were independent of one another.

Others

19. Dr KWOK Ka-ki enquired about the number of cases since 1999 which would have become eligible for compulsory sale if a threshold of 80% had been adopted. In reply, DS/HPL(P&L)2 said that the Administration did not have such data because it was not practical to obtain the information from the market.

20. Mr Albert HO asked whether the Administration could provide an estimation on the number of intended developments which would become eligible for compulsory sale after lowering the threshold to 80%. In response to Mr HO's enquiry, DS/HPL(P&L)2 said that no such estimation was available because developers or other interested parties had their own considerations in deciding whether to make an application for compulsory sale. Nonetheless, as a rough reference, there were some 9 000 buildings with five to nine floors and some 7 500 buildings which were aged 40 years or above.

21. Mr CHEUNG Hok-ming enquired how the Administration would handle situations involving adverse possession of land and cases where the tenants lived in flats with missing/untraceable owners without paying rents. In reply, DS/HPL(P&L)2 said that cases involving adverse possession of land would be handled based on the court's verdict on the identity of the owner. The existing legislation had provisions for handling issues relating to compensation for tenants.

II Tamar Development Project

- (LC Paper No. CB(1)1454/05-06(04) -- Letter dated 9 May 2006 from The Real Estate Developers Association of Hong Kong
- LC Paper No. CB(1)1454/05-06(06) -- Information paper provided by the Administration
- LC Paper No. CB(1)1319/05-06(01) -- Information paper provided by the Administration
- LC Paper No. CB(1)1320/05-06(04) -- Report of the Subcommittee to Review the Planning for the Central Waterfront (including the Tamar Site))

Presentation by deputations

22. The Chairman welcomed representatives of the Administration and deputations to the meeting. He then invited the deputations to present their views on the Tamar Development Project.

Mr Norman de BRACKINGHE

(LC Paper Nos. CB(1)364/05-06(05), CB(1)511/05-06(05), CB(1)924/05-06(02), CB(1)1199/05-06(02) and CB(1)1447/05-06(01))

23. Mr Norman BRACKINGHE delivered his presentation, the details of which were given in LC Paper No. CB(1)1447/05-06(01).

Citizen Envisioning@Harbour (CE@H)

(LC Paper Nos. CB(1)314/05-06(01) CB(1)1249/05-06(13) and CB(1)1484/05-06(02))

24. Mr Albert LAI, Convenor of CE@H, delivered his presentation, the details of which were given in LC Paper No. CB(1)1484/05-06(02).

Hong Kong Sustainable Development Forum (HKSDF)

(LC Paper Nos. CB(1)855/05-06(06) and CB(1)1484/05-06(04))

25. Mr John HERBERT, Chair of HKSDF, delivered his presentation, the details of which were given in LC Paper No. CB(1)1484/05-06(04).

Action Group on Protection of The Harbour (AGPTH)

(LC Paper Nos. CB(1)511/05-06(06), CB(1)887/05-06(02), CB(1)1249/05-06(01) and CB(1)1484/05-06(08))

26. Mr LEE Wing-kin, Representative of AGPTH, delivered his presentation, the details of which were given in LC Paper No. CB(1)1484/05-06(08).

Mr Winston Ka-sun CHU

(LC Paper Nos. CB(1)325/05-06(05), CB(1)511/05-06(01), CB(1)527/05-06(03), CB(1)607/05-06(01), CB(1)855/05-06(03), CB(1)1210/05-06(02) and CB(1)1447/05-06(03))

27. Mr Dennis LI, representative of Mr Winston Ka-sun CHU, delivered Mr CHU's presentation, the details of which were given in LC Paper No. CB(1)1447/05-06(03).

Mrs Margaret BROOKE

(LC Paper Nos. CB(1)262/05-06(03), CB(1)511/05-06(04) and CB(1)887/05-06(01))

28. Mrs Margaret BROOKE said that environmental impact studies should be conducted for the Tamar development project. There should be an opportunity for public participation and public scrutiny of the project. The Administration handled the project in a piecemeal approach and did not plan for the waterfront using a holistic approach. Not being anti-development, she considered that there should be optimal and well thought-out development. Apart from financial benefits, the intrinsic value of the area for the community should also be considered. While it was not necessary for the whole area to be used as open space, the developments at the waterfront should be supported and endorsed by the community. She could not see that there was wide public support for the current plans up to the present moment.

Central & Western District Council (C&WDC)

(LC Paper Nos. CB(1)1339/05-06(01) and CB(1)1484/05-06(03))

29. Mr CHAN Chit-kwai, Member of C&WDC, delivered his presentation, the details of which were given in LC Paper No. CB(1)1484/05-06(03). Ms CHENG Lai-king, Member of C&WDC, added that C&WDC had discussed for many times since 2004 the planning for the Central waterfront and considered that the Tamar site should be planned in a holistic way as part of the Central waterfront, and C&WDC relayed to the community the concept of returning the harbour to the people.

Mr Robert PENDLETON

(LC Paper Nos. CB(1)855/05-06(05) and CB(1)1447/05-06(04))

30. Mr Robert PENDLETON delivered his presentation, the details of which were given in LC Paper No. CB(1)1447/05-06(04).

Mr Stephen NG Kam-chun, Wan Chai District Council member

31. Mr Stephen NG said that Wan Chai was located at the centre of the northern part of the Hong Kong Island and it often had traffic congestions.

Cross-harbour traffic from Southern District and east-west traffic on Hong Kong Island would pass through Wan Chai. He supported the construction of a mass transit railway line for Southern District and the Central-Wan Chai Bypass in order to improve the traffic situation in Wan Chai. The Tamar development should be of low intensity, and the future commercial developments at Central should not be too high. There should be variety and vibrancy in the waterfront area. The area should be of high quality, spacious and easily accessible for citizens' enjoyment. The waterfront promenade should have facilities like cycling tracks and jogging trails, and it should be connected and integrated with Wan Chai.

The Hong Kong Institution of Engineers (HKIE)
(LC Paper No. CB(1)527/05-06(02))

32. Ir Wilfred LAU, Member of Civil Division of HKIE, delivered his presentation, the details of which were given in the relevant submission.

Hong Kong Construction Industry Employees General Union (HKCIEGU)
(LC Paper No. CB(1)1249/05-06(11))

33. Mr CHOI Chun-wa, Chairman of HKCIEGU, delivered his presentation, the details of which were given in the relevant submission.

Mr Steve CHAN Yiu-fai, Wan Chai District Council member
(LC Paper Nos. CB(1)511/05-06(16), CB(1)887/05-06(04) and CB(1)1484/05-06(09))

34. Mr Steve CHAN delivered his presentation, the details of which were given in LC Paper No. CB(1)1484/05-06(09).

Clear The Air (CTA)
(LC Paper Nos. CB(1)325/05-06(02), CB(1)511/05-06(13), CB(1)527/05-06(05), CB(1)527/05-06(06), CB(1)836/05-06(02), CB(1)1199/05-06(03), CB(1)1454/05-06(01) and CB(1)1484/05-06(06))

35. Ms Annelise CONNELL, Chairperson of CTA, said that Friends of The Harbour had agreed to give its presentation time to CTA. Ms Ada SINN, Spokesperson of CTA, delivered her presentation, the details of which were given in LC Paper Nos. CB(1)1454/05-06(01) and CB(1)1484/05-06(06).

Friends of The Harbour (FTH)
(LC Paper Nos. CB(1)325/05-06(03) and CB(1)511/05-06(07))

36. The presentation time for FTH had been given to CTA.

Society For Protection Of The Harbour (SFPOTH)

(LC Paper Nos. CB(1)325/05-06(06), CB(1)1249/05-06(08), CB(1)1249/05-06(08), CB(1)1348/05-06(02) and CB(1)1348/05-06(03))

37. Mr Hardy LOK, Director of SFPOTH, said that SFPOTH did not have any additional views to present. It would give its presentation time to Civic Exchange.

Civic Exchange (CEX)

(LC Paper Nos. CB(1)325/05-06(04), CB(1)511/05-06(02), CB(1)855/05-06(04), CB(1)887/05-06(03), CB(1)1249/05-06(06) and CB(1)1249/05-06(07))

38. Ms Christine LOH, Chief Executive Officer of CEX, said that there were a lot of similarities among the views of some of the deputations. Many deputations wanted to talk about planning and design, but the discussion that was going on was about politics and funding for the Tamar development project. She appealed to members to give more attention to the relevant planning issues before making a decision on the funding of the project. She recapitulated some of the concerns expressed by various individuals and deputations, such as sterilization of the harbourfront area by the planned road networks, the huge size of the groundscraper, air quality of the public transport terminal underneath the groundscraper, quality of the open space, accessibility to the waterfront, visual permeability, scale of Road P2, feasibility of using trams in the area, designating the whole area as open space, converting Road P2 into a tree-lined boulevard, integrated planning and high intensity development with low buildings. She also introduced the alternative masterplan for the Central harbourfront and Tamar as detailed in LC Paper No. CB(1)1454/05-06(02).

Designing Hong Kong Harbour District (DHKHD)/The Experience Group, Limited

(LC Paper Nos. CB(1)235/05-06(01), CB(1)511/5-06(03), CB(1)836/05-06(01), CB(1)1210/05-06(01), CB(1)1249/05-06(14) and CB(1)1454/05-06(02))

39. Ms Christine LOH, representative of Mr Paul ZIMMERMAN, Convenor, Designing Hong Kong Harbour District and Principal, The Experience Group, Limited, delivered Mr ZIMMERMAN's presentation together with her presentation as detailed in the previous paragraph.

Save Our Shorelines (SOS)

(LC Paper Nos. CB(1)364/05-06(10), CB(1)527/05-06(04), CB(1)1249/05-06(04), CB(1)1249/05-06(05), CB(1)1454/05-06(03) and CB(1)1484/05-06(05))

40. Mr John BOWDEN, Chair of SOS, delivered his presentation, the details of which were given in LC Paper Nos. CB(1)1454/05-06(03) and CB(1)1484/05-06(05).

Ms Santa RAYMOND

(LC Paper Nos. CB(1)511/05-06(12), CB(1)836/05-06(06), CB(1)1348/05-06(01) and CB(1)1447/05-06(02))

41. Ms Santa RAYMOND delivered her presentation, the details of which were given in LC Paper No. CB(1)1447/05-06(02).

Mr Peter H Y WONG

42. Mr Peter WONG said that the Tamar site should be used by the Government, the Legislative Council and the public. The current planning prevented easy access to the waterfront.

Briefing by the Administration

43. The Director of Administration (D of Adm) said that the Administration had responded to the views of the community. The intensity of the development had been reduced, the heights of the buildings had been lowered and the plot ratio had been reduced to 5.7. The tender documents would place special emphasis on the need to observe harbour planning principles. The Administration did not have any prescribed plan on the design of the Central waterfront and there would be a public engagement process to refine the design framework and briefs for the key sites. She clarified that Road P2 was not a trunk road. It was only a local dual-two lane distributor road with signal-controlled pedestrian crossings. The Administration had not yet decided on the future use of the Central Government Offices (CGO)/Murray Building (MB) sites and it remained open on the issue. The Administration would continue to heed the views of the community and the current zoning of the sites would remain unchanged unless there were any amendments.

44. The Chief Town Planner (Special Duties) of the Planning Department (Ch Town Plan/PD) added that the land-use planning for the Central waterfront had undergone a long consultation process and the necessary statutory procedures. About 47% of the land in Central Reclamation Phase III was designated as "Open Space". Only a small portion of the land was designated for commercial use and the commercial/office developments would not be anything similar to the office development in International Finance Centre II which had a plot ratio of 18. The Administration would undertake an urban design study and prepare detailed planning/design briefs for key sites on the new reclamation area in Central based on the harbour planning principles and urban design guidelines.

Discussion

45. Dr KWOK Ka-ki was dissatisfied that the Exhibition Gallery, which was a facility for the public, was excised from the Tamar development project, and that the floor area of the development was only reduced by 10%. He queried whether there were as many as 3 270 staff members responsible for policy-decision work;

the increase in space requirement of some 8 000 m², and the increase in estimated project cost from \$4.6 billion in 2003 to \$5.1 billion in 2006. He commented that the Administration was using different measurement units of floor area under different situations to its advantage. He considered that it was premature for the Administration to seek funding approval because some planning and financial issues had not yet been resolved, and the Administration should not proceed with the project. He also pointed out that the Administration refused to attend forums on the project organized by concerned organizations.

46. In reply, D of Adm pointed out that the Administration had given an explanation for using different measurement units of floor area according to the need under different situations. All measurement units used were in accordance with accepted conventions within the industry and should not be quoted out of context. She confirmed that the estimated number of staff working in various bureaux was an accurate figure and highlighted that there had been merger of some bureaux and departments over the past years. She emphasized that not all bureaux staff would be accommodated at the Central Government Complex (CGC), but only those of the units that were directly related to policy-formulation functions. The increase in the estimated project cost was due to inflation within the construction industry and had been calculated based on historical data. The unit construction cost of the buildings at \$14,500 per square metre, or \$11,600 per square metre excluding fitting-out cost, was comparable to that of the private market at some \$13,000 per square metre. As for floor area, Net Operating Floor Area (NOFA) had all along been used by the Administration in accommodation planning and it was commonly used in public works proposals submitted to the Finance Committee. The Administration had revisited the development and made strenuous efforts to provide explanations to various queries on the development. The Administration was prepared to discuss with concerned organizations but there was a need to coordinate an appropriate time for the discussion.

47. Mr Alan LEONG considered that the planning for the Central waterfront and the design for the Tamar development project should have the support of the community before seeking funding approval. Funding approval should not be given without adequate knowledge of the outcome and impacts of the development. He queried why the Administration did not consider alternative proposals put forward by concerned organizations on the planning of the Central waterfront and the future use of the CGO/MB sites. He sought clarification on the relation between the Construction Floor Area (CFA) and the Gross Floor Area (GFA) of the Tamar development project and requested the Administration to provide the respective floor area of CGO and MB in different measurement units (i.e. NOFA, GFA and CFA). He also asked the Administration to clarify whether the permitted maximum plot ratios of the sites of the Main Wing and West Wing of CGO had been fully utilized.

Admin

48. In reply, D of Adm confirmed that the plot ratios of the sites of the Main Wing and West Wing of CGO had not been fully utilized. However, the permitted

maximum plot ratios of the sites and the appropriateness of redeveloping the sites with the maximum plot ratios were two different issues. Using the maximum plot ratios might not be concordant with the community's expectations. She re-affirmed that the GFA and CFA for the Tamar development project were 125 987 m² and 201 910 m² respectively. The Deputy Director of Administration said that the GFAs of CGO and MB were 42 200 m² and 33 800 m² respectively.

49. The Director of Architectural Services explained that NOFA was commonly used by the Administration because it was a stringent measurement for assessing the space requirements of Government departments. In accordance with convention, CFA would be used to make comparisons on the basis of all-inclusive floor areas, while GFA would be used for calculating plot ratios. The Project Director of the Architectural Services Department added that the plot ratio of 5.7 was calculated using the GFA of CGC and LCC. He further explained that CFA was calculated by adding the space for facilities such as car parks, mechanical plant rooms and refuge floors to GFA.

Admin

50. Miss CHAN Yuen-han was concerned whether access to the Central waterfront would be hindered by roads. She commented that the Administration should be proactive in providing detailed plans and requested the Administration to provide drawings to illustrate the development intensity, building heights and layout of buildings and open space under the Tamar development project, the configuration of Road P2 and the design of the Central waterfront. She hoped that the project would be implemented as soon as possible and emphasized the importance of using precast units and ensuring punctual payment of wages to the workers.

51. In reply, Ch Town Plan/PD said that there would be comprehensive pedestrian linkage for easy access to the Central waterfront including an at-grade open deck, signal-controlled pedestrian crossings, elevated walkways and landscaped decks. D of Adm pointed out that the Tamar development project and the review of the detailed planning and design for the Central waterfront could proceed in parallel. The funding of the Tamar development project would not affect the design of the Central waterfront. She assured members that there would be a public engagement process on the design of the Central waterfront.

52. Miss CHOY So-yuk asked whether the heights of the buildings under the Tamar development project could be further reduced. She expressed concern on the availability of pedestrian crossings, breezeways and view corridors. On traffic matters, she enquired about the planning of the North Island Line and the feasibility of using trams in the Central waterfront.

53. In reply, D of Adm pointed out that the height of the buildings had already been reduced to 130 mPD - 160 mPD from 180 mPD. Ch Town Plan/PD said that there would be breezeways and view corridors, and issues relating to air ventilation and protection of views to the ridgeline and the harbour had been taken into

account. The views from vantage points to the ridgeline and to the harbour would be protected. She reiterated that there would be sufficient pedestrian crossings arrangements. The Chief Engineer/Traffic Engineering (Hong Kong) of the Transport Department said that space had been reserved underground for the North Island Line. The existing transport facilities could meet the traffic demand for at least the next 10 years. The Administration remained open-minded on the possibility of using trams in the Central waterfront. The viability of trams as a commercial operation and the question of whether trams should be operated as a means of transport or just for leisure purpose would need to be examined.

Admin 54. Miss CHOY So-yuk also requested the Administration to provide drawings to illustrate the development intensity, building heights and layout of buildings and open space under the Tamar development project, the configuration of Road P2 and the design of the Central waterfront. She said that the Democratic Alliance for the Betterment and Progress of Hong Kong strongly demanded the construction of the North Island Line. In response, D of Adm said that the Administration would have discussion on the issues raised by Miss CHOY in due course.

55. Mr LEE Wing-tat suggested that the Administration should have a dialogue with concerned organizations and asked whether the Administration would arrange to meet with them. In response to Mr LEE's suggestion, D of Adm said that she would be willing to exchange ideas with concerned organizations and would see if a meeting could be arranged to be held at a suitable timing.

Admin 56. Mr Patrick LAU considered that there should be holistic planning and supported that the Administration should meet concerned organizations to discuss issues of concern. As regards development intensity and project cost, he requested the Administration to provide details of the calculation of the plot ratio of the Tamar development project and that of the unit construction cost.

57. In reply to an enquiry from Mr WONG Yung-kan, D of Adm said that the Administration would make arrangements to meet with the concerned organizations and inform the Legislative Council Secretariat after the arrangements had been confirmed.

Admin 58. Dr KWOK Ka-ki reiterated his query on the large number of staff to be accommodated at the new CGC and requested the Administration to provide an explanation on why it was necessary for a total of 2 710 staff members from various policy bureaux to be accommodated at the new CGC. He also requested the Administration to provide details of the calculation of the plot ratio of the Tamar development project and that of the unit construction cost. He suggested holding another meeting to discuss the subject again before the Public Works Subcommittee considered the funding proposal for the Tamar development project.

(Post-meeting note: The Administration's paper (LC Paper No. CB(1)1561/05-6(01)) providing supplementary information pursuant to the discussion at the meeting was issued to members on 22 May 2006.)

59. The Chairman said that details of the Tamar development project would be examined by the Public Works Subcommittee and the Finance Committee when the relevant funding proposal was considered. Mr Daniel LAM was concerned about the time constraint in arranging for another meeting. Members agreed that the Administration should provide further information in response to the requests of members raised at the meeting. Upon perusal of the information and subject to any request from members, the Panel would consider if another meeting should be held to further discuss the subject. The Administration indicated that it would provide the requested information by 20 May 2006.

III Any other business

60. There being no other business, the meeting ended at 7:30 pm.

Council Business Division 1
Legislative Council Secretariat
24 July 2006