

立法會
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**Panel on Economic Services and
Panel on Planning, Lands and Works**

**Minutes of joint meeting held on
Monday, 24 October 2005, at 10:45 am
in the Chamber of the Legislative Council Building**

Members present : Members of the Panel on Economic Services

- * Hon James TIEN Pei-chun, GBS, JP (Chairman)
- Hon Jeffrey LAM Kin-fung, SBS, JP (Deputy Chairman)
- * Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
- Dr Hon LUI Ming-wah, SBS, JP
- Hon SIN Chung-kai, JP
- Hon Howard YOUNG, SBS, JP
- Hon LAU Chin-shek, JP
- Hon Miriam LAU Kin-yee, GBS, JP
- Hon Vincent FANG Kang, JP
- Hon Andrew LEUNG Kwan-yuen, SBS, JP
- Hon WONG Ting-kwong, BBS
- Hon Ronny TONG Ka-wah, SC
- Hon CHIM Pui-chung
- Hon TAM Heung-man

Members of the Panel on Planning, Lands and Works

Hon James TO Kun-sun
Hon CHOY So-yuk, JP
Hon LEE Wing-tat
Hon Daniel LAM Wai-keung, BBS, JP
Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki

(* Also members of the Panel on Planning, Lands and Works)

Members absent : Members of the Panel on Economic Services

Dr Hon David LI Kwok-po, GBS, JP
Hon Fred LI Wah-ming, JP
Hon CHAN Kam-lam, SBS, JP
* Hon Abraham SHEK Lai-him, JP
Hon Albert Jinghan CHENG
Hon KWONG Chi-kin

Members of the Panel on Planning, Lands and Works

Hon LAU Wong-fat, GBM, GBS, JP (Chairman)
Hon Patrick LAU Sau-shing, SBS, JP (Deputy Chairman)
Hon Albert HO Chun-yan
Hon WONG Yung-kan, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Albert CHAN Wai-yip
Hon LI Kwok-ying, MH
Hon CHEUNG Hok-ming, SBS, JP

(* Also members of the Panel on Planning, Lands and Works)

Public Officers attending : Ms Sandra LEE
Permanent Secretary for Economic Development and Labour
(Economic Development)

Mr Wilson FUNG
Deputy Secretary for Economic Development and Labour
(Economic Development)

Mr LEUNG Yu-keung
Deputy Director-General of Civil Aviation

Ms Manda CHAN
Principal Assistant Secretary for Security

Captain West WU
Senior Pilot
Government Flying Services

Ms Christine TSE
Acting District Planning Officer (Hong Kong)
Planning Department

Mr LAM Sing-kwok
Chief Engineer/Hong Kong (2)
Civil Engineering and Development Department

**Attendance by
invitation**

: The Hong Kong Regional Heliport Working Group

Sir Michael D KADOORIE
Member

Mrs Sandra MAK
Member

Mr David C TONG
Member

Central and Western District Council

Ms CHENG Lai-king
Chairlady of Food, Environmental Hygiene and Works
Committee

Mr YUEN Bun-keung
Member

Hong Kong Express Airways Ltd.

Mr Philip CHENG
Business Manager, Helicopter Division

Mr K C CHUI
Base Operations Director, Helicopter Division

Islands District Council

Ms LEE Kwai-chun
Chairperson, Community Affairs, Culture & Recreation
Committee

Wan Chai District Council

Dr TSE Wing-ling, John
Vice-Chairman

Mr CHENG Ki-kin
Member

Clerk in attendance : Mr Andy LAU
Chief Council Secretary (1)2

Staff in attendance : Ms Debbie YAU
Senior Council Secretary (1)1

Miss Winnie CHENG
Legislative Assistant (1)5

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I Election of Chairman

Mr James TIEN was elected Chairman of the meeting.

II Proposed domestic heliport development

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| (LC Paper No. CB(1)84/05-06(01) | - Information paper provided by the Administration |
| LC Paper No. CB(1)2099/04-05(01) | - Information paper provided by the Administration |
| LC Paper No. CB(1)2242/04-05 | - Minutes of joint Panel meeting on 25 July 2005) |

Briefing by the Administration

2. At the invitation of the Chairman, the Permanent Secretary for Economic Development and Labour (Economic Development) (PS/ED) reported the outcome of further public consultation held after the joint-Panel meeting on 25 July 2005 as detailed in paragraphs 5 to 9 of the Administration's paper (LC Paper No CB(1)84/05-06(01)). PS/ED said that the Administration had revisited the design of the Government heliport at Hong Kong Convention and Exhibition Centre (HKCEC) to allow shared use by commercial heliport operators and the Government. The facilities were only confined to domestic helicopter service. Separate plan had been made to expand the cross-boundary heliport at Macau Ferry Terminal (MFT) to cater for the growth in cross-boundary service. On the way forward, PS/ED said that the Administration would proceed to conduct a technical feasibility study and detailed design on the proposed Government heliport at HKCEC, which was estimated to cost around \$4.5 million. The study should be completed by the end of 2006. Meanwhile, the Administration would keep in view the public engagement programme under Harbour-front Enhancement Committee's Harbour-front Enhancement Review project, which was scheduled to complete in mid-2006.

3. PS/ED further said that the Administration had received three days ago a new proposal from the Hong Kong Regional Heliport Working Group (HKRHWG). According to HKRHWG, the proposed offshore deck would not require reclamation. It could be built as a set of floating pontoons. However, as the detailed design was not available, the Administration had yet to examine the technical feasibility of the proposal in terms of aviation safety, engineering, reclamation requirements as well as environmental implications.

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Presentation by deputations

4. The Chairman welcomed deputations to the meeting. He suggested and members agreed that each deputation would be given five minutes for their oral presentation. He then invited the deputations to present their views on the proposed development of a domestic heliport in Hong Kong.

*The Hong Kong Regional Heliport Working Group (HKRHWG)
(LC Paper No. CB(1)84/05-06(02))*

5. With the aid of PowerPoint, Mr Michael D KADOORIE, member of HKRHWG gave a presentation on the proposal for a new four-pad heliport at the HKCEC. He highlighted the deficiencies in the Government's proposal which could not satisfy the demand for regional helicopter services and stressed that a replacement heliport at HKCEC with multiple pads suited to cross boundary single-engine operation was an essential component of a multi-modal transportation infrastructure linking Hong Kong to its hinterland in the Pearl River Delta (PRD). The proposed offshore deck which could be built either as piled structure or as a set of floating pontoons would not require reclamation. It was also in full compliance with the provisions of the Protection of the Harbour Ordinance (Cap. 531). Further, a decommissioning plan for piers or pontoons which were not permanent structure was also proposed. Helicopter noise at the proposed site was generally no greater than urban ambient noise and the facilities could be planned as a sustainable integral part of an existing harbour-front amenity area. Mr KADOORIE also shared with members the feedback on HKRHWG's participation in the public engagement process which was essentially positive.

(Post-meeting note: The presentation material provided by HKRHWG tabled at the meeting was subsequently issued to members on 25 October 2005 vide LC Paper No. CB(1)139/05-06(01))

Central and Western District Council (C&WDC)

6. Ms CHENG Lai-king, Chairlady of Food, Environmental Hygiene and Works Committee of the C&WDC recapped the strong objection of C&WDC against the proposed development of a heliport in Sheung Wan. C&WDC was of the view that the waterfront should best be reserved for public use. As regards the proposed development of a Government helipad at HKCEC to accommodate both Government and commercial uses, Ms CHENG said that they would respect the views of Wan Chai District Council.

Hong Kong Express Airways Limited

7. Mr K C CHUI, Base Operators Director, Helicopter Division of the Hong Kong Express Airways Limited declared that the company was not a member of the HKRHWG and it did not agree to the proposal of HKRHWG to use the heliport facilities at HKCEC also for cross-boundary services.

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Islands District Council (IsDC)

8. Ms LEE Kwai-chun, Chairperson of Community Affairs, Culture and Recreation Committee of IsDC expressed the unanimous and strong view of IsDC that the provision of emergency helicopter services by Government Flying Service (GFS) should not be adversely affected by the proposed development at HKCEC.

Wan Chai District Council (WCDC)

9. On behalf of his constituency, Mr CHENG Ki-kin, member of WCDC said that the interim heliport in Wan Chai should only be confined to emergency use. Likewise, taking into account the noise impacts on near-by residents, the proposed Government helipad at HKCEC should not be open to commercial use. Mr CHENG also cast doubt on the reliability of the noise impact assessment study commissioned by HKRHWG. As far as he understood, the management offices of both Causeway Centre and Elizabeth House (i.e. locations M1 and M2 in Appendix 1 to HKRHWG's submission (LC Paper No CB(1)84/05-06(02)) had not received any invitation relating to the measurement of noise levels at the concerned buildings.

10. In reply to the Chairman's enquiry about WCDC's position on the Administration's proposal, Dr John TSE Wing-ling, Vice-Chairman of WCDC remarked that whilst raising no objection to the proposed Government helipad for the use of GFS at the HKCEC site, WCDC strongly objected to any commercial operation at that site. He further said that WCDC would not support any development scheme that would require harbour reclamation. Dr TSE recapped his views expressed at a previous joint-Panel meeting that instead of deploying single-engine helicopters which could only be operated at surface-level heliports, commercial operators might resort to twin-engine helicopters which could use roof-tops of commercial buildings in CBD as helipads to provide services. He saw no reason why the community had to bear the adverse impacts associated with the development of a surface-level heliport while there was an alternative.

Discussion with deputations and the Administration

Possible sites for a permanent domestic heliport

11. Ms Miriam LAU supported the Government's proposal to develop a permanent domestic heliport to promote tourism and facilitate local development. Given that individual DCs had objected to the proposal for developing a permanent domestic heliport in their respective districts, Ms LAU invited DC members to suggest alternative sites for the Panel's consideration. Noting that the main concern of DCs against the development of a heliport was its associated noise problem, Ms LAU reminded the Administration to devise appropriate noise mitigation measures when undertaking the technical feasibility study.

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12. The Deputy Secretary for Economic Development and Labour (Economic Development) (DS/ED) highlighted that as in other infrastructural projects, the Administration would assess the environmental implications of the project. Subject to the findings of the study, noise mitigation measures would be recommended and incorporated in the final design.

13. On alternative sites, Dr John TSE of WCDC reiterated that WCDC was prepared to give its continual support for GFS using the interim Government heliport in Wanchai or the proposed heliport at HKCEC to provide emergency services. He stressed that it was not the intention of WCDC to put forward the proposal of developing a permanent domestic heliport before another DC. While he was not in a position to comment on the suitability or otherwise of a particular site, Dr TSE considered that Southeast Kowloon (SEK) could be an alternative site for the development of a permanent domestic heliport.

14. Ms CHENG Lai-king of C&WDC referred to the information on the site search for a permanent domestic heliport along the waterfront on Hong Kong Island from Sheung Wan to Central Reclamation Phase III (CRIII) (Annex A to LC Paper No CB(1)2099/04-05(01)). She pointed out that as shown in the table, a total of 19 sites had been identified and reviewed but none had been found suitable. Ms CHENG then shared with members the noise problem caused by helicopter operation at MFT) particularly at night time.

15. Mr Ronny TONG considered the Tamar Site a viable option and requested the Administration to consider providing a permanent domestic heliport there when developing the site into a new Government Headquarters.

16. DS/ED replied that the Administration had conducted repeated rounds of site searches to identify a suitable site for a domestic heliport in CBD. The Administration came to the conclusion that other than the site in front of the Western Park Sports Centre in Sheung Wan identified earlier, no other suitable sites within the CBD could be identified. He explained that it was essential that the site must be located at surface-level along the waterfront with unobstructed flight path in order to satisfy the safety requirements for single-engine helicopters. PS/ED added that helicopter services might need to be suspended under adverse weather conditions. As such, it would be more cost-effective if heliport facilities for cross-boundary services could be located next to ferry piers so as to facilitate helicopter passengers to switch to waterborne transport for their onward journeys, if necessary.

17. DS/ED further briefed members on the results of the comprehensive review of all available Government sites along the harbour-front stretching from Sheung Wan in the west to the eastern end of the CRIII. A total of 19 sites including Tamar Site had been identified and reviewed but none had been found suitable either because they were occupied by irreplaceable existing uses or had been earmarked for essential future uses; or they failed to meet the safety-related requirements. Specifically, the Tamar Site was not on the waterfront and could not meet the safety standard of unobstructed flight paths for single-engine helicopters. Moreover, the Tamar Site

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was adjacent to the site which had been zoned for “Open Space” after extensive public consultation and was intended for the development of a waterfront promenade. Provision of helipad facilities in the vicinity would break the continuity of the waterfront promenade.

Floating pontoons and reclamation

18. Ir Dr Raymond HO recapped his grave concern about the remark made by DS/ED at the previous joint-Panel meeting that the use of floating pontoons or pilings under the HKRHWG’s proposal might be regarded as reclamation. He pointed out that pontoons could be towed away, just like those commonly used in beaches of Hong Kong which could be towed away too, while pilings had been erected from sea bed to support piers or road infrastructure such as the Island Eastern Corridor; whereas reclamations were carried out by filling soil onto the seabed up to the water surface and were unremovable. Pontoons and pilings had never been regarded as reclamation works. Ir Dr HO requested the Administration to exercise due care when interpreting important engineering concepts as such.

19. DS/ED referred to his clarification made at the previous meeting in which he had said that the Administration would require more technical details of the HKRHWG’s proposal for proper assessment before it could come to a view on whether it would result in part of the harbour being lost. He had also mentioned that the use of pilings or pontoons under the proposal might be subject to legal challenge under the Protection of the Harbour Ordinance. He further explained that whether a certain piece of infrastructure would be regarded as reclamation under the law could not be determined by the Government on its own. Ultimately, it would be a matter for the court to decide whether any proposal would involve reclamation. Regarding the proposed offshore deck by means of floating pontoon as suggested by HKRHWG, DS/ED also informed members that the initial view of the Civil Aviation Department was that a floating pontoon tied to the seabed by means of chains would be unsafe for helicopter operation.

20. Ir Dr Raymond HO requested the Administration to seek legal opinion on whether the proposed offshore deck by HKRHWG would be regarded as reclamation under the Protection of the Harbour Ordinance. Mr SIN Chung-kai supported his request as this could serve as a good reference for members’ consideration.

21. While the Administration was pleased to seek legal view, PS/ED said that the Administration would need to ascertain the details of the latest proposal from HKRHWG first before it could proceed. DS/ED added that the Administration would also need to assess whether there was a need to expand the helipad at HKCEC to the proposed scale as suggested by HKRHWG, given that there was already a plan to provide additional helipads at MFT.

Licensing framework for helicopter services in Hong Kong

22. Mr CHIM Pui-chung expressed his support for the development of helicopter

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services in Hong Kong. He was concerned about the licensing framework for the services and whether the Administration would issue licences to new operators.

23. DS/ED advised that helicopters registered in Hong Kong might not fly for the purpose of public transport unless the operator held an Air Operator's Certificate (AOC). In granting an AOC, the Director-General of Civil Aviation would take into consideration the applicant's previous conduct and experience, his equipment, organization, staffing, maintenance and other arrangements. PS/ED supplemented that to enhance competition, the Administration welcomed eligible operators to join the market in providing helicopter services.

Single-engine helicopters versus twin-engine helicopters

24. In reply to Mr CHIM Pui-chung's question on the number of commercial helicopter operators in Hong Kong and their respective fleet type, DS/ED said that currently, there were two commercial helicopter operators in Hong Kong. Hong Kong Express Airways Ltd and its associate operated five twin-engine helicopters for passenger charters between Hong Kong and Macau at MFT, and 2 single-engine helicopters which used the temporary helipad at West Kowloon for local passenger charters and aerial works. Heliservices (Hong Kong) Limited operated one twin-engine helicopter for private passenger flights which used roof-top of the Kowloon Peninsular Hotel for landing/taking-off, and four single-engine helicopters based in the New Territories for air lifting and other aerial works.

25. Mr Howard YOUNG enquired whether the levels of noise generated by single-engine helicopters were lower than that of twin-engine helicopters. In reply, the Deputy Director-General of Civil Aviation (DDG/CA) clarified that the noise level generated by a helicopter would hinge on its size rather than its engine type. For example, the noise level generated by a twin-engine Sikorsky S76 helicopter was 91.2 dB(A) which was less than that of a single-engine Eurocopter AS350B3 which had a noise level of 91.4 dB(A). The noise level generated by a GFS helicopter was much higher due to its body size.

26. Echoing the views of Dr TSE Wing-ling of WCDC about the choice of appropriate helicopters for operation in Hong Kong, Mr SIN Chung-kai said that apart from cost consideration, commercial operators should consider the merits of deploying twin-engine helicopters for operation as they could make use of roof-tops of commercial buildings in CBD for landing and taking off.

27. Mr Michael KADOORIE of HKRHWG pointed out that 80% of private or commercial helicopters used in Hong Kong were single-engine helicopters vis-à-vis 85% worldwide. As the cost of single-engine helicopter was more economical, he expected that the Mainland operators would also deploy single-engine helicopters in developing the services.

28. Mrs Sandra MAK of HKRHWG supplemented that the issue at stake was beyond commercial consideration. She explained that given the global prevalence of

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single-engine helicopters, Hong Kong should strive to provide surface-level helipads to accommodate single-engine helicopter operation. Otherwise, the growth in helicopter traffic between Hong Kong and these places might be affected.

29. Mr SIN Chung-kai did not subscribe to the views expressed by HKRHWG. Despite the global trend, Mr SIN considered that Hong Kong could develop a unique market in providing twin-engine cross-boundary helicopter services within PRD.

30. Mr Michael KADOORIE of HKRHWG pointed out that Hong Kong should adopt international practice in helicopter deployment. Given the scarcity of available land within the CBD, it would be more cost-effective if helipads purposely built for domestic helicopter services could also provide services to cross-boundary commercial flights.

31. Mrs Sandra MAK of HKRHWG said that currently, there was no commercial helicopter operator in the Mainland. However, she envisaged that following the increasing integration of the Pan-PRD region, there would be a rising demand for cross-boundary helicopter services. As it was very likely that the Mainland would follow the international practice and use single-engine helicopters, it was necessary for Hong Kong to provide surface-level helipads to receive these flights.

32. DDG/CA supplemented that according to the safety requirements imposed by the International Civil Aviation Organization, a single-engine helicopter must be allowed to land safely and promptly in case its engine did not perform well. As Hong Kong was densely populated, emergency landing within the CBD was impossible. Therefore, single-engine helicopters must fly along designated flight paths (normally over water along the waterfront) and land at surface-level helipads along the waterfront. DDG/CA also shared with members the pros and cons in deploying single-engine or twin-engine helicopters for cross-boundary flights in Hong Kong.

Cross-boundary helicopter services

33. Mr SIN Chung-kai was concerned about the Administration's plan in meeting the rising demand for cross-boundary helicopter services.

34. PS/ED responded that there was already a plan to expand the existing cross-boundary heliport at MFT to meet the rising demand. The Panel had also been briefed on the details of the proposal on 15 January 2004. PS/ED further advised that the detailed Environment Impact Assessment (EIA) Study for the expansion project had just been completed and the report would soon be released for public consultation as part of the statutory EIA process. It was expected that the expanded heliport could meet the anticipated demand up to 2015. The Administration also proposed to have a heliport at the proposed cruise terminal in the SEK Development.

35. Noting the Administration's plan, Mr Howard YOUNG was worried that the actual demand for cross-boundary helicopter services might exceed the Government's projection as was the case in the Hong Kong International Airport. Mr YOUNG

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urged the Administration to adopt an open attitude in taking forward the proposed development of a Government helipad at HKCEC to accommodate both domestic and cross-boundary commercial services.

36. Highlighting the need for Hong Kong to maintain the status as a centre of international and regional aviation as provided for under Article 128 of the Basic Law, Ir Dr Raymond HO enquired about the progress, if any, of the development of regional aviation services since the signing of the Pan-PRD Regional Cooperation Framework Agreement by the Pan-PRD (“9+2”) governments in June 2004 and the timetable in taking forward the initiative of cross-boundary helicopter services.

37. On cross-boundary helicopter services between Hong Kong and PRD, PS/ED said that the Administration had been actively pursuing the matter with the Mainland authorities for some time. However, apart from the need for PRD to provide helipads at suitable locations, there was also a need to coordinate between the two sides with regard to aviation control and allocation of flight paths etc. Recently, the PRD side had selected Jiangmen as a pilot case to take forward the initiative. The Administration would follow up with the local authority accordingly. On the concern that the planned capacity would not be adequate to absorb the growing demand for cross-boundary helicopter services, PS/ED assured members that besides MFT, the heliport at Chek Lap Kok was also providing cross-boundary helicopter services. Together with the proposed heliport at the proposed cruise terminal in SEK Development, the Administration was confident that the total capacity of these heliports would be sufficient to meet forecast demand for cross-boundary helicopter services up to 2020.

38. Mr Ronny TONG shared members’ views and was concerned about the Government’s policy in promoting cross-boundary commercial helicopters services.

39. PS/ED stressed that there was significant progress in the development of both domestic and commercial helicopter services in the last five years. She explained that the Administration had to consider and strike a balance among different views expressed by various stakeholders. For example, hitherto, it was a stated commitment that the heliport at HKCEC would exclusively be used by the Government. In response to the industry’s request and with the support of Members, the Government now proposed to open the heliport for the use of commercial helicopter services. In reply to Mr Ronny TONG’s further question, DS/ED explained that while the Government was prepared to take on board the suggestion to accommodate both government and commercial uses of the Government helipad at the HKCEC, it could not be used to provide cross-boundary services due to the lack of customs, immigration and quarantine facilities there.

Way forward

40. The Chairman highlighted that members of the two Panels had already considered the proposed development of a permanent domestic heliport at four occasions. He sought members’ position on the Government’s present proposal.

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41. Mr SIN Chung-kai expressed his reservation to the Government's proposal since the WCDC did not agree to open the heliport at HKCEC for commercial use. Echoing his view, Mr Ronny TONG found it difficult to give his support to the proposal too. He considered that the Government should formulate measures which were conducive to the development of helicopter services.

42. Ms Miriam LAU said that on behalf of the Liberal Party, she expressed support for the Government's proposal to conduct a technical feasibility study and detailed design on the Government helipad at HKCEC to accommodate both Government and commercial use. She said that in undertaking the study, the Administration should draw on international experience and come up with appropriate noise mitigation measures to solicit the support of local residents. In this regard, Mr Jeffrey LAM invited DCs to consider and support the Government's proposal from the broader perspective of economic development of Hong Kong.

43. Ms CHOY So-yuk shared similar views with Ms LAU and supported the Administration to proceed to conduct the technical feasibility study.

44. In summary, the Chairman concluded that the joint-Panel had not come up with a unanimous view. In response, PS/ED thanked members' views and input. She pointed out that if the Government's present proposal was not taken forward, there would not be any permanent domestic heliport for commercial services in CBD upon the closure of the existing temporary facility at West Kowloon Reclamation. Nevertheless, the Administration would proceed to undertake the technical feasibility study.

III Any other business

45. There being no other business, the meeting ended at 12:10 pm.