

立法會
Legislative Council

LC Paper No. CB(1)952/05-06
(These minutes have been seen
by the Administration)

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Panel on Planning, Lands and Works

Minutes of meeting
held on Tuesday, 20 December 2005 at 2:30 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 James TO Kun-sun
Hon WONG Yung-kan, JP
Hon CHOY So-yuk, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, JP
Hon Albert CHAN Wai-yip
Hon LEE Wing-tat
Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki
Hon CHEUNG Hok-ming, SBS, JP

Member attending : Hon CHAN Yuen-han, JP

Members absent : Hon LI Kwok-ying, MH
Hon Daniel LAM Wai-keung, BBS, JP

**Public officers
attending**

: Agenda item IV

Provisional Construction Industry Co-ordination Board
(PCICB)

Mr Francis BONG
PCICB Member
Chairman, PCICB Task Force to Review the Construction
Stage of the Development Process

Mr James CHIU
PCICB Member
Member, PCICB Task Force to Review the Construction
Stage of the Development Process

Mr W H LAM
PCICB Member
Member, PCICB Task Force to Review the Construction
Stage of the Development Process

PCICB Secretariat

Mr C S WAI
Deputy Secretary for the Environment, Transport and
Works (Works) 2

Mr K H TAO
Assistant Secretary for the Environment, Transport and
Works (Works)Works Policy 3

Buildings Department

Mr K M MO
Assistant Director/New Buildings 1

Agenda item V

Mr Robin IP
Deputy Secretary for Housing, Planning and Lands
(Planning and Lands)1

Mr Eddie POON
Principal Assistant Secretary for Home Affairs
(Recreation and Sport)

Miss Patricia SO
Assistant Commissioner for Tourism (2)
Tourism Commission
Economic Development and Labour Bureau

Mr Raymond LEE
District Planning Officer/Kowloon
Planning Department

Mr Talis WONG
Chief Engineer/Kowloon
Civil Engineering and Development Department

Attendance by invitation : Agenda item V

City Planning Consultants Ltd.

Ms Iris TAM
Managing Director

Sub-committee on South East Kowloon Development
Review, Harbour-front Enhancement Committee

Dr CHAN Wai-kwan
Chairman

Mr Kim O CHAN
Alternate Member

Mr Dennis LI
Alternate Member

Clerk in attendance : Ms Anita SIT
Senior Council Secretary (1)9

Staff in attendance : Mr WONG Siu-yee
Senior Council Secretary (1)7

Ms Christina SHIU
Legislative Assistant (1)7

I Confirmation of minutes

(LC Paper No. CB(1)475/05-06 -- Minutes of special meeting on 21 October 2005)

The minutes of the special meeting held on 21 October 2005 were confirmed.

II Information papers issued since last meeting

(LC Paper No. CB(1)397/05-06(01) -- Letter dated 24 November 2005 from the Urban Renewal Authority to the Old Urban Tenant Alliance on compensation arrangements for land resumption for urban renewal projects

LC Paper No. CB(1)515/05-06(01) -- Information paper on “Transfer of Squatter Control Function from Housing Department to Lands Department and Strengthening of Land Control and Lease Enforcement Work” provided by the Administration

LC Paper No. CB(1)518/05-06(01) -- Information paper on “330WF – Remedial works for the rip-rap at the main dam of Plover Cove Reservoir” provided by the Administration

LC Paper No. CB(1)522/05-06(01) -- Information paper on “112CD – Drainage improvement in Northern New Territories - Package A” provided by the Administration)

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

III Items for discussion at the next meeting

(LC Paper No. CB(1)525/05-06(01) -- List of outstanding items for discussion

LC Paper No. CB(1)525/05-06(02) -- List of follow-up actions)

3. Members agreed to discuss the item on “Fee proposal under the Town Planning (Amendment) Ordinance 2004” at the next meeting scheduled for 24 January 2006.

IV Private certification of building submissions

- (LC Paper No. CB(1)304/05-06(01) -- Information paper on “Private certification of building submissions” provided by the Administration
- LC Paper No. CB(1)525/05-06(03) -- Letter dated 25 November 2005 from Hon LEE Wing-tat
- LC Paper No. CB(1)1996/04-05(07) -- Information paper on “Certification of building plans by private professionals” provided by the Administration
- LC Paper No. CB(1)1981/04-05(01) -- Letter dated 30 June 2005 from the Administration concerning the Administration’s plan to outsource certification of building plans to private professionals
- LC Paper No. CB(1)525/05-06(04) -- Letter dated 18 July 2005 from the Panel Chairman to the Financial Secretary on “Certification of building plans by private professionals”
- LC Paper No. CB(1)110/05-06(01) -- Letter dated 24 August 2005 from the Financial Secretary to the Panel Chairman on “Certification of building plans by private professionals”
- LC Paper No. CB(1)87/05-06(01) -- Letter dated 17 October 2005 from Task Force to Review the Construction Stage of the Development Process on “Certification of building plans by private professionals”
- LC Paper No. CB(1)2362/04-05 -- Minutes of meeting on 13 July 2005)

Presentation by the Provisional Construction Industry Co-ordination Board

4. The Deputy Secretary for the Environment, Transport and Works (Works) 2 (DS/ETW(Works)2) explained that regulation of the property development process was under the purview of the Housing, Planning and Lands Bureau (HPLB) and there were representatives from HPLB attending the meeting of the Panel held on 13 July 2005 when the subject of private certification of building submissions was first discussed. Since the Administration had not yet proceeded to the policy formulation stage in respect of the subject, the Administration

considered that the attendance of HPLB's representatives at the present Panel meeting was not necessary. He assured members that the Administration would not formulate any related policy before the subject had been fully studied.

5. DS/ETW(Works)2 then briefed members on the background to the proposed consultancy study on private certification of building submissions. He made the following points –

- (a) The Economic and Employment Council chaired by the Financial Secretary was established in January 2004. The Economic and Employment Council Subgroup on Business Facilitation (EECSG) was established to facilitate business development and job creation through identifying and eliminating outdated, excessive, repetitive or unnecessary government regulations.
- (b) EECSG had embarked on a comprehensive review of the regulatory regime for the property development process. The review was divided into two parts: one covering lands and planning matters related to the construction stage and the other covering the construction stage. EECSG had requested the Provisional Construction Industry Co-ordination Board (PCICB) to undertake the second part of the review.
- (c) Environment, Transport and Works Bureau officials were attending this Panel meeting in their capacity as members of the PCICB Secretariat while the representative from Buildings Department (BD) would provide information on the relevant regulatory issues where needed.

6. The Chairman of the PCICB Task Force to Review the Construction Stage of the Development Process (Chairman of the Task Force) made the following points –

- (a) The Task Force was charged with the task of reviewing the regulatory system in respect of the construction of property development and making recommendations to EECSG on how to speed up the construction cycle and reduce the cost of compliance with prevailing statutory requirements. Private certification of building submissions was one of the possible enhancement measures being examined by the Task Force. The statutory power of approving building plans rested with the Building Authority. A lot of vetting work in the technical aspects, currently undertaken by BD, was required in the approval process. The Task Force was exploring the feasibility of engaging professionals of the private sector to share the workload, thereby enabling greater flexibility in the vetting process.

- (b) The Task Force agreed with the Panel that statutory powers should not be outsourced lightly to private entities. The primary objective of private certification was not the outsourcing of statutory powers, but to streamline the approval process through engaging private professionals to undertake appropriate checking of building design while retaining the existing checks and balances and minimizing changes to the statutory framework.
- (c) As private certification had been implemented for some time in countries such as the United Kingdom, Australia and Singapore, some stakeholders of the construction industry considered it worthwhile to explore whether private certification would be applicable in Hong Kong. They expected that private certification would speed up the approval process, shorten the property development cycle and reduce the development cost, thereby encouraging investment in real estates and benefiting the whole society. Whether overseas experience would be applicable in Hong Kong and the anticipated merits of private certification would require further verification.
- (d) The Task Force was not recommending the implementation of private certification. It only recommended that a consultancy study be conducted to ascertain the feasibility, assess the merits and drawbacks as well as risks, and identify implementation issues of private certification so as to facilitate PCICB to make a recommendation to EECSG as to whether private certification should be pursued. The consultancy study would not turn private certification into a fait accompli.
- (e) It would take about three to four months to complete the study and the cost involved was about \$1.3 million. In view of the potential benefits of private certification, it was value-for-money to conduct the consultancy study. The attention given to the recent report of the World Bank on Doing Business in 2006 was a clear reminder that continuous improvements to the regulatory regime were crucial for maintaining the competitiveness of the local economy.

7. Mr W H LAM pointed out that there was a wide range of building plans requiring approval by BD in the course of a construction project. For simple construction projects, the number of steps needed might be some 250. For complicated projects, the number of steps might reach some 700. The building plans requiring approval could be broadly divided into two categories. The first category was related to basic principles such as general building plans. These plans included information such as the density of the development and required approval from many Government departments. In exploring the feasibility of private certification, no consideration had been given to including the first category of

plans. Rather, the focus was on the second category which was related to technical matters such as sewers, curtain walls and fire fighting systems. Through the consultancy study, it was hoped that the feasibility of private certification or otherwise could be established. The Task Force remained open on the issue.

Discussion

Merits and drawbacks of private certification

8. Mr CHEUNG Hok-ming enquired about the views of the Task Force on the merits and drawbacks of private certification. In reply, the Chairman of the Task Force pointed out that private certification would be useful in handling technical matters, especially those related to amendments of building plans for which BD had to process the certification within a statutory period of time ranging from 28 to 60 days. As many amendments were inter-related, it might take a long time for completing the whole certification process. Private certification could speed up the process. In relation to drawbacks of private certification, there were concerns on issues such as the independence and quality of work of third party certifiers and public confidence in private certification. Although private certification was being practiced in some overseas places, an independent and comprehensive consultancy study would assist the Task Force in reaching a conclusion.

9. Acknowledging that private certification had both merits and drawbacks, Mr CHEUNG Hok-ming asked how the Administration would strike a balance between the two in coming to a conclusion. The Assistant Director/New Buildings 1 of the Buildings Department (AD/NB1) replied that at this stage, BD held an open attitude on private certification. BD would give consideration to any proposed mechanism that would be beneficial for society without compromising building safety. Issues such as commercial viability of private certification, availability of insurance for private certifiers and the need for legislative amendments would need to be investigated in the consultancy study. BD was prepared to further study the subject after the completion of the consultancy study.

10. The Chairman of the Task Force commented that for concerns such as public confidence in private certification and independence of private certifiers, consideration could be given to formulating codes of professional practice, guidelines and independent technical audits.

11. Mr Abraham SHEK expressed support for exploring private certification of building submissions in view of the potential benefits to the economy of Hong Kong. He commented that the organizational structure of the Government was large and some regulations were outdated and problematic. Through private certification and eliminating undesirable regulations, the construction cycle could be speeded up. The private sector had the expertise and experience required for private certification. He agreed to the view that the Administration should bear the

final responsibility in approving building plans and that the process should be transparent. He pointed out that if in the end the consultancy study found out that private certification was not feasible, status quo could be maintained. Without the consultancy study, there was no way of moving ahead a further step and identifying possible areas for improvement. He hoped that other members would support conducting the consultancy study.

12. Mr WONG Yung-kan asked how the Administration would address the various concerns on private certification. He considered that the large organizational structure of the Government and the established procedures might be the main reasons for the lengthy processing period required for vetting building plans at present. He asked whether the Administration would consider including a review of the organizational structure of the Government in the consultancy study. He sought clarification on the level of responsibility that the Administration would have to take up in the case of implementation of private certification. He asked whether the Administration had any stance on private certification.

13. The Chairman of the Task Force said that the proposed consultancy study would identify problems in the existing building plan vetting process and recommend solutions to those problems. AD/NB1 supplemented that all along BD had been making efforts to expedite and simplify the building plan vetting process. Since 2002, BD provided consultation service for submission of building plans and used electronic means to check the calculation of building areas. Certain procedures relating to amendments of building plans had been simplified. Moreover, since 2003, BD, Lands Department and Planning Department had issued Joint Practice Notes to streamline the approval procedures. BD would continue to streamline approval procedures as appropriate.

14. Mr WONG Yung-kan queried the need for conducting the consultancy study if BD was already putting in efforts to streamline the approval procedures. In response, AD/NB1 explained that private certification was a new idea raised by the construction industry with a view to speeding up the construction cycle. The consultancy study would investigate the feasibility and merits of private certification and, if private certification was pursued, the degree to which private certification would be applied in Hong Kong. The consultancy study and the Administration's enhancement measures could proceed in parallel.

15. Mr Alan LEONG asked whether the fact that BD would not maintain a large number of permanent staff was a reason for proposing private certification and whether the final responsibility for approval of building plans would still be rested with BD. He also enquired whether the proposed consultancy study would include the feasibility of final certification of building plans by private professionals. Mr W H LAM replied that the consultancy study would identify appropriate methods for implementing private certification. One possible method would be for BD to engage private professionals to perform the certification of certain building submissions on behalf of BD. Another possible method would be

for building submissions to undergo checking by private professionals, and the building submissions together with the reports of checking would be submitted to BD for approval. The proposed consultancy study would identify methods which were efficient and safe and could safeguard public interest.

16. Mr Patrick LAU expressed support for the proposed consultancy study, which he hoped would be comprehensive covering the design and construction aspects. He commented that the current approval procedures had become very complicated and with the implementation of private certification, the vetting process could be speeded up and this would be beneficial for the development of Hong Kong.

Outsourcing of statutory power

17. Mr Albert HO pointed out that many policies relating to privatization had attracted a lot of disputes. He considered that certification of building submissions was a statutory power which should not be outsourced to the private sector lightly. In considering the feasibility of private certification, the fundamental issue of whether it was appropriate to outsource a statutory power had to be resolved first. He was concerned that private certification of building submissions, if implemented, would set a precedent for other statutory powers and asked whether the Administration had any policy in this regard.

18. In response to Mr HO's concerns, the Chairman of the Task Force emphasized that private certification of building submissions was not aimed at outsourcing statutory power. Rather, it was aimed at engaging professionals in the private sector to assist in the building design certification process by sharing the workload and speeding up the approval process. The Administration should maintain a monitoring role and existing checks and balances should be maintained. Mr W H LAM supplemented that the focus of private certification would be on technical and professional aspects for which BD had no appropriate expertise to handle, such as complicated fire engineering works, curtain walls and advanced structures. He pointed out that professionals in the private sector had already been engaged in the checking of building submissions in some other Government projects such as the Tsing Ma Bridge.

19. Noting the above explanation, Mr Albert HO said that engaging professionals in the private sector to carry out the checking of building submissions was not a major problem. The key issue was who would be the final approving authority and who would be held accountable for the approval. His main concern was whether the Administration would bear the final responsibility. In response, the Chairman of Task Force responded that the aim of conducting the proposed consultancy study was to address the concerns raised by members, identify what aspects of building submissions would be suitable for private certification and assess the associated risks.

20. Mr Albert HO asked whether other Government departments had experience in allowing private professionals to certify matters that involved public safety and public interest. He was worried that private certification of building submissions would set an undesirable precedent jeopardizing public interest. He asked whether the Administration had any policy direction in this regard because it would be a point for consideration if the Legislative Council's approval in such matters was needed in the future.

21. In response, DS/ETW(Works)2 said that he had no available information on hand to answer Mr HO's first question and remarked that the subject of private certification of building submissions had not yet reached the policy formulation stage. When there was the need, the Administration would certainly provide further details. Mr W H LAM supplemented that as far as he understood, in cinema licensing, there was a mechanism for certification of air-conditioning systems by private engineers for the issuance of a temporary licence. The Administration might have considered/implemented similar arrangements in other areas.

V Kai Tak Planning Review – Outline Concept Plans for Stage 2 Public Participation

- (LC Paper No. CB(1)525/05-06(05) -- Information paper provided by the Administration
- LC Paper No. CB(1)525/05-06(06) -- Background brief on "Kai Tak Planning Review" prepared by the Legislative Council Secretariat
- LC Paper No. CB(1)502/05-06(01) -- Submission dated 4 December 2005 from Hong Kong Air Cadet Corps
- LC Paper No. CB(1)567/05-06(01) -- Submission dated 19 December 2005 from Mr Paul ZIMMERMAN, Convenor, Designing Hong Kong Harbour District and Principal, The Experience Group, Limited)

22. Members noted the submission dated 20 December 2005 from 城市規劃關注組(籌備委員會) which was tabled at the meeting.

(Post-meeting note: The above paper tabled at the meeting was subsequently issued to members vide LC Paper No. CB(1)591/05-06 on 21 December 2005.)

23. The Deputy Secretary for Housing, Planning and Lands (Planning and Lands) 1 (DS/HPL(P&L)1) informed members that based on the comments and proposals received in the Stage 1 Public Participation exercise, three Outline

Concept Plans (OCPs) had been prepared for public discussion in Stage 2 Public Participation exercise. The three OCPs adopted a “no reclamation” scenario as a starting point and provided diversified land uses for a balanced mode of development. The OCPs only provided a basis for public discussion and were not development options to choose from. The views collected at the Stage 2 Public Participation exercise would be taken into account in the formulation of a preliminary outline development plan (PODP). The PODP would be promulgated by mid-2006 for further discussion by the public.

24. Ms Iris TAM, Managing Director of City Planning Consultants Ltd. then gave a PowerPoint presentation to brief members on “Kai Tak Planning Review – Outline Concept Plans for Stage 2 Public Participation”.

(Post-meeting note: The presentation notes tabled at the meeting were subsequently issued to members vide LC Paper No. CB(1)591/05-06 on 21 December 2005.)

25. At the Chairman’s invitation, Dr CHAN Wai-kwan, Chairman of the Sub-committee on South East Kowloon Development Review of the Harbour-front Enhancement Committee pointed out that the Sub-committee currently did not have a stance on the three OCPs. The Sub-committee’s aim was to facilitate public participation in the consultation process. Members of the Sub-committee had diverse views and concerns on the three OCPs and were not entirely convinced with the Administration’s response to members’ concerns. Nevertheless, in order to encourage public participation, the Sub-committee agreed to the Administration’s promulgation of the three OCPs. The Sub-committee had expressed the following major concerns –

- (a) the Administration should provide detailed information on the cost of the mitigation measures required to tackle the environmental problems at the Kai Tak Approach Channel (KTAC) but the Administration had not provided any substantive information in this regard;
- (b) the Sub-committee had queried the need for and suitability of locating the depot of the Shatin to Central Link at Kai Tak;
- (c) the Sub-committee was concerned with the development of the adjoining areas when developing Kai Tak and had emphasized the need of maintaining social connections and ensuring good urban design interface in addition to ensuring good transport connection and pedestrian circulation between Kai Tak and the adjoining areas.
- (d) the Sub-committee had questioned the rationale of including the major facilities such as the multi-purpose stadium and the cruise

terminal in all three OCPs and it had suggested that some innovative ideas could be included to achieve a vibrant waterfront at Kai Tak.

Special meeting of the Panel to receive public views

26. Pointing out that the area of the Kai Tak site was even larger than that of the West Kowloon site, Miss CHAN Yuen-han commented that the Panel should hold a meeting with deputations to listen to the views of the public. The Chairman advised that the Panel had already agreed that a meeting with deputations on Kai Tak Planning Review would be held and the exact timing would be decided in due course.

Discussion

Consultation and planning

27. Dr KWOK Ka-ki doubted whether residents of East Kowloon had had sufficient detailed discussion with the Administration on the planning of Kai Tak. In reply, the District Planning Officer/Kowloon of the Planning Department (DPO/PD) clarified that during the different stages of the public consultation, various channels had been used to reach out to the local communities. District forums had been convened in Kowloon City, Wong Tai Sin and Kwun Tong; the relevant District Councils had been consulted; and discussions and meetings had been held with local organizations on various development proposals.

28. Mr WONG Yung-kan commented that the planning for Kai Tak had been discussed for a long time but a decision had yet to be made. The Administration should adopt a systematic and holistic approach in planning. He was worried that the Kai Tak site would continue to be left vacant if it took a few more years before completing the whole consultation process. He was worried about the need for reclamation and hoped that there would not be any further reclamation. He further commented that there should be holistic planning of various waterfront areas instead of planning Kai Tak in isolation. He pointed out that Shenzhen had clear town planning whereas Hong Kong's town planning was unsystematic and piecemeal.

29. Mr Alan LEONG enquired how the Administration would steer the consultation process and its contemplated methodology for handling the diverse views received and whether TPB would make the final recommendation after completing the public consultation. He queried how TPB would handle the situation if the views of the public differed from those of the Administration and whether TPB would delineate the underlying reasons when giving its recommendations. He also expressed concern on how the Administration would reconcile the differences if the recommendation put forward by TPB deviated from the aspirations of the public. He also asked whether the Administration had any stance on the future development of Kai Tak.

30. In reply, DS/HPL(P&L)1 said that the planning for Kai Tak had adopted a “zero reclamation” scenario as a starting point. The consultation process was a continuous process. The three OCPs had been prepared based on the comments and proposals received in the Stage 1 Public Participation exercise. The Stage 2 Public Participation Programme had been devised to encourage public deliberation on the OCPs. The comments and proposals received during the Stage 2 Public Participation Programme would be taken into account in the formulation of the PODP in the next stage of the Kai Tak Planning Review. Upon completion in mid-2006, the PODP would be promulgated for further discussion in the community prior to amending the OZPs under the statutory planning process.

31. DPO/PD added that the Harbour-front Enhancement Committee had provided advice and comments in conducting the present public consultation exercise which was different from the traditional ones. The consultation process had put great emphasis on public engagement since the early stages. Views collected had helped formulate the three OCPs for further consultation. The next stage of the consultation process would adopt a similar approach. It was hoped that a general consensus could be reached and the public’s views would have been fully reflected by the time TPB considered the proposed amendments to be made to the OZPs.

32. Mr Albert CHAN considered that the current planning as revealed in the three OCPs was not in the interests of the overall and long-term development of Hong Kong. The OCPs did not reveal any planning focus or vision based on the long-term development needs of Hong Kong. The current planning was disorganized and appeared to be a haphazard juggling of facilities only. There was no re-adjustment of land uses to revive the urban areas through utilization of the Kai Tak site. He was extremely dissatisfied with the current planning, on which he had spent a lot of efforts on giving views on various issues. He criticized that in developing West Kowloon, interests were delivered to a consortium; whereas for Kai Tak, planning decisions were based on political considerations. He considered that if the Sub-committee could freely formulate a plan for Kai Tak from the perspective of the public, the Sub-committee would come up with different ideas.

33. Miss CHOY So-yuk was worried that the proposed developments at Kai Tak would lack Hong Kong characteristics and future shops found in the area would be similar to those in the arcades commonly found elsewhere. She suggested developing a walking town where there would be roadside shops similar to those found in Wan Chai and Mong Kok. She considered that the planning of Kai Tak should be holistic, otherwise Kai Tak might become a sterile town.

34. Miss CHAN Yuen-han pointed out that the old Kai Tak runway would not have been kept if not for the strong demand from the public for preserving it as a heritage. She criticized that many previously excised proposed developments such as the multi-purpose stadium and highway networks had been re-instated in the current OCPs. She was worried that the highway networks in the current OCPs

would prevent Kai Tak from blending in with the adjoining areas and suggested that those highways should be submerged. She was also worried that the new developments at Kai Tak would affect air circulation at To Kwa Wan. She commented that certain preconceived policies of the Administration had restrained the professionals in their contribution towards the planning for Kai Tak. She emphasized that the Administration should genuinely listen to the views of the community.

35. DS/HPL(P&L)1 clarified that the Administration had been continuously conducting public consultation through a multi-stage consultation process. The public had ample opportunities to voice out their concerns at different stages of the public consultation.

36. Dr CHAN Wai-kwan pointed out that in planning Kai Tak, the Sub-committee hoped that the planning would attract people to the area, make the area and the waterfront enjoyable by the public, enable the public to experience the heritage of Kai Tak and the development would be sustainable. In proposing facilities at the Kai Tak site, three principles should be upheld. Firstly, there should be a channel for full public participation. The multi-stage consultation process was dedicated to this purpose. Secondly, there should be an element of professional insistence in respect of planning principles and standards. Thirdly, there should be clear policy directions from the Administration with regard to the necessary facilities to be provided at Kai Tak. The current planning of Kai Tak was indeed subject to certain Government policies in areas such as tourism, sports and culture, which the planners could not control and steer. The planners could only trust that the policies would become more and more mature after thorough discussion. The Administration should provide a more detailed explanation of such policies in planning Kai Tak so as to enhance the public's understanding of the proposals.

Kai Tak Approach Channel

37. Pointing out that it was already some seven years after the airport had been relocated, Ir Dr Raymond HO queried why a decision on how to handle the pollution problem at KTAC was still not available after so many studies had been conducted. He enquired whether decking over KTAC would be a possible solution.

38. The Chief Engineer/Kowloon of the Civil Engineering and Development Department (Ch Eng/CEDD) explained that KTAC was proposed to be reclaimed under the current OZP in order to tackle the pollution problem. The previous studies were based on a reclamation scenario in exploring solutions. Arising from the judgment of the Court of Final Appeal regarding harbour reclamation in January 2004, the Kai Tak Planning Review had adopted a "no reclamation" scenario as a starting point. More detailed studies would be required in identifying the most appropriate method for resolving the pollution problem of KTAC and any reclamation, if required, had to satisfy the "Overriding Public Need" test. As

regards the suggestion of decking over KTAC, he said that the Administration had sought legal advice on the issue and was given to understand that the decking over option would amount to harbour reclamation.

39. While welcoming the proposal of not reclaiming KTAC, Miss CHOY So-yuk asked if details on the estimated cost for solving the pollution problems could be provided. In reply, Ch Eng/CEDD explained that a statutory environmental impact assessment (EIA) would be required in formulating measures to treat the sediments at KTAC and assessing the effectiveness of the mitigation measures. A more accurate estimate for the cost of the mitigation measures would be available after the EIA had been completed.

Waterfront and water-based activities

40. Miss CHAN Yuen-han commented that a vibrant waterfront perspective should be included in planning Kai Tak. Dr KWOK Ka-ki opined that the Kai Tak waterfront would be ideal for organizing water sports and for the public to learn water sports. The old runway should be used for developing a water sports centre instead of developing properties.

41. DPO/PD said that the vibrant waterfront perspective had been considered during the Kai Tak Planning Review. There were two issues that needed attention. The first issue was related to the water quality at KTAC. Some organizations, especially sports organizations, had suggested that KTAC was a good location for water sports such as rowing. However, the water pollution problem had to be resolved first before the suggestion could materialize. The second issue was related to compatibility and safety. There were suggestions for using the typhoon shelter area for yacht anchorage in order to introduce more water-based activities, but some organizations such as marine transport operators and yacht associations expressed reservations on these suggestions because the typhoon shelter area was mainly used by barges at present and providing a yacht anchorage thereat might not be appropriate in terms of compatibility and safety. Nevertheless, the possibility of introducing water-based activities at Kai Tak would continue to be considered.

42. Mr WONG Yung-kan cautioned that safety concerns had to be considered and resolved if the Kai Tak waterfront was to be used for water sports because the traffic in the harbour was very busy. DPO/PD thanked Mr WONG's advice on the safety implications and possible effects on harbour operation if water sports were to be conducted at the Kai Tak waterfront. The advice would be taken into account when the Administration considered whether and which kinds of water sports would be suitable to be conducted at Kai Tak.

Multi-purpose stadium

43. Dr KWOK Ka-ki queried the need for building the proposed main stadium with 45 000 seats and expressed reservations on its utilization rate. Pointing out

that many schools and communities lacked sports facilities and sports training classes organized by the Leisure and Cultural Services Departments (LCSD) were often over-subscribed, he said that building a large stadium and then claiming Hong Kong to be a sports metropolis was to put the cart before the horse. He stated that what he objected to was not the proposed secondary stadium (with 5 000 seats) and multi-sports arena (with 4 000 seats, swimming facilities and ball courts), but the proposed main stadium.

44. The Principal Assistant Secretary for Home Affairs (Recreation and Sport) (PAS for HA (R&S)) pointed out that the need for sports facilities had been on the rise and LCSD had been opening up its sports facilities for use by schools free of charge during certain time slots with a view to meeting the high demand and making the fullest use of those sports facilities. This was in line with the Administration's policy of popularization of sports. The development of Kai Tak provided a good opportunity for building a multi-purpose stadium which would help meet the demand for sports facilities, promote sports popularization and also strengthen Hong Kong's position as a major event city in the region. The stadium complex comprised not only a 45 000-seat main stadium, but also a 5 000-seat secondary stadium and a 4 000-seat multi-sports arena. These sports facilities would cater for the daily use of the public in order to facilitate and support the public's ongoing participation in sports activities. Besides, these sports facilities and other ancillary support facilities would be able to attract people to the vicinity on a regular basis, thereby ensuring the vibrancy of the vicinity even on non-event days. The main stadium would be an ideal venue for organizing major sports as well as non-sports events. In addition to sports activities, other kinds of non-sports major events could also be held at the multi-purpose stadium due to its flexible design and configuration.

45. Mr WONG Yung-kan pointed out that the Hong Kong Coliseum and the adjoining areas lacked vibrancy when no events were being held and he was worried that building a multi-purpose stadium at Kai Tak would have the same outcome. Whether providing a cruise terminal at Kai Tak might help improve the situation would remain to be seen. He asked whether the Administration had considered alternative locations in the New Territories for building the multi-purpose stadium.

46. In reply, PAS for HA (R&S) explained that many possible sites including the New Territories, Lantau, West Kowloon and Tseung Kwan O had been considered for the multi-purpose stadium. Making reference to overseas experience, he said that the key factor for a successful stadium was accessibility, i.e. adequate transport infrastructure so that people could have convenient access to the facilities. Unlike theme parks where people would likely spend a whole day there, people had low propensity to go to a stadium for sports activities lasting for one to two hours if the location was too distant or not easily accessible. Accessibility would determine the patronage rate of the facilities. Kai Tak would be well served by trunk roads and the Shatin to Central Link and therefore it was an

appropriate site for the proposed multi-purpose stadium. The secondary stadium, the multi-sports arena and the ancillary support facilities in the area such as arcades, catering facilities and cinemas would attract people to the area on a regular basis and turn the area into a vibrant entertainment centre. Successful overseas sports centres were developed along this direction.

47. Pointing out that no other place would put a 45 000-seat stadium at the town centre, Mr Albert CHAN queried the proposal of building a multi-purpose stadium at Kai Tak. He cautioned that any unrest arising from a certain event staged in such a stadium might affect not only Kai Tak, but the whole of Kowloon and Hong Kong. Miss CHOY So-yuk did not subscribe to the Administration's claim that the proposed multi-purpose stadium would bring vibrancy to the area. While agreeing that more sports facilities would be needed, she commented that several smaller stadiums would be better than a large one. Miss CHAN Yuen-han shared the same view. Miss CHOY suggested that the planning of the multi-purpose stadium should be critically reviewed and asked whether the main stadium could be provided elsewhere.

48. PAS for HA (R&S) pointed out that in order to ensure effective and viable operation as well as the long-term sustainability of the stadium, and to attract regular community patronage during non-event days, a secondary stadium, a multi-sports arena and certain ancillary support facilities would also be developed to create a self-contained stadium complex. The multi-sports arena would provide sports facilities for daily patronage by the public. The secondary stadium could be used for inter-school competitions and other kinds of regional and local sports events. These facilities would attract people to the area on a regular basis. There was a need for a new multi-purpose stadium in Hong Kong to remedy the constraints and limitations of the existing Hong Kong Stadium. He further explained that according to international requirements for major sports events, a secondary stadium for athletes to warm-up had to be provided together with the main stadium if Hong Kong was to play host to international athletic events. The two stadiums could not be located at separate locations.

49. In response to Miss CHAN Yuen-han's concern on noise pollution arising from organizing events at the multi-purpose stadium, PAS for HA (R&S) pointed out that there would be a retractable roof to reduce the noise impact of the events staged at the stadium on adjoining areas.

50. Mr Timothy FOK said that the sports sector supported the building of the multi-purpose stadium and the proposal was in line with the Administration's sports policy. The proposal was more than the provision of sports facilities; it was town redevelopment. He pointed out that the actual area occupied by the multi-purpose stadium was only seven to eight ha and there were many supporting facilities nearby. Overseas experience revealed that bringing in commercial elements in the vicinity of sports facilities would add vibrancy to the area. The Administration should highlight the integral nature of the planning when

presenting the proposal to the public so as to allow them to fully appreciate the underlying planning intention.

51. PAS for HA (R&S) provided further information about the proposal. He advised that the entire stadium complex, which required a site area of not more than 24 ha, comprised the main stadium (about 5 ha), a secondary stadium (about 2 ha) and a multi-sports arena (about 2.5 ha). The remaining area would mainly be used for ancillary developments, open space, parking, and circulation. He explained that about half of the planned 24 ha of land would be mainly open space for effective and safe crowd dispersal purposes. During non-event days, the open space would provide a pleasant and environmentally-friendly place for use by the general public.

Cruise terminal

52. On the location of the proposed cruise terminal, Miss CHAN Yuen-han queried the rationale of providing the cruise terminal at Kai Tak. Miss CHOY So-yuk commented that there were some other possible locations for the cruise terminal such as North Point and Hung Hom. Dr KWOK Ka-ki commented that the cruise terminal would be used by wealthy people only rather than by the public at large.

53. The Assistant Commissioner for Tourism (2) of the Tourism Commission (AC for Tourism (2)) explained that for Hong Kong to become a regional cruise hub, in addition to Ocean Terminal, Hong Kong would need to develop an additional cruise berth as soon as possible and one to two additional berths in the longer term to cater for the growth of the cruise industry. Some overseas cities such as Miami had as many as four to five berths. The location at the end of the runway of the former Kai Tak Airport would be the ideal location for development of new cruise terminal facilities, with its central location within the Victoria Harbour and technical feasibility, and as the only site within the Victoria Harbour that could offer expansion capability to meet Hong Kong's long term needs without the need for reclamation. It was the only site in the Victoria Harbour which was capable of providing more than one berth. Therefore, provision for future expansion should be accommodated in the planning process to allow Hong Kong to develop into a cruise hub in the long run. The Expression of Interest exercise currently undertaken to gauge market feedback on whether there were suitable and feasible locations other than Kai Tak was for the development of a new cruise terminal with one berth only, and could not fully meet the long term needs.

Space for enjoyment of the public

54. Dr KWOK Ka-ki expressed dissatisfaction with the three OCPs and said that he could not accept that such a prime site was used for a substantive amount of property development. He considered that the proposed luxury low density buildings on the old runway would be for wealthy people only and not for the

public at large. The planning of Kai Tak should be “people-oriented” and the place should be for enjoyment of the public. Expressing a similar view, Miss CHAN Yuen-han commented that instead of building luxury flats on the old runway, more space should be left to the public. In reply, DS/HPL(P&L)1 pointed out that the three OCPs had included the provision of many parks and open space for enjoyment of the public. DPO/PD supplemented that in all the three OCPs, there was a metro park, a waterfront promenade and other district and local open spaces, totalling more than 100 ha out of a total area of 328 ha of the Kai Tak site.

Transport infrastructure

55. Dr KWOK Ka-ki sought clarification on whether the construction of Trunk Road T2 would require reclamation. He queried the need for constructing the Shatin to Central Link depot at Kai Tak, pointing out that past experience had shown that depots had little greening measures and could not be utilized by the public. In reply, DS/HPL(P&L)1 clarified that Trunk Road T2 could be built in the form of a submerged tunnel to avoid reclamation. Ch Eng/CEDD supplemented that a preliminary engineering assessment had been conducted which showed that constructing Trunk Road T2 in the form of a tunnel was feasible.

Target population

56. Ir Dr Raymond HO asked whether the Administration had indicated any target population to the consultant in conducting the Kai Tak Planning Review because the target population was an important element in planning. In reply, DPO/PD explained that the target population in 1998 was some 300 000 and it was changed to some 240 000 to 260 000 in 2001. Those figures were planned based on a high demand for housing at that time. The current Kai Tak Planning Review started in July 2004 when population growth had already slowed down and the demand for housing was not so pressing. The review had adopted a bottom-up approach in determining the respective target populations in the three OCPs, i.e. the target populations were estimated having regard to the fact that a “no reclamation” scenario had been adopted as a starting point, thus reducing available land, and the respective planning visions and concepts under the three OCPs.

VI Any other business

57. There being no other business, the meeting ended at 4:55 pm.