

For Discussion
on 28 May 2013

**LEGISLATIVE COUNCIL
PANEL ON DEVELOPMENT**

**Amendments to the Central District (Extension) Outline Zoning Plan
in Relation to the Central Military Dock**

Purpose

This paper briefs Members on the amendments to the Central District (Extension) Outline Zoning Plan (“OZP”) in relation to the Central Military Dock (“CMD”).

The Central Military Dock

2. The 1994 Exchange of Notes between the Government of the United Kingdom of Great Britain and Northern Ireland (“UK Government”) and the Government of the People’s Republic of China on the Arrangements for the Future Use of the Military Sites in Hong Kong (the Defence Land Agreement or “DLA”) provided for military sites to be handed over to the Hong Kong Garrison by the UK Government, military sites to be handed over to the then Hong Kong Government for disposal, and military buildings and fixed facilities to be reprovisioned for the Hong Kong Garrison. Annex III of the DLA set out the military buildings and fixed facilities to be reprovisioned for the Hong Kong Garrison which included the CMD and provided that the then “Hong Kong Government will leave free 150 metres of the eventual permanent waterfront in the plans for the Central and Wanchai Reclamation at a place close to the Prince of Wales Barracks [later renamed as the Central Barracks] for the construction of a military dock after 1997” (notes in square brackets added).

3. It should be noted that the headquarters of the British Garrison before the reunification used to have a naval basin and dock facilities, which were affected by the Central waterfront reclamation. The DLA requires that a naval base be reprovisioned on the south shore of Stonecutters Island and a military dock be reprovisioned near the Central Barracks. After reunification, the Hong Kong Special Administrative Region Government (“HKSARG”) is responsible for taking forward the construction of the CMD and associated

facilities at the Central harbourfront.

Previous Deliberations about the Central Military Dock

4. The Government has stated in public including in the Legislative Council (“LegCo”) on a number of occasions in the past the provision for and construction of the CMD as part of the works of the Central Reclamation Phase III, the location of and the facilities therein the military dock, and the design of the military dock as part of the Central waterfront promenade. The Government has also stated that the Garrison has confirmed that it would open the area of the military dock site to the public as part of the waterfront promenade for enjoyment when it is not in military use, having regard to its operation and need for protecting the military dock.

5. To recap, the issue of the military dock has been raised publicly in the past on at least the following public occasions –

- (a) The Central District (Extension) OZP was first approved in 2000 after consultation, which clearly indicated the location of the military dock (**Annex A**). As the form that the CMD would take and the exact area that it would occupy were not finalized in detail at the time, it was represented by a straight line annotated ‘150m Military Berth (subject to detailed design)’ on the OZP;
- (b) The Government submitted funding application to the LegCo for implementing the works of Central Reclamation Phase III in June 2002 (PWSC(2002-03)41)). The scope of works stated that it included the construction of a berth of about 150 m and associated facilities for use by the Chinese People’s Liberation Army Forces Hong Kong. The funding application was approved by LegCo;
- (c) The then Secretary for Planning and Lands, in response to oral question number six raised by Hon Lee Wing-tat on 6 June 2007, explained that the military dock will be put into operation only when it is in military use. It will be open for public use at other times as part of the waterfront promenade. It is planned that a small number of low-rise basic facilities will be provided within the military dock. The view of the Victoria Harbour will not be blocked;
- (d) During the public engagement exercise of the Urban Design Study

of the New Central Harbourfront (“UDS”) in 2008, the Government had made known to the public the location and conceptual design of the CMD and its integration with the New Central Harbourfront. In the information digest for the public engagement exercise and the final report of the UDS, there were description and plans clearly showing the broad area and location of the military dock. The public engagement report also reported comments and responses regarding the military dock location and design; and

- (e) The Government briefed the Central and Western District Council (C&WDC) and the Harbourfront Commission’s Task Force on Harbourfront Developments on Hong Kong Island (HKTF) in May and October 2010 respectively on the architectural design of the CMD, as part of the works of the advance promenade of the New Central Harbourfront. The Government also arranged a site visit to the CMD with C&WDC and HKTF Members in January and April 2012 respectively, including a brief introduction of the facilities inside the dock.

The extracts of relevant documents mentioned in (b)-(e) above have been set out in the Government’s letter to the Clerk to the Development Panel dated 18 April 2013.

Amendments to the Central District (Extension) OZP

6. As explained above, the Central District (Extension) OZP first approved in 2000 showed the military dock as a straight line annotated ‘150m Military Berth (subject to detailed design)’, as the form that the CMD would take and the area that it would occupy were not finalized in detail at the time. Since then, the Government has taken forward and made public on various occasions the construction, the conceptual design, the location and area, and the architectural design of the military dock and its associated facilities.

7. As the detailed design and delineation of the CMD is now confirmed and the construction works are reaching their final stages, PlanD in accordance with usual practice proceeds to propose technical amendments to amend the Central District (Extension) OZP to reflect the final delineation and the land use of the military dock by specifying in the OZP the land use zoning where the CMD is located to “Other Specified Uses” annotated “Military Use (1)”. On 15 February 2013, the Town Planning Board (“TPB”) exhibited the Central District (Extension) OZP No. S/H24/8 for public inspection for a period of two

months under Section 7 of the Town Planning Ordinance (Cap. 131) (“TPO”).

8. The major amendments to the Central District (Extension) OZP in the current exercise include:

- (a) amending the zoning of a strip of waterfront site (about 0.3 ha) to the north of the existing People’s Liberation Army Hong Kong Garrison Headquarters from “Open Space” (“O”) to “Other Specified Uses” annotated “Military Use (1)” (“OU(Military Use)1”);
- (b) deleting the straight line with annotation ‘150m Military Berth (subject to detailed design)’ from the OZP; and
- (c) amending the Notes of the OZP by adding the remarks for the imposition of a building height restriction (BHR) of 10mPD and the incorporation of minor relaxation clause for the new “OU(Military Use)1” zone, and updating the Explanatory Statement to reflect the above amendments and the latest status and planning circumstances of the OZP accordingly.

Clarifications about the Central Military Dock

9. Having regard to enquiries, comments and media reports on the OZP amendments in relation to the CMD, the Administration would like to make the following clarifications –

(a) The CMD at the Central Waterfront

10. The reprovisioning of the CMD at the Central waterfront is in accordance with the DLA. Indeed, the location and design of the CMD at the Central waterfront has been deliberated at length in the past, not least in the context of the planning process leading up to the approval of the OZP in 2000, and the public engagement process for the UDS in 2008. On both occasions, the location of the CMD at the Central waterfront has been re-affirmed.

(b) CMD Design and Planning Parameters

11. The site area delineated on the OZP for the CMD is about 2,970 square metres, as opposed to 30,000 square metres as alleged by some parties and

quoted in some media reports. For comparison, the waterfront promenade of the New Central Harbourfront (including the CMD site) as recommended in the UDS is about 98,700 square metres in area.

12. The military dock has four small single-storey structure (including office facilities, fire services pumphouse and electricity supply facilities) with a total area of about 220m² and about 4 metres high, as opposed to a three-storey massive building taking up the whole site and obstructing the harbour view as alleged by some parties and quoted in some media reports.

13. The CMD site is subject to a BHR of 10mPD, which is deemed appropriate for Site 7 at the waterfront setting as recommended under the UDS, and which is deemed appropriate for the waterfront setting. It should be noted that the ground level of the waterfront is already 4.2mPD and hence a 10mPD BHR means that any building thereon cannot be taller than 5.8 metres.

(c) Construction Works for the CMD

14. The construction of the facilities ancillary to the military dock is part of the public works coordinated and implemented by the Government as part of the Central Reclamation Phase III project. The military berth was shown on the Central District (Extension) OZP when it was first approved in 2000. Hence, military berth is a permitted use. As facilities directly related to a permitted use are always permitted and no separate planning permission from the TPB is required, there is no question of the construction works for the military dock being unauthorized.

(d) Land Status of CMD

15. According to Article 7 of the Basic Law, “the land and natural resources within the Hong Kong Special Administrative Region shall be State property. The Government of the Hong Kong Special Administrative Region shall be responsible for their management, use and development and for their lease or grant to individuals, legal persons or organizations for use or development”. According to the DLA, a number of military sites and military facilities including the CMD are to be handed over to or reprovisioned for the Garrison. According to the Garrison Law, controlling military facilities is one of the defence functions and responsibilities of the Hong Kong Garrison. No land grant document is required between the HKSARG and the Garrison for military sites. The CMD will be handed over to the Garrison for management

as a military facility after completion of the construction works and the relevant procedures.

(e) The Garrison's Agreement to Open the CMD When Not in Military Use

16. The Garrison has, on the request of the HKSARG, agreed in 2000 that it would open the area of the military dock site to the public as a part of the promenade when it is not in military use, having regard to its operation and need for protecting the military dock. The present OZP amendment would not affect this arrangement.

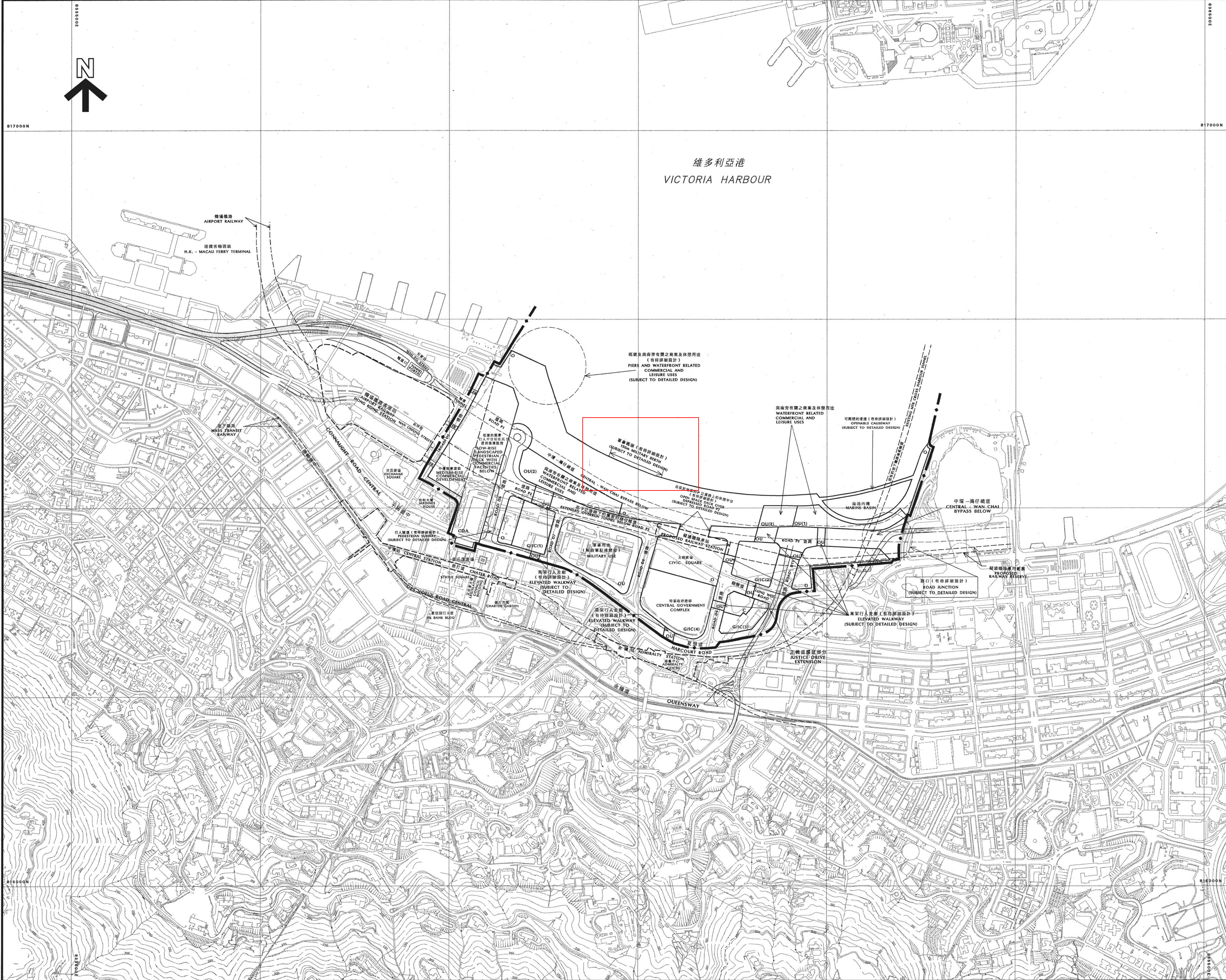
17. The CMD has been designed to integrate with the promenade as recommended in the UDS, having regard to the Garrison's agreement to open the military dock area to the public when not in military use. The folding gates for fencing off the site are hidden in the ancillary building structures when not in use. When the military dock is closed for military use, the public can use the pedestrian walkway next to the dock site for a continuous east-west connection along the waterfront (please see **Annex B**).

18. Should the Garrison require temporary direct vehicular access between the Central Barrack and the CMD via Lung Wo Road and the south-north pedestrian walkway within Site 7, HKSARG will make temporary traffic arrangement to facilitate such access while minimizing impact to pedestrians and road users, ensuring their safety and minimizing the disturbance to the public enjoyment of the harbourfront.

Consideration of Representations and Comments

19. The public exhibition period of the OZP ended on 15 April 2013. Representations relating to the proposed amendments have been received by the TPB. The representations have been made available for public inspection from 7 May 2013 for three weeks and any person may make comment to the TPB in respect of the representations. The TPB will hear the representations and comments in accordance with the TPO, and decide whether or not to propose amendments to the draft OZP.

**Development Bureau
May 2013**



圖例
NOTATION Annex A
附件A

| ZONES | | 地帶 |
|--|---------|------------------|
| COMMERCIAL | C | 商業 |
| COMPREHENSIVE DEVELOPMENT AREA (INCLUDING LANDSCAPED PEDESTRIAN DECK) | CDA | 綜合發展區 (包括園景行人平台) |
| GOVERNMENT, INSTITUTION OR COMMUNITY | G/I/C | 政府、機構或社區 |
| OPEN SPACE | O | 休憩用地 |
| OTHER SPECIFIED USES | OU | 其他指定用途 |
| COMMUNICATIONS | | 交通 |
| RAILWAY AND STATION (UNDERGROUND) | STATION | 鐵路及車站 (地下) |
| MAJOR ROAD AND JUNCTION (INCLUDING FOOTPATH AND ROAD-SIDE AMENITY AREAS) | | 主要道路及路口 |
| ELEVATED ROAD | | 高架道路 |
| MISCELLANEOUS | | 其他 |
| BOUNDARY OF PLANNING SCHEME | | 規劃範圍界線 |

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

| USES | 大約面積及百分率 APPROXIMATE AREA & % | | 用途 |
|---|----------------------------------|--------|------------------|
| | 公頃 HECTARES | % 百分率 | |
| COMMERCIAL | 0.36 | 0.81 | 商業 |
| COMPREHENSIVE DEVELOPMENT AREA (INCLUDING LANDSCAPED PEDESTRIAN DECK) | 5.23 | 11.83 | 綜合發展區 (包括園景行人平台) |
| GOVERNMENT, INSTITUTION OR COMMUNITY | 5.35 | 12.10 | 政府、機構或社區 |
| OPEN SPACE | 13.89 | 31.42 | 休憩用地 |
| OTHER SPECIFIED USES | 7.00 | 15.83 | 其他指定用途 |
| MAJOR ROAD ETC. | 11.12 | 25.15 | 主要道路等 |
| MARINE BASIN | 1.26 | 2.86 | 海港內灣 |
| TOTAL PLANNING SCHEME AREA | 44.21 | 100.00 | 規劃範圍總面積 |

夾附的《註釋》屬這份圖則的一部分
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN

行政長官會同行政會議於 2000 年 2 月 22 日 根據
城市規劃條例第 9(1)(a) 條核准的圖則。
APPROVED BY THE CHIEF EXECUTIVE IN COUNCIL UNDER
SECTION 9(1)(a) OF THE TOWN PLANNING ORDINANCE ON
22 FEBRUARY 2000.

sd. CHENG Mei-sze, Maisie 鄭美施 簽署
CLERK TO THE EXECUTIVE COUNCIL 行政會議秘書

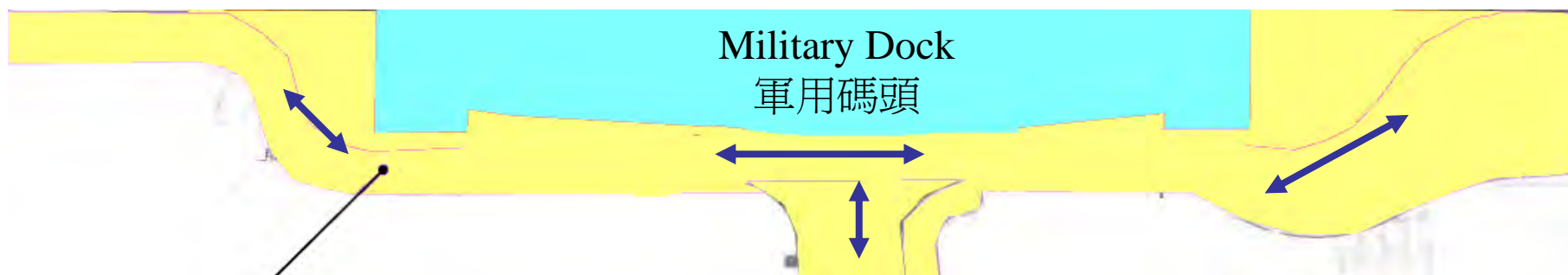
香港城市規劃委員會依據城市規劃條例擬備的中區 (擴展部分) (港島規劃區第 24 區) 分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
HONG KONG PLANNING AREA No. 24 - CENTRAL DISTRICT (EXTENSION) - OUTLINE ZONING PLAN

SCALE 1:5 000 比例尺
METRES 100 0 200 400 600 800 METRES

規劃署遵照城市規劃委員會指示擬備
PREPARED BY THE PLANNING DEPARTMENT UNDER
THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號
PLAN No. S/H24/2

Annex B
附件B



Central and Western Promenade – Central Section
中西區海濱長廊(中環段)

←→ Pedestrian flow
行人路線