

香港特別行政區政府

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**By fax: 2869 6794**

26 February 2009

Legislative Council Secretariat  
Legislative Council Building  
8 Jackson Road  
Central  
Hong Kong  
(Attn: Ms Anita SIT)

Dear Ms SIT :

**Panel on Development**  
**Matters related to Hopewell Centre II**

Thank you for your letter of 2 February 2009. I am writing to provide you with our response to the issues raised in your letter and the submission from Mr E. T. Farnworth on the above subject.

According to current Government policy, an individual developer may propose certain road works in relation to his/her development or redevelopment scheme. If the proposed road works are contingent upon the concerned development or redevelopment scheme and are acceptable to relevant Government departments, the Government will process the gazettal of the proposed road works under the Roads (Works, Use and Compensation) Ordinance (Cap. 370). The developer, however, shall only commence the road works after these works are authorized under Cap. 370 and the relevant modification documents, for example, on land exchange, have been executed.

In accordance with the planning conditions attached to the 1994 approved scheme, the developer has submitted the necessary Traffic Impact Assessment (TIA). The Transport Department has endorsed the TIA prepared by the developer on the basis of the revised scheme of the Hopewell Centre II development. The proposed road improvement works (RIW) identified in the TIA are assessed to be essential and contingent upon the Hopewell Centre II development. The Wan Chai District Council was consulted on the RIW at its meeting on 20 January 2009. It was agreed by a majority of 13 to 1 that the RIW should be gazetted under Cap. 370 and that the Government should keep in view the feedback from the public regarding the proposed works. Following the gazetting of the RIW, members of the public may express their views on these proposed works through the statutory procedures provided for under the Ordinance. Since the RIW in relation to the Hopewell Centre II development will have an effect on the site boundary, the land exchange would only be finalized upon authorization of the RIW under Cap. 370.

As regards the questions raised specifically in your letter, our response is set out as follows –

(i) Questions (a) & (c)

- The developer will be responsible for the funding, design and construction of the proposed RIW in accordance with relevant statutory provisions and the proposed land exchange document in relation to the Hopewell Centre II development. The RIW will form part of the public road infrastructure and be maintained by the Government upon completion, except the proposed flyover/underpass system for the ingress/egress of motor vehicles to and from the Hopewell Centre II development and the pedestrian facilities (including the provision of a walkway along the flyover together with a new lift and new staircases at Kennedy Road). These will be maintained by the developer.

(ii) Question (b)

- In assessing the land premium payable by a developer, the Lands Department will take into account all relevant factors in assessing the premium for any land transaction, including the sale price of the concerned development upon its completion, development cost,

interest expenses and marginal profits. Since the RIW proposed by the developer are essential and contingent upon the Hopewell Centre II development, the relevant cost will form part of the development cost in the assessment of land premium. This arrangement follows current Government policy.

(iii) Question (d)

- The developer has not yet submitted building plans for the proposed flyover, tunnel and associated structures connecting Kennedy Road to the Hopewell Centre II development. Once they are received, the Building Authority will process the plans in strict compliance with the Buildings Ordinance.
- As clarified in point (i) above, the RIW will form part of the public road infrastructure. Since the RIW are not private street or access road, they are not encroaching into the public road domain.

(iv) Question (e)

- Two aspects of the RIW, namely, (i) the widening of and the improvement to Ship Street; and (ii) the widening of and improvement to Kennedy Road (including the provision of a new flyover and tunnel access to the site) are included in the scheme approved by the Town Planning Board in 1994. Other aspects of the RIW, which are not included in the 1994 approved scheme, are identified in the land exchange application by the developer.
- The Transport Department is responsible for providing expert advice on whether the RIW, proposed by the developer in line with current Government policy as set out at the beginning of this letter, could help deal with the traffic generated by the proposed Hopewell Centre II development and mitigate any adverse impact. The RIW will thereafter be gazetted and processed under Cap. 370. The Lands Department will negotiate with the developer on land exchange matters on authorization of the RIW.

Yours sincerely,

( Miss Amy YUEN )  
for Secretary for Development