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**Meeting of the Panel on Planning, Lands and Works
on 28 November 2006**

**Background brief on
Wan Chai Development Phase II Review**

Introduction

This paper provides background information on the Wan Chai Development Phase II (WDII) Review and a summary of the deliberations of the Panel on Planning, Lands and Works (the Panel) on the review.

2. For more background information on the respective scopes and purposes of the reclamation projects in Central and Wan Chai and the litigation relating to WDII and Central Reclamation Phase III, please refer to the Background Brief on Central and Wan Chai Reclamation (LC Paper No. CB(1)921/04-05(02) at the website of <http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0222cb1-921-2e.pdf>).

Background

3. In 1989, the Central and Wan Chai Reclamation Feasibility Study recommended reclaiming 48 hectares of land in WDII for residential and hotel development, as well as development of a cruise centre and a public park. Having regard to the Protection of the Harbour Ordinance (Cap. 531) (PHO) and the strong public sentiments against reclamation, the Administration subsequently reduced the extent of reclamation to 28.5¹ hectares to provide land just enough to accommodate the necessary transport infrastructure as well as to permit the design and development of a waterfront promenade.

¹ The reclamation area (26 hectares) covered by the draft Wan Chai North OZP No. S/H25/1 OZP exhibited for public inspection on 19 April 2002 is different from that under the WDII project (28.5 hectares) in that a proposed reclamation area of 4.5 hectares in WDII (i.e. the area to the west of the Hong Kong Convention and Exhibition Centre Extension and north of Lung King Street) falls within the approved Central District (Extension) OZP, while the Harbour Park (2 hectares) not covered by WDII is included in the draft Wan Chai North OZP.

4. In the light of the Court of Final Appeal (CFA)'s judgment handed down on 9 January 2004 in respect of the judicial review on the Draft Wan Chai North OZP (S/H25/1) (a summary of the judgement is in **Enclosure I**), the Government undertook to conduct a comprehensive planning and engineering review of WDII to ensure full compliance with the requirements of the PHO and the CFA judgment. In May 2004, the Administration established the Harbour-front Enhancement Committee (HEC) to provide advice to the Secretary for Housing, Planning and Lands on the planning, land uses and developments along the existing and new harbourfront of the Victoria Harbour. The HEC has set up the Sub-committee on WDII Review to advise on the WDII Review.

Harbour-front Enhancement Review -- Wan Chai, Causeway Bay and Adjoining Areas

5. In mid-January 2005, the Government announced its acceptance of the recommendation of the Sub-committee on WDII Review that an enhanced public participation should be adopted in the course of the review. To achieve this, a public engagement exercise, namely the "Harbour-front Enhancement Review -- Wan Chai, Causeway Bay and Adjoining Areas" (HER) has been carried out under the steer of the Sub-committee on WDII Review in parallel with the WDII Review.

6. The HER comprises three stages:

(a) Envisioning Stage -- The purpose is to engage the community at an early stage to solicit their "visions" on the types of harbourfront developments they aspire for at Wan Chai, Causeway Bay and the adjoining areas, while acknowledging the opportunities available and the constraints for development. The collaborators² will play an important role in compiling a preliminary list of sustainability indicators for further discussion and endorsement by the public. These indicators will form a useful basis for the development of the Concept Plan.

(b) Realization Stage -- based on the findings of the Envisioning

² To ensure an open and inclusive engagement process, a number of organizations representing different sectors of the public, including the relevant District Councils, community, business, green groups as well as academic and professional institutions have been approached to act as collaborators. The Collaborators help in the following respects:

- (i) reviewing the constraints and opportunities of harbourfront development;
- (ii) establishing the preliminary set of sustainability principles and indicators;
- (iii) promote the public participation activities through their social network;
- (iv) ensuring a transparent and fair process; and
- (v) evaluating the Concept Plan and Master Plan.

Stage, the Concept Plan will be developed for evaluation using the agreed sustainability indicators with a view to arriving at a consensus on the preliminary development proposals; and

- (c) Detailed Planning Stage -- based on the consensus arrived at in the Realization Stage, a draft Outline Zoning Plan will be prepared in accordance with the statutory requirements and procedures of the Town Planning Ordinance.

Central-Wan Chai Bypass and harbourfront enhancement

7. According to the Administration, there is a compelling and present need to alleviate the traffic congestion problem along the northern shore of the Hong Kong Island. The Government has examined various traffic management measures and concluded that, even with all those measures in place to relieve traffic congestion and maximize the capacity of existing roads and junctions along the Connaught Road Central/Harcourt Road/Gloucester Road Corridor, it is necessary to provide a strategic road link along the north shore of Hong Kong Island, i.e. Central-Wan Chai Bypass (CWB), connecting Rumsey Street Flyover in Central and the Island Eastern Corridor. A note provided by the Administration in February 2005 setting out why CWB is needed and the alternatives considered is at **Enclosure II**. The Administration has indicated that the extent of reclamation would depend on the alignment, design and location of CWB. In any event, any reclamation must fully comply with the PHO and the "overriding public need test" stipulated by CFA. The Administration has also stressed that any reclaimed land for WDII would be put to public use only and no land would be reclaimed for the purpose of land sale.

8. In August 2005, the Sub-committee on WDII Review decided to convene an "Expert Panel Forum on Sustainable Transport Planning and Central-Wan Chai Bypass". An Expert Panel consisting of local and overseas experts was constituted on 18 August 2005. Besides attending the Expert Panel Forum on 3 September 2005 to hear views from the public, the Expert Panel had met six times and public views had been invited. The Expert Panel published its report in October 2005. The Expert Panel has recommended a package of short-term, medium-term and long-term measures to achieve a sustainable transport strategy. It supports the construction of CWB as a medium-term solution to tackle the problem of deteriorating traffic congestion in the Central and Wan Chai areas, and considers that CWB is essential for improving the network reliability of the east-west link. The report of the Expert Panel [Annex A to LC Paper No. CB(1)1519/05-06(03)] was endorsed by the Subcommittee on WDII Review on 12 December 2005.

9. At its meeting on 20 April 2006, the Sub-committee on WDII Review considered the findings of the Consultants engaged by the Government for the WDII Review on possible trunk road alignments and harbour-front enhancement. The findings were presented in a report prepared by the Consultants [Annex C (CD-ROM) and Annex D (summary of the report) to LC Paper No. CB(1)1519/05-06(03)]. At its meeting on 13 June 2006, the Sub-committee on WDII Review supported the adoption of Tunnel Variation 1 as a basis for the Consultants to prepare the Concept Plan for WDII.

10. The Consultants has subsequently prepared a Concept Plan in which five "character precincts" are proposed to enhance the waterfront areas. In early October 2006, the Sub-committee on WDII Review launched a series of public engagement activities of the Realisation Stage of HER with a roving exhibition to display details of the concept plan, community workshops and a public meeting to be held on 16 December 2006 with an aim of reaching a consensus on the Concept plan revised according to the outcome of the community workshops and other feedback.

Deliberations of the Panel

11. The Panel discussed the progress of the WDII Review at its meetings on 22 February 2005, 26 April 2005, 28 June 2005, 23 May 2006, 9 June 2006 and 26 June 2006. The major concerns/views of members are summarized below.

Need for CWB

12. Members have expressed diverse views on the need for constructing CWB. Those who are in support of the construction of CWB consider that it would solve the traffic congestion along the northern shore of the Hong Kong Island. Some other members maintain that the Administration should thoroughly explore alternatives other than reclaiming land to construct CWB to address the congestion problem. The suggested alternatives include controlling further developments within Wan Chai and Central Business District to avoid generating new transport demand in the areas, electronic road pricing, car pools, minimization of overlapping of bus routes, traffic management measures that restricted loading and unloading in Central and use of certain sections of the road network on certain days of the week, staggering working hours, equalization of the usage and tolls of the three cross-harbour tunnels, etc. As regards the alignment and construction form for CWB, members urge the Administration to undertake thorough studies to identify an alignment and construction form with a view to minimizing harbour reclamation and other undesirable impacts.

13. According to the Administration, CWB with the slip roads in Wan Chai and Road P2 are required even if there are no new developments in WDII and Central Reclamation Phase III. After completion of CWB and assuming that all the planned developments in the area are materialized, the volume to capacity ratio of the Corridor would only be 0.9 by 2016, which would be much lower than the unacceptable level of 1.2 when serious traffic congestion would occur. CWB would have about 30% spare capacity by 2016 in meeting long term traffic needs that may arise from future developments in areas including but not limited to Central. The Administration also advises that in a road-side survey conducted independently by The University of Hong Kong, only 9% of the respondents said that they would rather tolerate traffic congestion than construct CWB with reclamation.

Harbourfront enhancement

14. Members also consider that the Administration should not focus only on the construction of CWB. Adequate attention should be given to enhancement of the waterfront areas. In this regard, members consider that the Administration should set a timeframe and expedite the enhancement works of the waterfront areas. Measures that do not hinge on the construction of CWB should be carried out as soon as possible. Members also consider that pedestrian links along the waterfront and pedestrian access to the waterfront should be enhanced, and the enhancement measures should proceed in parallel with the construction of CWB. Specifically, measures to enhance the continuity of the pedestrian links along the northern shore of the Hong Kong Island from Kennedy Town to North Point should be carried out as soon as practicable. There is a suggestion that the Administration could explore the feasibility of enhancing the harbourfront along the Island Eastern Corridor in North Point to better utilize the area.

Project cost and consultancy work

15. There is concern about the high estimated cost of some \$20 billion. Members have questioned the impartiality of the Consultants as the same Consultants are undertaking the consultancy work for both the WDII Review and CWB. According to the Administration, the estimated cost would cover the cost of construction works and the cost of supervision of construction works by the Consultants, the latter of which would only account for a minor part of the total cost. The Consultants would not be responsible for carrying out the construction works. The consultancy fees would not be dependent on the scale of the construction works and awarding consultancy agreements for the design as well as the supervision of the construction works of a project is a common practice of the Government.

Public consultation

16. Members in general appreciate HEC's efforts to engage the public in working out the preliminary planning concepts for WDII. Some members have also emphasized that the public should play a role in making the final planning decision to ensure that the public consultation was meaningful.

17. A list of the relevant papers with their hyperlinks in the Legislative Council website is in **Enclosure III**.

Council Business Division 1
Legislative Council Secretariat
23 November 2006

FACV 14/2003

Town Planning Board v. Society for the Protection of the Harbour Limited

**Summary of the judgment
given by the Chief Justice
as the unanimous judgment of the Court of Final Appeal**

**This summary is prepared by the Judiciary.
It is not part of the judgment and has no legal effect.**

1. The harbour is and has throughout the history of Hong Kong been a central part of its identity. The Protection of the Harbour Ordinance, Cap. 531 ("the Ordinance") is a unique piece of legislation. It was enacted to protect and preserve the harbour by establishing a presumption against reclamation. The essential question concerns its proper interpretation.

The Ordinance

2. Section 3 provides:

- "(1) The harbour is to be protected and preserved as a special public asset and a natural heritage of Hong Kong people, and for that purpose there shall be a presumption against reclamation in the harbour.
- (2) All public officers and public bodies shall have regard to the principle stated in subsection (1) for guidance in the exercise of any powers vested in them."

The decisions challenged

3. The Society for the Protection of the Harbour Limited ("the Society") challenged the decisions of the Town Planning Board ("the Board") made on 6 December 2002 and 14 February 2003 with regard to Draft Wan Chai North Outline Zoning Plan No. S/H25/1 ("the draft

plan"). It covers an area of about 76.54 hectares in Wan Chai North, including about 26 hectares of proposed reclamation.

4. The land to be formed by the proposed reclamation would serve the following purposes:

- (1) The provision of roads, namely a trunk road (which would be part of a strategic through road starting from the Rumsey Street Flyover and joining up with the existing Island Eastern Corridor) and a road complex designated as Road P2.
- (2) The provision of a waterfront promenade.
- (3) The elimination of "dead corners" in the harbour and the provision of a culvert for improving water quality.
- (4) The provision of a harbour park.
- (5) The reprovisioning of various facilities.

5. On 6 December 2002 and 14 February 2003, the Board decided (a) to make limited amendments to the draft plan to meet some objections; (b) not to amend the draft plan to meet other objections; and (c) to submit the draft plan as amended to the Chief Executive in Council for approval. The amendments made did not affect the extent of the proposed reclamation.

The Board's approach

6. In making the decisions in question, the Board adopted the following approach to the interpretation of the Ordinance on the basis of the advice of Queen's Counsel in London ("the Board's approach"):

- (1) The decision-maker must have regard to all relevant considerations. The statutory presumption creates a

compulsory material consideration to which he must pay due regard.

- (2) He is required to undertake a weighing exercise for the purpose of deciding whether the public benefits of the proposed reclamation would outweigh the need to preserve the harbour. If so, the presumption would be rebutted.

7. The Society's judicial review challenge succeeded before Chu J. She held that the Board had misinterpreted the Ordinance.

8. Subsequent to the judgment, the Board announced that the harbour park proposal would be removed from the draft plan.

The question

9. The question is whether the Board's approach to the interpretation of the Ordinance was correct in law. If not, it would have erred in law and its decisions must be quashed.

The approach to interpretation

10. The interpretation of statutes is an essential part of the judicial function and is ultimately a matter for the courts. The function of the courts is to ascertain the intention of the legislature as expressed in the legislation. A purposive approach should be adopted. The courts should adopt an interpretation which is consistent with and gives effect to the legislative purpose.

The legislative purpose

11. The legislative purpose is referred to in the preamble to the Ordinance and is spelt out in s.3(1) itself. The preamble states that the

purpose is "to protect and preserve the harbour by establishing a presumption against reclamation in the harbour". As stated in the explanatory memorandum to the bill, the legislative purpose is "to ensure that [the harbour] will be protected against excessive reclamation".

12. With limited land resources, reclamation was for many decades used as a convenient source of land supply. It must be appreciated that, by the time the Ordinance was enacted in 1997, nearly half of the harbour had been reclaimed and extensive further areas in the harbour were planned for reclamation. In view of this, the need to protect and preserve what remains of the harbour was all the more important and compelling.

The statutory principle of protection and preservation of the harbour

13. Section 3(1) establishes a statutory principle recognising the harbour as a special public asset and a natural heritage of Hong Kong people and prescribing that it is to be protected and preserved. This principle was enacted in general terms.

14. The harbour is at the heart of the metropolis both physically and metaphorically. The statute characterises this in the most distinctive terms. It is recognised not merely as a public asset but as a "special" one. It is further acknowledged to be a natural heritage. "Natural" in that it is part of nature. A "heritage" in that it is inherited as a legacy from previous generations and is to be transmitted from generation to generation. It is declared to belong to Hong Kong people. It is a community asset to be enjoyed by the people of Hong Kong. The legislature was giving legal recognition to its unique character.

15. It is because of its unique character that the harbour must be protected and preserved.

16. It is manifest that in enacting the statutory principle, the legislature was giving legal recognition to the great public need to protect and preserve the harbour having regard to its unique character. The principle is expressed in clear and unequivocal language and the legislative intent is to establish it as a strong and vigorous one. By prescribing such a principle, the legislature has accorded to the harbour a unique legal status.

The statutory presumption against reclamation

17. Having established the principle, s. 3(1) provides that "for that purpose, there shall be a presumption against reclamation in the harbour".

18. Reclamation would result in permanent destruction and irreversible loss of what should be protected and preserved under the statutory principle. The statutory presumption was therefore enacted to implement the principle of protection and preservation. Its legal effect is not to impose an absolute bar against any reclamation. It is capable of being rebutted.

The statutory duty

19. Section 3(2) provides that all public officers and public bodies "shall have regard to the principle stated in s. 3(1) for guidance in the exercise of any powers vested in them". Its effect is to impose on them the statutory duty, not only to have regard to the principle of

protection and preservation, but also to have regard to the presumption against reclamation in exercising their powers.

Rebutting the statutory presumption

20. The presumption is rebuttable and can be displaced. The critical question is: as a matter of statutory interpretation, what should be regarded as sufficient to rebut it?

21. The statutory presumption was expressly enacted for the purpose of implementing the explicit principle of protection and preservation of the harbour and must be interpreted so as to implement that principle.

22. Having regard to the strong and vigorous statutory principle of protection and preservation, it would plainly be wrong to interpret the presumption against reclamation merely as a compulsory material consideration to which the decision-maker must pay due regard in undertaking a weighing exercise for the purpose of deciding whether the public benefits of the proposed reclamation would outweigh the need to preserve the harbour. This was essentially the Board's approach and it must be rejected.

Overriding public need

23. In order to implement the strong and vigorous statutory principle of protection and preservation, the presumption must be interpreted in such a way that it can only be rebutted by establishing an overriding public need for reclamation ("the overriding public need test"). The statute, in conferring on the harbour a unique legal status, recognises the strong public need to protect and preserve it. The statute envisages

that irreversible loss to the extent of the reclamation would only be justified where there is a much stronger public need to override the statutory principle of protection and preservation.

24. Public needs would of course be community needs. They would include the economic, environmental and social needs of the community.

25. A need should only be regarded as overriding if it is a compelling and present need.

26. A compelling and present need goes far beyond something which is "nice to have", desirable, preferable or beneficial. But on the other hand, it would be going much too far to describe it as something in the nature of the last resort, or something which the public cannot do without.

27. Where there is a reasonable alternative to reclamation, an overriding need for reclamation would not be made out. All circumstances should be considered, including the economic, environmental and social implications of each alternative. The cost as well as the time and delay involved would be relevant. The extent of the proposed reclamation should not go beyond the minimum of that which is required by the overriding need.

28. The overriding public need test should be regarded as a single test and is a demanding one.

Cogent and convincing material

29. To enable a public officer or body to be satisfied that the overriding public need test has been met, the materials in the case in question must be cogent and convincing.

The burden

30. The burden on those seeking to rebut the presumption is a heavy one. This is commensurate with what is at stake: the irreversible loss to the extent of the reclamation of a special asset and a natural heritage belonging to the people of Hong Kong.

The Board erred in law

31. On the true interpretation of the Ordinance, the presumption against reclamation could only be rebutted by establishing an overriding public need for reclamation. The Board, in failing to adopt such an interpretation, erred in law. It follows that the decisions in question must be quashed and that the matter must be remitted to the Board for reconsideration in accordance with law.

32. The Board of course acted in good faith, as has been acknowledged by the Society. The Board had obtained leading counsel's advice and went about its task in a conscientious manner. The dispute turned on the correct interpretation of the Ordinance. It was envisaged at the time of its enactment that litigation on this matter was likely to ensue.

33. It should be noted that the position of the Society is that it accepts that the proposed roads, being essential infrastructure, may satisfy the overriding public need test for rebutting the presumption. Further, the Society does not as a matter of principle object to the provision of a

promenade along the waterfront but maintains that the extent of the proposed reclamation for this purpose is excessive. The promenade is regarded by the Board to be necessary for the better presentation of the harbour to the public.

Timing of judicial review challenge

34. The present judicial review challenge was instituted promptly within two weeks of the Board's decision on 14 February 2003. But it should be emphasised that there must not be any undue delay in applying for judicial review. It is of obvious importance that the earliest opportunity for any challenge to a reclamation proposal should be promptly taken. If not, the courts have the discretion to refuse relief.

Result

35. Accordingly, the appeal is dismissed.

[Annex to paper on "Progress of the Review of Wan Chai Development Phase II and Kai Tak" (LC Paper No. CB(1)921/04-05(01)) provided by the Administration]

Central - Wanchai Bypass

Central - Wanchai Bypass (CWB)

- The CWB is a strategic highway that will run parallel to the Connaught Road Central/Harcourt Road/Gloucester Road Corridor. It will connect the Rumsey Street flyover in the west to the Island Eastern Corridor in the east via a new Island Eastern Corridor Link (IECL).
- The CWB and IECL are the final and most vital road transport links missing on the northern shore of Hong Kong Island. On completion, they will allow the formation of a continuous, strategic road link that starts at Chai Wan in the east and continues all the way to Hong Kong International Airport and Tuen Mun in the northwest New Territories.
- Government planning models since the late 1980s have confirmed the need for CWB. The Comprehensive Transport Study (CTS) model is a planning tool that helps formulate solutions to cope with anticipated traffic demand. The CTS-2, completed in 1989, confirmed the need for CWB by the mid- to late-1990s. CTS-3, completed in 1999, reconfirmed the need for the CWB.
- A re-run of CTS-3 in the 4th quarter of 2003 using the latest land use planning assumptions and population projections also reaffirmed the need for the CWB.

Why do we need the CWB?

- Central and Wan Chai suffer serious traffic congestion - and the problem is going to get worse unless CWB is built.
- The Connaught Road Central/Harcourt Road/Gloucester Road Corridor is already saturated and cannot cope with anticipated traffic growth.
- Other east-west secondary Corridors, such as Hennessy Road and Queensway are also heavily congested. The capacity of these roads is constrained by traffic signals and kerbside loading / unloading activities of goods vehicles, buses and taxis.

- The CWB is needed to divert through traffic away from the Central Business District (CBD), to cater for anticipated traffic growth and to alleviate congestion on existing road networks (already operating at capacity) that feed into Central from the east and west.
- Currently, the Connaught Road Central/Harcourt Road/Gloucester Road Corridor is the only strategic route serving the Central and Wan Chai areas. This route is subject to heavy congestion, and sometimes gridlocks, when minor accidents or incidents occur along the route.
- If the CWB is not built, congestion along the Connaught Road Central/Harcourt Road/Gloucester Road Corridor will spill over into neighbouring roads in Central and Wan Chai, eventually creating gridlock.
- Traffic management alternatives will provide local and limited short-term relief. But in the long term, the CWB is the only viable solution. Traffic management measures can complement CWB, but cannot replace it.

Other Alternatives Considered

Full utilization of the Western Harbour Crossing (WHC)

- This approach is not expected to relieve significantly congestion in the Central and Wan Chai areas as most of the traffic would still need to go through Central, except for the small percentage of traffic from and to the western part of the Hong Kong Island. This is because the diversion of traffic from CHT to WHC is likely to result in a corresponding increase in traffic from the eastern and southern parts of the Hong Kong Island. Therefore, the overall traffic condition of the Corridor is not expected to improve under such a hypothetical toll regime.
- Equalizing the tolls would be subject to a commercial agreement with the tunnel operators. This would take time to negotiate, with no certainty over the outcome.

Electronic Road Pricing (ERP)

- We are actively exploring whether and how ERP could be implemented in Hong Kong. In further studying the issue, we shall take into account all relevant considerations, such as privacy, charge rate, vehicle growth rate, cost implication to road users, impact on business and technological development etc. We shall also consult the public on any proposals to be drawn up.
- It would be unfair to ask those who want to by-pass the CBD to pay. Implementation of ERP needs to be supported by alternative routes or bypasses having sufficient capacity to receive the diverted traffic generated from those

wishing to avoid entering the charging zone. This points to the need for CWB. Without the Bypass, ERP alone could not effectively reduce traffic within the charging zone.

- ERP is one possible form of traffic management provided that: (a) there is an alternative route bypassing the charging zone; and (b) there is community consensus on its implementation. With the current roadway setup, we cannot implement ERP without the CWB.
- To unduly restrain traffic demand in the CBD could significantly impact on economic activities in the area. In the case of London's congestion charging scheme, the retail sector has expressed concern about the decline in the number of persons visiting the charging zone thereby adversely affecting retail business, particularly smaller retailers. It was also reported that a significant number of businesses were thinking of relocating.

Rationalisation of franchised bus services

- The number of bus trips through Central has been reduced by more than 15% since 1999. The scope of further reduction through Central is unlikely to be significant.

Restricting loading and unloading activities in Central

- There are already severe restrictions on loading/unloading along the Connaught Road/Harcourt Road/Gloucester Road Corridor.
- Imposing further restrictions on such activities along roads within the Central Business District cannot relieve congestion along the Connaught Road Central/Harcourt Road/Gloucester Road Corridor.
- Confining loading/unloading activities to night-time could adversely affect commercial activities in the district and may create noise problems.
- The Government should balance the interests of different parties, including the trucking industry, business operators in Central and other road users.

MTR Extension to Kennedy Town

- The forecast of the traffic problem in the Connaught Road Central/Harcourt Road/Gloucester Road Corridor is made on the assumption that the MTR Island Line would be extended to the Western District.
- Most bus routes run along "inner" roads, including Des Voeux Road and Queen's Road. Any reduction in bus services as a result of passenger diversion to the MTR will be limited and at most provide slight relief to the already congested

inner roads. It will not help relieve congestion in the Connaught Road Central/Harcourt Road/Gloucester Road Corridor.

New hillside escalators from Central to Mid-levels

- Additional escalator links will help relieve the traffic burden along roads in the Mid-levels, but will not help relieve congestion in the Central and Wan Chai areas.

Further Delay - the Consequences

- At present, the Connaught Road Central/Harcourt Road/Gloucester Road Corridor is already operating beyond capacity, with the volume/capacity (v/c) ratio above 1.0. Congestion is not limited to the normal am and pm peak hours.
- It is predicted that by 2011 traffic volume during peak hours at critical sections of the Corridor would exceed capacity by 30% if the CWB is not built.
- The traffic on the Connaught Road Central/Harcourt Road/Gloucester Road Corridor will in turn cause congestion to spill over into neighboring roads in Central and Wan Chai, creating gridlock.
- If the CWB is not ready by 2011, it is estimated that traffic conditions will worsen to a speed of 5 km/hr and it will take 45 minutes for drivers to travel from Rumsey Street to Causeway Bay via the 4-kilometre Connaught Road Central/Harcourt Road/Gloucester Road Corridor.
- If the CWB is built, the traveling time from Rumsey Street to Causeway Bay will be reduced to 5 minutes. With a protracted delay to the CWB, the travel and environmental prospects for the Central Business District will include –
 - Worsening traffic congestion
 - Increased risk of gridlock
 - Substandard air quality, noise and physical environment
 - Deteriorating operating conditions for public transport
 - Deteriorating environment for pedestrians
- The existing Connaught Road Central/Harcourt Road/Gloucester Road Corridor has been heavily used for many years. Major repair and reconstruction works would be required in the next 15 to 20 years. If the CWB is not completed within that timeframe, east-west traffic could be paralysed when part of the Corridor has to be closed for repair and/or reconstruction works.

Wan Chai Development Phase II Review

List of relevant papers

Council/Committee	Date of meeting	Paper
Panel on Planning, Lands and Works (PLW Panel)	22 February 2005	<p>Administration's paper on "Comprehensive Planning and Engineering Review of Wan Chai Development Phase II" (LC Paper No. CB(1)763/04-05(01)) http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plwcb1-763-1e.pdf</p> <p>Administration's paper on "Progress of the Review of Wan Chai Development Phase II and Kai Tak" (LC Paper No. CB(1)921/04-05(01)) http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0222cb1-921-1e.pdf</p> <p>Background brief on "Central and Wan Chai reclamation" (LC Paper No. CB(1)921/04-05(02)) http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0222cb1-921-2e.pdf</p> <p>Minutes of meeting (LC Paper No. CB(1)1117/04-05) http://www.legco.gov.hk/yr04-05/english/panels/plw/minutes/pl050222.pdf</p>
PLW Panel	26 April 2005	<p>Administration's paper on "Wan Chai Development Phase II Review -- Harbour-front Enhancement Review -- Wan Chai and Adjoining Areas : A Public Engagement Exercise" (LC Paper No. CB(1)1319/04-05(05)) http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0426cb1-1319-5e.pdf</p> <p>Minutes of meeting (LC Paper No. CB(1)1567/04-05) http://www.legco.gov.hk/yr04-05/english/panels/plw/minutes/pl050426.pdf</p>

Council/Committee	Date of meeting	Paper
PLW Panel	28 June 2005	<p>Administration's paper on "Wan Chai Development Phase II Review -- Harbour-front Enhancement Review -- Wan Chai, Causeway Bay and Adjoining Areas : A Public Engagement Exercise" (LC Paper No. CB(1)1875/04-05(03)) http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0628cb1-1875-3e.pdf</p> <p>Updated background brief on "Wan Chai reclamation" (LC Paper No. CB(1)1875/04-05(04)) http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0628cb1-1875-4e.pdf</p> <p>Administration's response dated 3 November 2005 providing information on the sample sizes of the kerb side and telephone opinion surveys conducted on the future harbourfront in Wan Chai, Causeway Bay and the adjoining areas (LC Paper No. CB(1)225/05-06(01)) http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw0628cb1-225-1e.pdf</p> <p>Minutes of meeting (LC Paper No. CB(1)2291/04-05) http://www.legco.gov.hk/yr04-05/english/panels/plw/minutes/pl050628.pdf</p>
PLW Panel	23 May 2006	<p>Administration's paper on "Wan Chai Development Phase II Review -- Harbour-front Enhancement Review -- Wan Chai, Causeway Bay and Adjoining Areas: Outcome of Public Engagement at the Envisioning Stage" (LC Paper No. CB(1)1519/05-06(03)) http://www.legco.gov.hk/yr05-06/english/panels/plw/papers/plw0523cb1-1519-3e.pdf</p> <p>Background brief on "Wan Chai Development Phase II Review" (LC Paper No. CB(1)1519/05-06(04)) http://www.legco.gov.hk/yr05-06/english/panels/plw/papers/plw0523cb1-1519-4e.pdf</p> <p>Minutes of meeting (LC Paper No. CB(1)2024/05-06) http://www.legco.gov.hk/yr05-06/english/panels/plw/minutes/pl060523.pdf</p>

Council/Committee	Date of meeting	Paper
PLW Panel	9 June 2006 26 June 2006	<p>Administration's paper on "Wan Chai Development Phase II Review -- Follow-up to the discussion on 23 May 2006" (LC Paper No. CB(1)1706/05-06(01)) http://www.legco.gov.hk/yr05-06/english/panels/plw/papers/plw0609cb1-1706-1e.pdf</p> <p>Administration's paper on "Wan Chai Development Phase II Review -- Harbour-front Enhancement Review -- Wan Chai, Causeway Bay and Adjoining Areas: Outcome of Public Engagement at the Envisioning Stage" (LC Paper No. CB(1)1519/05-06(03)) http://www.legco.gov.hk/yr05-06/english/panels/plw/papers/plw0523cb1-1519-3e.pdf</p> <p>Background brief on "Wan Chai Development Phase II Review" (LC Paper No. CB(1)1519/05-06(04)) http://www.legco.gov.hk/yr05-06/english/panels/plw/papers/plw0523cb1-1519-4e.pdf</p> <p>Submissions http://www.legco.gov.hk/yr05-06/english/panels/plw/agenda/plag0626.htm</p> <p>Minutes of meeting on 9 June 2006 (LC Paper No. CB(1)2232/05-06) http://www.legco.gov.hk/yr05-06/english/panels/plw/minutes/pl060609.pdf</p> <p>Minutes of meeting on 26 June 2006 (LC Paper No. CB(1)60/06-07) http://www.legco.gov.hk/yr05-06/english/panels/plw/minutes/pl060626.pdf</p>