

**立法會**  
**Legislative Council**

LC Paper No. CB(2)557/07-08  
(These minutes have been seen  
by the Administration)

Ref : CB2/PS/2/06

**Panel on Home Affairs**

**Subcommittee on Heritage Conservation**

**Minutes of meeting**  
**held on Thursday, 26 July 2007, at 4:30 pm**  
**in Conference Room A of the Legislative Council Building**

- Members present** : Hon CHOY So-yuk, JP (Chairman)  
Hon James TO Kun-sun  
Hon Timothy FOK Tsun-ting, GBS, JP  
Hon LI Kwok-ying, MH, JP  
Dr Hon Fernando CHEUNG Chiu-hung  
Prof Hon Patrick LAU Sau-shing, SBS, JP  
Hon TAM Heung-man
- Members attending** : Hon Margaret NG  
Hon CHAN Yuen-han, SBS, JP  
Hon Miriam LAU Kin-ye, GBS, JP
- Members absent** : Hon LAU Wong-fat, GBM, GBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon Daniel LAM Wai-keung, SBS, JP  
Hon CHEUNG Hok-ming, SBS, JP
- Public Officers attending** : Development Bureau  
Mrs Carrie LAM, JP  
Secretary for Development

Ms Olivia NIP, JP  
Deputy Secretary for Development (Planning & Lands)2

Food and Health Bureau

Miss Vivian KO  
Principal Assistant Secretary for Food and Health  
(Food)2

Food and Environmental Hygiene Department

Mr LO Fu-wai  
Assistant Director (Operations)1

Leisure and Cultural Services Department

Dr Louis NG  
Assistant Director (Heritage & Museums)

Transport Department

Mr LAU Ka-keung, JP  
Commissioner for Transport (Acting)

Mr Anthony LOO, JP  
Assistant Commissioner for Transport / Urban

Urban Renewal Authority

Mr Billy LAM, SBS, JP  
Managing Director

Mr Michael MA  
Director (Planning & Design)

Mr Eric POON  
General Manager (Standards & Contract Management)

**Attendance by invitation** : Ms LAU Mi-chun

Mr TUNG Wai

Mr LI Yin

Mr YIP Kwong-yin

Mr POON Tak-ying

Ms CHAN Kwai-cheong

Mr LO Kwai-luen

Ms Ada WONG, JP  
Chairman, Wan Chai District Council

Ms Mary Ann KING  
Member, Wan Chai District Council

Mr Steve CHAN  
Member, Wan Chai District Council

Mr NG Yau-kwong

Ms LAW Yuen-yee

Mr SO Kwong

Ms LEE Siu-wai

Mr NG Siu-ho

Mr NG Hon-ying

Ms SO Mei-yuk

Hong Kong Vegetable Food & Grocery Hawkers  
Welfare & Fraternity Association Limited

Mr CHOW Tong  
Chairman

Miss LAM Kit-ying  
Executive Member

Green Sense

Mr SUN Wai-fun  
Volunteer

Designing Hong Kong Harbour District

Mr Paul ZIMMERMAN  
Executive Director

Heritage Watch

Ms Katty LAW

World City Committee

Mr Jason Karl FORSTER  
Project Director

Mr Amil Khan

Community Cultural Concern

Mr Abraham LAI Ka-chun  
Community Organiser

Ms HO Loy

Wanchai Street Market Concern Group

Miss CHAU Pui-sze  
Member

Miss Carmen NG  
Member

Civic Party

Miss Tanya CHAN  
External Vice-Chairperson of  
Hong Kong Island Branch

Concern Group for Hawkers' Rights in Wan Chai's Cross  
Street and Tai Yuen Street

Ms LEUNG Fung-lee  
Convenor

Mr CHENG Kwok-man  
Deputy Convenor

Federation of Hong Kong Kowloon New Territories  
Hawker Associations

Mr LAM Kwei-cheong  
Chairman

Mr CHAN Chak-fai  
Secretary

Conservancy Association

Dr HUNG Wing-tat  
Director

**Clerk in attendance** : Ms Joanne MAK  
Senior Council Secretary (2)2

**Staff in attendance** : Miss Vivien POON  
Council Secretary (2)3

Ms Anna CHEUNG  
Legislative Assistant (2)2

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Action

**I. Further discussion on preservation of the open-air bazaar in Tai Yuen Street and Cross Street**  
[LC Paper Nos. CB(2)2417/06-07(01)-(03)]

The Subcommittee deliberated (index of proceedings attached at **Annex**).

2. The Subcommittee received views from individuals and representatives of deputations attending the meeting. Members noted that the following organisations which did not send representatives to the meeting had provided submissions for members' reference -

- (a) Yook Tong Estates Limited [LC Paper No. CB(2)2545/06-07(09)];
- (b) Wan Chai District Council (WCDC) [LC Paper No. CB(2)2545/06-07(10)]; and
- (c) Hong Kong Institute of Architects [LC Paper No. CB(2)2563/06-07(01)].

Action

3. The Administration explained that it was necessary to relocate the fixed hawker pitches at Tai Yuen Street (South) and Cross Street (East) mainly because the dead-end layout of Tai Yuen Street (South) was not adequate to meet traffic demand generated by new residential and commercial development in the area. According to the traffic assessment of the Transport Department (TD), it was necessary to open up the road sections concerned to allow vehicles entering Tai Yuen Street (South) to exit through a one way traffic system by way of Cross Street (East) and Wai Chai Road instead of reversing or U-turning back to Queen's Road East. If these road sections were not opened for vehicular traffic, the traffic problems could not be resolved and the reversing and U-turning vehicular movements would increase the risk of traffic accident. The Administration considered that the relocation arrangement had balanced the interests of various parties.

4. Members shared the deputations' views that the entire open-air bazaar should be preserved for its special characteristics and high tourism value as well as its importance to the livelihood of hawkers concerned. Members considered that relocating 86 licensed fixed pitch hawkers at Tai Yuen Street (South) and Cross Street (East) as currently proposed by the Administration would substantially affect the customer flow and the business of the bazaar, which was tantamount to wiping the bazaar out of existence.

Admin

5. Members in general did not accept the justifications put forward by TD. They considered that there should be other feasible options of traffic arrangements which would not require the relocation of the fixed hawker pitches at Tai Yuen Street (South) and Cross Street (East). Members requested the Administration to come up with new options on traffic arrangements which would allow the preservation of the entire open-air bazaar.

Admin

6. Members also appreciated the worries of the affected hawkers and stall tenants of Wan Chai Market about the new market's poor design which would render it difficult to attract customers. The Administration was requested to review the design of the New Wan Chai Market with a view to addressing the concerns of the affected hawkers/stall tenants.

7. After discussion, Dr Fernando CHEUNG moved the following motion –

"That this Subcommittee urges the Government to immediately formulate a conservation policy on open-air bazaars before taking any further actions to demolish the bazaar in question, so as to preserve local characteristics and protect local community economy."

The Chairman put the motion to vote. The motion was supported by all members present. The Chairman declared that the motion was carried.

Action

8. The Chairman suggested to the Chairman and two members of WCDC, all of whom attended this meeting in personal capacities, that it would be desirable if WKDC would reconsider the issue of preservation of the entire open-air bazaar taking into account the updated information and current views of stakeholders, and make its stance clear to the Administration to facilitate the Administration's consideration of the way forward for the open-air bazaar.

**II. Any other business**

Date of the next meeting

9. Members agreed that another meeting should be held in late September or early October 2007 to further discuss the preservation of the open-air bazaar in Tai Yuen Street and Cross Street with the Administration.

*(Post-meeting note: at the suggestion of the Administration and with the concurrence of the Chairman, a meeting was scheduled for 13 November 2007 at 4:30 pm for discussion of the preservation of the open-air bazaar in Tai Yuen Street and Cross Street.)*

10. There being no other business, the meeting ended at 6:40 pm.

Council Business Division 2  
Legislative Council Secretariat  
10 December 2007

**Proceedings of the meeting of the  
Subcommittee on Heritage Conservation  
on Thursday, 26 July 2007, at 4:30 pm  
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject	Action required
000000 - 000848	Chairman	Opening remarks	
000849 - 001141	Ms LAU Mi-chun Chairman	Presentation of views - <ul style="list-style-type: none"> <li>- the design of the new Wan Chai Market had created access problems. Only those stalls on the ground floor which were located near entrances could benefit from some customer flow;</li> <li>- the to-be-relocated vegetable/fruit hawkers operating at the existing Wan Chai Market hoped to occupy the less inaccessible ground floor of the new Wan Chai Market, but the Administration did not accede to their requests;</li> <li>- the new Wan Chai Market's overall design did not suit hawkers' needs as they had not been consulted on the design; and</li> <li>- ex-gratia compensation of not less than \$60,000 should be provided to hawkers.</li> </ul>	
001142 - 001229	Mr TUNG Wai Chairman	Mr TUNG's view that the open-air bazaar in Tai Yuen Street and Cross Street was vital to the livelihood of some 100 hawkers and their families.	
001230 - 001708	Mr LI Yin Mr YIP Kwong-yin Chairman	Presentation of views as set out in LC Paper No. CB(2)2545/06-07(01). <ul style="list-style-type: none"> <li>- the open-air bazaar should be retained also for its high tourism value; and</li> <li>- many public markets managed by the Food and Environmental Department (FEHD) were found to have viability problems and why hawkers of the open-air bazaar were still forced to relocate to the new Wan Chai Market.</li> </ul>	

Time marker	Speaker	Subject	Action required
001709 - 001756	Mr POON Tak-ying Chairman	Mr POON's view that the relocation would seriously affect the livelihood of hawkers. It was unreasonable to require them to relocate to make way for property development.	
001757 - 001848	Ms CHAN Kwai-cheong Chairman	Ms CHAN's request for the Administration to consider fully preserving the bazaar, so that hawkers concerned would not be driven out of the area and face the possibility of unemployment.	
001849 - 002111	Mr LO Kwai-luen Chairman	Mr LO's view that it was unrealistic to expect older generations of hawkers at the bazaar to adjust to a completely different environment of the new Wai Chai Market which had a poor design.	
002112 - 002419	Hong Kong Vegetable Food & Grocery Hawkers Welfare & Fraternity Association Limited Chairman	<p>Presentation of views -</p> <ul style="list-style-type: none"> <li>- the bazaar was a tourist landmark and generated business for hawkers and local manufacturers of low-priced goods; and</li> <li>- the Government should not neglect hawkers/grassroots' interests while catering to the interests of property developers.</li> </ul>	
002420 - 002657	Green Sense Chairman	<p>Presentation of views as set out in LC Paper No. CB(2)2545/06-07(03).</p> <ul style="list-style-type: none"> <li>- the affected hawkers were worried that they might not be able to afford the rental of the new Wan Chai Market;</li> <li>- the new market which would be air-conditioned was against environmental protection principles; and</li> <li>- the Administration should strive to preserve open-air bazaars which were full of local characteristics.</li> </ul>	
002658 - 003049	Designing Hong Kong Harbour District Chairman	<p>Presentation of views -</p> <ul style="list-style-type: none"> <li>- bazaars or street markets generated economic value and helped promote tourism. They should not be perceived by the Government as an environmental hygiene problem; and</li> </ul>	

Time marker	Speaker	Subject	Action required
		<ul style="list-style-type: none"> <li>- the Administration should designate specific streets as "bazaar zone", issue new hawker licences to allow young people to enter the trade, and address the needs of the hawkers to ensure sustainable street markets. A policy for preserving open-air bazaars should be devised.</li> </ul>	
003050 - 003417	Heritage Watch Chairman	<p>Presentation of views as set out in PowerPoint slides and LC Paper Nos. CB(2)2567/06-07 and CB(2)2545/06-07(05) -</p> <ul style="list-style-type: none"> <li>- the logic behind the Urban Renewal Authority (URA)'s redevelopment project in Peel Street and Graham Street was questionable, i.e. a new "old-shop street" to be created resembling original open markets by tearing down the original ones. Urgent action was required to preserve street markets which had formed part of Hong Kong people's collective memory. As there were very few successful street markets left in Hong Kong, every single one of them should be treasured;</li> <li>- the Administration should -               <ul style="list-style-type: none"> <li>(a) designate permanent areas for bazaars/street markets;</li> <li>(b) review the hawker licensing system and allow for new applications; and</li> <li>(c) provide support facilities to assist hawkers.</li> </ul> </li> </ul>	
003418 - 003729	Ms Ada WONG (WCDC chairman) Chairman	<p>Presentation of views -</p> <ul style="list-style-type: none"> <li>- the open-air bazaar was a vibrant and popular bazaar frequented by locals and tourists;</li> <li>- the background to WCDC's endorsement of the relocation arrangements was that, at the time of considering the relocation proposal, implementation of URA's project "Wan Chai Road/Tai Yuen Street" (Project H9) had commenced and construction of the new Wan Chai Market was about to be completed. WCDC had made the best efforts to liaise with the Administration on better relocation arrangements to be made for the affected hawkers; and</li> </ul>	

Time marker	Speaker	Subject	Action required
		<ul style="list-style-type: none"> <li>- the Government policies on the development of bazaars were fragmented. The Administration should make reference to overseas experience in promoting the development of bazaars, and adopt an integrated policy on their development taking into consideration the economic and social value of bazaars. Preservation of bazaars should be incorporated into the overall urban renewal process.</li> </ul>	
003730 - 004005	Ms Mary Ann KING (WCDC member) Chairman	Presentation of views - <ul style="list-style-type: none"> <li>- hygiene problems with bazaars/street markets could be improved by enhancing their management and not by simply relocating the hawkers to indoor public markets;</li> <li>- compensation should also be provided to the stall tenants of existing Wan Chai Market who were willing to surrender their licences but refused to relocate to the new market; and</li> <li>- it was doubtful whether the Transport Department's (TD's) proposal to redirect traffic for Project H9 was really necessary</li> </ul>	
004006 - 004327	World City Committee Chairman	Presentation of views - <ul style="list-style-type: none"> <li>- bazaars/street markets in many world-class cities were landmarks and sites of living cultural heritage;</li> <li>- bazaars/street markets served as the social fabric of society, providing opportunities for human contact on a daily basis; and</li> <li>- bazaars/street markets in Hong Kong were major tourist attractions and embodied Hong Kong's unique customs and traditions.</li> </ul>	
004328 - 004701	Community Cultural Concern Chairman	Presentation of views - <ul style="list-style-type: none"> <li>- most hawkers could not afford the rental rates of indoor air-conditioned markets; and</li> </ul>	

Time marker	Speaker	Subject	Action required
		<ul style="list-style-type: none"> <li>- the Administration should review its hawker policy with a view to facilitating hawkers' operation and the continual development of bazaars/street markets.</li> </ul>	
004702 - 005032	Wanchai Street Market Concern Group Chairman	<p>Presentation of views as set out in LC Paper Nos. CB(2)2545/06-07(07), CB(2)2555/06-07(01) &amp; CB(2)2569/06-07(01) -</p> <ul style="list-style-type: none"> <li>- the 80-year old open-air bazaar was vital to the livelihood of many hawker families;</li> <li>- the Administration should set up a working party involving hawker representatives to review its decision to relocate the hawkers in Tai Yuen Street (South) and Cross Street (East); and</li> <li>- TD's proposal on redirecting traffic for Project H9 would only exacerbate traffic congestion.</li> </ul>	
005033 - 005327	Civic Party Chairman	<p>Presentation of views as set out in LC Paper Nos. CB(2)2561/06-07(01) &amp; CB(2)2561/06-07(02) -</p> <ul style="list-style-type: none"> <li>- the Administration should formulate an integrated policy on bazaars/street markets, with the concerted efforts of the Development Bureau (to be the lead bureau), Commerce and Economic Development Bureau, Labour and Welfare Bureau, Transport and Housing Bureau, Home Affairs Bureau, and Food and Health Bureau;</li> <li>- should review policies on bazaars/street markets with emphasis on the need for preservation of public domain and cultural heritage value; and</li> <li>- the Administration should review the hawker licensing system and the planning of other URA projects e.g. Graham Street.</li> </ul>	
005328 - 005644	Concern Group for Hawkers' Rights in Wan Chai's Cross Street and Tai Yuen Street Chairman	<p>Presentation of views as set out in LC Paper No. CB(2)2545/06-07(08) -</p> <ul style="list-style-type: none"> <li>- the planning of Project H9 should be reviewed taking into account latest development and prevailing views;</li> </ul>	

Time marker	Speaker	Subject	Action required
		<ul style="list-style-type: none"> <li>- the Concern Group strongly objected the partial preservation of the open-air bazaar as it would threaten its sustainability; and</li> <li>- consideration should be given to integrating the open-air bazaar with other heritage items in Wan Chai to form a heritage hub.</li> </ul>	
005645 - 005939	Federation of Hong Kong Kowloon New Territories Hawker Associations Chairman	Presentation of views - <ul style="list-style-type: none"> <li>- public policies on bazaar/street markets and hawker licensing were outdated; and</li> <li>- the bazaar should be fully preserved for its economic and tourism value.</li> </ul>	
005940 - 010255	Mr Steve CHAN Yiu-fai (WCDC member) Chairman	Mr CHAN's view that TD's proposal to redirect traffic for Project H9 could lead to deterioration of air quality in the road sections proposed to be opened for vehicular traffic. Alternative options should be explored.	
010256 - 010615	Conservancy Association Chairman	Presentation of views as set out in LC Paper No. CB(2)2545/06-07(06) - <ul style="list-style-type: none"> <li>- the Association strongly objected TD's proposal and called for the full preservation of the bazaar;</li> <li>- the carparks planned for the new residential blocks of Project H9 should be substantially reduced in view of the nearby Mass Transit Railway stations; and</li> <li>- the Association was concerned that the Bazaar in Graham Street and Peel Street would be demolished, similar to the Bazaar in Tai Yuen Street and Cross Street.</li> </ul>	
010616 - 010952	Chairman Mr NG Yau-kwong	Presentation of views - <ul style="list-style-type: none"> <li>- the Bazaar was recognised by overseas as a tourist landmark; if not fully preserved, it would be destroyed without any chance of revival; and</li> <li>- the Government should not cater to the interests of developers at the cost of hawkers' livelihood.</li> </ul>	

Time marker	Speaker	Subject	Action required
010953 - 011910	Ms LAW Yuen-yee Mr SO Kwong Ms LEE Siu-wai Mr NG Siu-ho Mr NG Hon-ying Ms SO Mei-yuk Chairman	Presentation of views -  - the open-air bazaar, which had not caused any traffic problem to the area around, should be fully preserved for its economic value and impact on the livelihood of so many hawkers; and  - the open-air bazaar should be designated as a traffic-free zone.	
011911 - 012459	Admin Chairman	Response of Secretary for Development to deputations' views -  - the present discussion involved issues of hawkers and the management of markets as well as traffic arrangements, which fell under the purviews of different bureaux /departments. In view of this, the Administration had agreed that the Development Bureau played a coordinating role over this project;  - given the current position of the three redevelopment sites of Project H9, the Administration at this stage faced many constraints in trying to come up with alternative options with a view to satisfying as far as possible different needs of stakeholders; and  - a clear indication by WCDC of its stance on the new option of the relocation plan would be important.	
012500 - 013044	Dr Fernando CHEUNG Chairman	Dr Fernando CHEUNG's concurrence with the views of deputations that it was unacceptable for the Administration to have little regard to the livelihood of the hawkers, who had operated in this open-air bazaar for generations, and to relocate them to the poorly-designed new market.	
013045 - 013548	Chairman Miss CHAN Yuen-han	Ms CHAN Yuen-han's view that  - the justifications of TD on traffic problems was unconvincing;  - by reducing the scale of this bazaar by half, it was tantamount to wiping it out of existence; and	

Time marker	Speaker	Subject	Action required
		<p>- Members belonging to different political parties involved in handling relevant complaint case had expressed unanimous support for the preservation of the entire open-air bazaar.</p>	
013549 - 014035	<p>Miss TAM Heung-man Civic Party Designing Hong Kong Harbour District Chairman Heritage Watch</p>	<p>Miss TAM Heung-man's expression of concurrence with deputations' views that the Administration should adopt an integrated policy to preserve bazaars as an unique feature of Hong Kong. Deputations' concern that the bazaar in the Graham Street area would face a fate similar to the bazaar in Tai Yuen Street and Cross Street.</p>	
014036 - 014614	<p>Ms Miriam LAU Admin</p>	<p>Ms Miriam LAU's criticism of the Administration that it had been unresponsive to LegCo Members' views on the bazaar and to hawkers' suggestions of improvements that should be made to the layout plan of the new Wan Chai Market and the relocation arrangements.</p> <p>The Administration's response that FEHD would take into consideration hawkers' suggestions in improving the environment of new Wan Chai Market.</p>	<p><b>Admin to seek improvements to the design of the new market</b> (para. 6 of minutes)</p>
014615 - 015236	<p>Prof Patrick LAU Chairman Admin</p>	<p>Professor Patrick LAU's suggestion that the Administration should consider fully preserving the bazaar and use the new Wan Chai Market for other community purposes.</p> <p>The Administration's explanation of the justifications from the point of view of traffic safety.</p>	
015237 - 015511	<p>Ms Ada WONG (WCDC chairman)</p>	<p>Ms Ada WONG's view that the case made by TD was inadequate and the design of the new Wan Chai Market should be reviewed based on users' needs.</p>	
015512 - 020122	<p>Chairman Dr Fernando CHEUNG</p>	<p>The Chairman's summing up comments expressed by members at this meeting and her suggestion that it would be desirable for WCDC to confirm its stance on the bazaar taking into account latest development.</p>	<p><b>Admin to propose new options to enable preservation of the entire bazaar for members' consideration</b> (para. 5 of minutes)</p>

<b>Time marker</b>	<b>Speaker</b>	<b>Subject</b>	<b>Action required</b>
020123 - 020318	Managing Director of URA	URA's supplement on the background of the Project H9 and clarification that URA had no intention to drive away hawkers in the Graham Street area.	
020319 - 020733	Chairman Ms Miriam LAU Miss CHAN Yuen-han Dr Fernando CHEUNG	<u>Date of next meeting</u> <u>Voting on a motion moved by Dr Fernando CHEUNG</u>	

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