

立法會
Legislative Council

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Panel on Planning, Lands and Works

Minutes of special meeting
held on Monday, 18 December 2006 at 5:30 pm
in the Chamber of the Legislative Council Building

Members present : Hon LAU Wong-fat, GBM, GBS, JP (Chairman)
Prof Hon Patrick LAU Sau-shing, SBS, JP (Deputy Chairman)
Hon James TIEN Pei-chun, GBS, JP
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon James TO Kun-sun
Hon WONG Yung-kan, JP
Hon CHOY So-yuk, JP
Hon Abraham SHEK Lai-him, JP
Hon Albert CHAN Wai-yip
Hon Vincent FANG Kang, JP
Hon LEE Wing-tat
Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki
Hon CHEUNG Hok-ming, SBS, JP

Members attending : Hon CHAN Yuen-han, JP
Dr Hon YEUNG Sum
Hon Audrey EU Yuet-mee, SC, JP
Hon LEUNG Kwok-hung
Dr Hon Fernando CHEUNG Chiu-hung
Hon WONG Ting-kwong, BBS

Members absent : Hon Albert HO Chun-yan
Dr Hon LUI Ming-wah, SBS, JP
Hon Bernard CHAN, GBS, JP
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon LI Kwok-ying, MH, JP
Hon Daniel LAM Wai-keung, SBS, JP

Public officers attending : **Agenda item I**

Mrs Rita LAU, JP
Permanent Secretary for Housing, Planning and Lands
(Planning & Lands)

Mr MAK Chai-kwong
Permanent Secretary for the Environment, Transport and
Works (Works)

Mr John CHAI
Director of Civil Engineering and Development

Mrs Ava NG
Director of Planning

Mr K K LAU
Deputy Commissioner for Transport/
Planning & Technical Services

Mr L T MA
Project Manager (Hong Kong Island & Islands)
Civil Engineering and Development Department

Mr WAN Man-lung
Principal Government Engineer/Railway Development
Highways Department

Attendance by invitation : **Agenda item I**

Central & Western District Council

Ms HO Sau-lan
Chair-lady, Food, Environment, Hygiene and Works
Committee

Ms CHENG Lai-king
Vice-Chairman, Food, Environmental Hygiene and
Works Committee

Individual

Professor CHAN Ching-kiu, Stephen
Department of Cultural Studies
Deputy Co-ordinator
Kwan Fong Cultural Research and Development
Programme
Lingnan University

Hong Kong People's Council for Sustainable
Development

Mr Albert LAI
Chairman

The Hong Kong Institute of Architects

Professor Bernard LIM
President

Mr Vincent NG
Vice President

The Hong Kong Institute of Surveyors

Mr YU Kam-hung
Senior Vice President

The Conservancy Association

Ms Betty HO
Chairperson

Dr HUNG Wing-tat
Director

SEE Network Ltd

Miss Patsy CHENG
Director

Mr Neil Brennan WRIGHT
Representative
Thwaites and Reed

The Hong Kong Institute of Planners

Ms Betty HO
Honorary Treasurer

Designing Hong Kong Harbour District

Mr Paul ZIMMERMAN
Convenor

Individual

Mr John BATTEN

Clerk in attendance : Ms Anita SIT
Chief Council Secretary (1)4

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

Ms Christina SHIU
Legislative Assistant (1)7

Action

I Planning issues relating to the reprovisioning of the Star Ferry Pier in Central including the proposed preservation of the building structure and clock tower of the old Star Ferry Pier

(LC Paper No. CB(1)2208/05-06(02) -- Information paper on "Reprovisioning of Star Ferry Pier in Central" provided by the Administration

LC Paper No. CB(1)2240/05-06 -- Terms of the motion passed by the Panel at the special meeting on 20 September 2006

LC Paper No. CB(1)46/06-07(01) -- Administration's written response to the motion passed at the special meeting on 20 September 2006

- LC Paper No. CB(1)414/06-07 -- Minutes of special meeting on 20 September 2006
- LC Paper No. CB(1)511/06-07(01) -- Letter dated 13 December 2006 from Dr Hon KWOK Ka-ki
- LC Paper No. CB(1)511/06-07(02) -- A Survey Report of Historical Buildings and Structures within the Project Area of the Central Reclamation Phase III
- LC Paper No. CB(1)511/06-07(03) -- Press release dated 12 December 2006 on "AAB reaffirms no objection raised to Star Ferry Pier demolition plan in 2002" issued by the Administration
- LC Paper No. CB(1)533/06-07(02) -- Speaking note of the Secretary for Housing, Planning and Lands at the Legislative Council meeting on 13 December 2006
- LC Paper No. CB(1)534/06-07(01) -- Terms of the motion passed by the Panel at the special meeting on 14 December 2006)

Briefing by the Administration

The Permanent Secretary for Housing, Planning and Lands (Planning and Lands) (PSPL) said that the Administration started the planning work for the Central Reclamation Phase III (CR III) project as early as 1996. In the process, the Administration had presented and explained to the public the land-use planning and development proposals in the Central District (Extension) area. The Administration had conducted the necessary consultations. She emphasized that the Administration had followed the statutory planning process and conducted extensive consultations with various stakeholders including the Legislative Council, District Councils and Antiquities Advisory Board (AAB). The scope of the CR III project including the associated reprovisioning arrangements for affected facilities had been clearly stated in the proposals submitted to the stakeholders. The plan making process culminating in the approval of the Central District (Extension) Outline Zoning Plan was conducted in strict accordance with the Town Planning Ordinance. Now that the Star Ferry Pier had been reprovisioned and the new pier had started operation, the old Star Ferry Pier had to be demolished to enable the infrastructure works under the CR III to be proceeded with as planned, and in fact, the demolition works were near completion. Through the study on the "Refinement of the Urban Design Framework for the Central Reclamation and Preparation of Planning/Design Briefs for Key Development Sites" (the Central Reclamation Urban Design Study), the Administration would study how best to incorporate the special characteristics of the various historical

building structures at the new waterfront. The Administration had recorded the features of the clock tower of the old Star Ferry Pier in three-dimensional images using advanced laser scanning technology with a view to reconstructing it at the future Central harbourfront. The "Star" Ferry Company, Limited had preserved the chimes, the mechanical parts and the faces of the clock. Subject to the company's agreement and technical feasibility, the clock could be installed in the new clock tower and the rhythmic sound of the clock might be heard again in Central.

Presentation by deputations

Central & Western District Council (CWDC)
(LC Paper No. CB(1)245/06-07(01))

2. Ms CHENG Lai-king, Vice-Chairman, Food, Environmental Hygiene and Works Committee of CWDC, pointed out that discussion on reclamation and reprovisioning of various piers in Central started back in 1997. Papers provided by the Administration in the past only mentioned reprovisioning of piers and rebuilding a clock tower at the new Star Ferry Pier, without mentioning how to preserve the old clock tower. Some CWDC members had submitted a paper to CWDC in August 2006 to strive for retention of the clock tower of the old Star Ferry Pier. Concerns about preserving the old Star Ferry Pier did not arise all of a sudden. In 1997 to 1998, voices for preserving cultural heritage and monuments were not so strong. However, after 2003, the public's awareness of land use and collective memories had been rising. She regretted that while discussion was still in progress on 14 December 2006, the clock was being dismantled; and the clock tower was even dissected into two parts on 16 December 2006. She considered that the Administration did not respect the views of the Legislative Council.

3. Ms HO Sau-lan, Chair-lady, Food, Environmental Hygiene and Works Committee of CWDC, said that the Administration had been emphasizing that its decision could not be reverted due to the workflow of the development process. She considered the decision incorrect from a humanistic perspective of built heritage conservation. She pointed out that the younger generation had a greater sense of belonging and wished to retain cultural heritage, but the Administration destroyed it. The Administration did not respond to the issue in a timely manner. Drawing reference from the cultural policy promulgated by the Home Affairs Bureau, she queried why the Housing, Planning and Lands Bureau acted in a contrary direction. The Administration's blind spot was emphasizing development but neglecting conservation of built heritage. The cohesiveness of a society hinged on the citizens' concerns about their environment, not on high-rise buildings. In the long run, the public would wish to enhance the town planning process and public participation in town planning.

*Prof CHAN Ching-kiu, Stephen
(LC Paper No. CB(1)554/06-07(01), tabled and issued to members on
20 December 2006)*

4. Prof Stephen CHAN delivered his presentation, the details of which were given in the relevant submission. He emphasized that the protestors fighting for preservation of the old Star Ferry Pier were not being incited and concerns about the treatment of the old Pier did not arise all of a sudden. The incident was not an isolated one either. Rather, there was a historical, cultural and social background and a deeper meaning beyond conservation of the Star Ferry clock tower.

Hong Kong People's Council for Sustainable Development (HKPCSD)

5. Mr Albert LAI, Chairman of HKPCSD, considered that Hong Kong should adopt the best international practice in conservation. Article 3 of the Australia ICOMOS Burra Charter, 1999 clearly stated that conservation required a cautious approach of changing as much as necessary but as little as possible. He pointed out that in-situ conservation should be considered first unless there were vital reasons to prove that it was infeasible. As such, the Administration had the responsibility to propose an in-situ conservation option. The Administration had let pass several opportunities for conservation. Although the "Survey Report of Historical Buildings and Structures within the Project Area of the Central Reclamation Phase III" (Survey Report) published in 2001 pointed out that the Star Ferry Pier had conservation value, the Administration did not take any action. In 2003, some organizations reflected through the Legislative Council that there should be in-situ conservation, but the Administration missed the opportunity again. On 18 October 2006, the Administration held a meeting with The Hong Kong Institute of Architects, the Conservancy Association and many experts. During the meeting, engineers, planners and architects agreed there were no technical and planning process difficulties except for the cost of varying the affected works contracts. They requested the Administration to provide relevant information, which the Administration had not yet provided. The Government's decision of not conserving the Star Ferry Pier in-situ was a political decision. It was not due to technical or planning constraints. He believed that if there were technical constraints and the Administration was willing to provide the necessary technical information, the community could submit to the Administration practical solutions within one week. He considered it unfair for engineers, planners and architects that the Administration used planning process and engineering problems as excuses for not conserving the Star Ferry Pier.

*The Hong Kong Institute of Architects (HKIA)
(LC Paper No. CB(1)2236/05-06(04); and LC Paper No. CB(1)554/06-07(02),
tabled and issued to members on 20 December 2006)*

6. Prof Bernard LIM, President of HKIA, said that it was regrettable that many historical buildings could not be preserved. The crux of the problem was that up to the present, Hong Kong did not have a comprehensive heritage

conservation policy which could provide a balance between conservation and urban development. Pointing out that consultation documents were not easy to understand even for professionals, he said that effective consultation could only be achieved if consultation documents could be easily understood by the general public. The consultation mechanism should be enhanced in this regard. While respecting the decision of the AAB in 2002 that it did not object to relocating the clock tower, he considered that a pragmatic approach would be to dissect the clock tower and find another location to rebuild it if in-situ rebuilding was impossible. He was surprised to learn how the clock tower had been handled in a way that it should not be handled. He believed that there were engineering methods to handle the clock tower to keep the structure intact and considered it a pity that what could be re-assembled was not preserved. He urged the Administration and Legislative Council Members to pay particular concern to the integrated complex of building structures comprising the Queen's Pier, the Star Ferry Pier and the City Hall.

7. Mr Vincent NG, Vice President of HKIA, said that having been engaged in the Star Ferry Pier incident for five months and having participated in numerous meetings with the Administration but without receiving any response, there was nothing more that he would wish to say.

The Hong Kong Institute of Surveyors (HKIS)

8. Mr YU Kam-hung, Senior Vice President of HKIS, said that HKIS did not consider the Star Ferry Pier incident a special event and therefore had not discussed the subject. As such, HKIS did not have any views on the subject.

The Conservancy Association (CA)

(LC Paper Nos. CB(1)2227/05-06(02) and CB(1)2236/05-06(03); and LC Paper No. CB(1)554/06-07(03), tabled and issued to members on 20 December 2006)

9. Ms Betty HO, Chairperson of CA, said that CA had raised objection in 1999 when consultation for the relevant outline zoning plan was conducted. She pointed out that the Edinburgh Place, Queen's Pier, City Hall and Star Ferry Pier should be conserved. She said that commentaries in 1999 considered that the Administration had a narrow vision and lacked an awareness of history. There was discussion in the community at that time, although not much. A survey at that time also revealed that 60% of the respondents considered that the Star Ferry Pier should not be affected by the reclamation in Central and the Star Ferry Pier and its clock tower should be conserved in-situ. The public had made their appeals but the Administration did not respond to them. In 2001, CA also pointed out that the historical buildings and structures surrounding the Edinburgh Place should not be destroyed. What the public wanted was to search for their roots. History was made up of time, places, people and events. Among these elements, only places could remain as they were and they could serve to retain collective memories. A harmonious society needed mutual respect and a sense of belonging.

10. Dr HUNG Wing-tat, Director of CA, said that the Administration had not provided any written response to his views previously submitted to the Panel on the issue in question. He had participated in some meetings with the Administration and put forward his proposal at those meetings, but the Administration did not provide any further information either. He regretted that the Administration was unreasonable and there was no room for rational discussion.

*SEE Network Ltd (SEE)
(LC Paper No. CB(1)2227/05-06(01))*

11. Miss Patsy CHENG, Director of SEE, said that the objective of heritage conservation was to allow people to revisit one's own culture. The elements to be conserved were not limited to the object itself, but also the associated wisdom, knowledge and experience of one's ancestors. Cultural value included aspects such as social, scientific, historical and aesthetic values of the heritage. It was meaningless to conserve merely the object without learning anything from the associated experience. Biased policies in land development and urban renewal had widened the gap between the rich and the poor. In contrast with the groundscraper to be constructed, the old Star Ferry Pier was public space belonging to the public. The protestors were voicing their objections not only to the demolition of the Pier but also the underlying ideology. The public should be sympathetic to the cause fought for by the protestors because the most important thing in heritage conservation was to secure the place.

12. Mr Neil Brennan WRIGHT, Representative of Thwaites and Reed, said that the clock, made by famous clockmaker Dent in the 1950s, was a high quality electro-mechanical three-legged gravity clock, with a cast-iron frame, bronze wheels and high quality steel spindles. It was dirty but it would not be a problem to store it for future use. Two sets of hands, two parts of the dials and two other small parts were missing. As he had not yet inspected the clock bells, he did not know their conditions. The clock was unique and valuable. It was made for the Star Ferry Pier building and it was the right clock for the right building. He had only seen two such clocks in the past eight years. The clock could be re-erected in many forms, such as in a new clock tower or as a museum piece.

*The Hong Kong Institute of Planners (HKIP)
(LC Paper No. CB(1)554/06-07(04), tabled and issued to members on 20 December 2006)*

13. Ms Betty HO, Honorary Treasurer of HKIP, delivered her presentation, the details of which were given in the relevant submission. She added that HKIP had raised as early as in 2002 that the Star Ferry Pier and the City Hall were an integrated landmark and it would be a pity to demolish the Star Ferry Pier. Demolition of the Star Ferry Pier was not the only solution for construction of the necessary road infrastructure. The Administration however did not indicate

whether it was possible to preserve the Star Ferry Pier and its clock tower thereafter.

Designing Hong Kong Harbour District (DHKHD)

14. Mr Paul ZIMMERMAN, Convenor of DHKHD, said that economic development was more than land sale programmes. He made reference to the area near the 101 Tower in Taipei where there were many small shops and street culture, and contrasted it with Hong Kong where the Star Ferry Pier was demolished for constructing shopping malls. He considered that the only reason why the Government refused to preserve the clock tower was the effect of preservation on its land sale programme. There was no technical problem in preserving the clock tower at where it was and there had been many opportunities for the Administration to make timely amendments in planning. The Harbour-front Enhancement Committee and the Town Planning Board had asked the Administration to review the planning for Central in 2004 and 2005 respectively. The Administration however was adamant that only design features could be changed. Land sale programmes had distorted the planning for the harbourfront and affected heritage. A presumption for conservation of heritage was needed and proponents for developments, including the Government, should be required to demonstrate that the developments could meet the "overriding public need test". He emphasized that there should be heritage planning and the heritage conservation process should be transparent. As proposed by Heritage Hong Kong, there was an urgent need to carry out a survey to identify heritage so as to draw up a heritage watch list.

Mr John BATTEN

(LC Paper No. CB(1)554/06-07(05), tabled and issued to members on 20 December 2006)

15. Mr John BATTEN delivered his presentation, the details of which were given in the relevant submission.

The Administration's response

16. PSPL said that the Administration had plans to advance the review on the heritage conservation policy and seek consensus through discussions with the community. The Home Affairs Bureau was working on this. It was an important planning principle to give due consideration to heritage conservation in any planning work. The Panel on Home Affairs, rather than the Panel on Planning, Lands and Works, would be a more appropriate forum for deliberation on policy issues about cultural and heritage conservation. She emphasized that in the development at the new waterfront, the Administration would "plan with the community" and there would be extensive consultations with professional institutes, District Councils, Town Planning Board and all stakeholders with a view to arriving at a general consensus on the planning. With the Legislative Council approval and enactment of the Town Planning (Amendment) Ordinance

in 2004, transparency of the planning process and public participation had been greatly enhanced. The Administration would proactively seek the views of District Councils and on planning proposals and planning applications would be published for public views. Meetings of the Town Planning Board (TPB) were now open for viewing by the public. Views and representations would be heard and considered by the TPB before approval of the Chief Executive in Council was sought for an outline zoning plan. The Administration agreed that there should be open and proper consultations and supported public participation in the planning process. Furthermore, the views of the public had to be taken fully into account.

17. The Permanent Secretary for the Environment, Transport and Works (PSETW) pointed out that there were many stages in planning a public works project, including concept formation, definition of the scope of the project, the relevant statutory procedures, funding application, detailed design and implementation. Work could only be executed in the implementation stage in accordance with the clearly defined and authorized scope of the project, the decision of which would have gone through very extensive consultation and the due process of all required legal procedures. There might be more flexibility in considering the conservation of the old Star Ferry Pier if the suggestion was raised at the early stage of the planning process, but there were no strong views on the issue at that time. In the funding proposal for CRIII submitted to the Public Works Subcommittee for its meeting on 5 June 2002, it was stated that the scope of the project would include the reprovisioning of the Star Ferry Pier. The whole planning process had taken a very long time and there had been a lot of consultations before funding approval from the Legislative Council was obtained and approval for the relevant outline zoning plan was granted. Through those extensive consultations, the Administration had tried to obtain as much consensus as possible. In works projects, it would not be an easy task to amend the implementation plan, as it would have both cost and time delay implications, and it would not be prudent to do so at the late stage of the project and because of a few dissenting views. To illustrate the long planning process and what could have been achieved in 10 years' time, he pointed out that the 10 core items of the new Hong Kong International Airport and six railway projects had been completed during the periods from 1989 to 1998 and 1994 to 2003 respectively. The Administration had all along been supporting conservation and emphasizing quality developments. For instance, the construction of the West Rail involved the need for conservation and reprovisioning of wetlands and there had been divergent views on the issue. The effects of restoration of wetlands after completion of the West Rail were satisfactory as could be demonstrated by the fact that the Hong Kong Bird Watching Society had noticed that egrets had returned to Hong Kong.

Discussion

18. Dr HUNG Wing-tat, Director of CA, commented that the Administration's response was not the whole truth. Both CWDC and CA had raised objections about demolishing the Star Ferry Pier and the Queen's Pier during the planning stage. The Administration was selective in listening to views.

He further pointed out that unexpected events often happened during construction works, such as discovery of relics which would require suspension of the construction works in order to carry out an assessment. He was unconvinced that no changes could be made during the implementation stage of a works project. As the main building of the old Star Ferry Pier was still intact, he considered that it was still feasible to reinstate the clock tower.

19. The Chairman asked whether the dismantled clock could function again. In response, PSPL said that the Administration was glad to learn that according to Mr WRIGHT, the clock was still in good condition. Provided that spare parts were available and the necessary arrangements could be made, the clock and the chimes could function again. The Administration would conduct consultations and seek views on the most appropriate location for rebuilding the clock tower.

20. Dr KWOK Ka-ki said that the Administration had already been carrying out demolition works in the past few days. If CR111 could be stopped, the Star Ferry Pier would not have to be demolished. He clarified that both the public and the Legislative Council had voiced their concerns. A survey in 1999 showed that 60% of the respondents considered that the Star Ferry Pier should be conserved and only 10% supported relocating the clock tower. The Panel passed a motion at its special meeting on 20 September 2006 but the Administration did not respond to the Panel's request. He queried how many citizens had been consulted by the Administration on whether there should be reclamation or whether the Star Ferry Pier should be demolished. He considered that the consultations carried out by the Administration were not genuine consultations. Although the Administration kept claiming that it was consulting the public on the waterfront development, it was determined to go against public opinion. The public wanted to preserve the Star Ferry Pier but the Administration demolished it. The public tried to stop the demolition but the Administration expedited the demolition works. The public demanded to keep the clock tower but the Administration disposed of it in a landfill. He queried why the Administration did not preserve the clock tower if it was possible to do so by slightly amending the alignment of Road P2. He also asked the whereabouts of the clock tower.

21. In response, PSPL said that had there been a conscious and clear decision on the preservation of the clock tower, the Administration would act accordingly. When the AAB was consulted, it had known about the relocation of the Star Ferry Pier and that the clock tower had to be demolished. No objection was raised at that time. As regards the demolition of the clock tower, the Project Manager (Hong Kong Island & Islands) of the Civil Engineering and Development Department (PM/CEDD) explained that the construction of Road P2, Airport Railway Hong Kong Station Extended Overrun Tunnel and the extension of an existing drainage box culvert at Man Yiu Street required the demolition of the old Star Ferry Pier. It was a misunderstanding that the construction works of the Extended Overrun Tunnel would not affect the old Star Ferry Pier. The piles of the pier went deep underground and they would be affected by the abovementioned infrastructure works. The structure of the clock tower was not a standalone structure and was

attached to the pier building, it was fragile and some of the concrete had been damaged during the removal of the clock and the chimes. The clock tower had been disposed of at a public fill bank for use as fill materials.

22. Dr YEUNG Sum said that a survey conducted by the Democratic Party from 15 to 17 December 2006 found that 75% of the respondents supported the relaunch of a public consultation; 60% learnt about the demolition works within the past six months; and 70% supported preserving the Star Ferry Pier or the clock tower, out of which 40% considered that the whole Star Ferry Pier should be preserved, 30% considered that the clock tower should be preserved, 50% supported preserving the Star Ferry Pier or its clock tower in-situ and 30% supported preserving the Star Ferry Pier together with its clock tower at another location. He pointed out that in its past consultations, the Administration had not disclosed the Survey Report which revealed that although the age of the clock tower was less than 50 years, it was a cultural, political and tourist landmark and its demolition would lead to public objection and dismay. The awareness of the public, especially the younger generation, on heritage conservation had heightened since 2003 and this might be the start of a cultural social movement. Dr YEUNG stated that the Democratic Party now formally proposed to preserve the Queen's Pier in-situ. The Administration had the responsibility to discuss with the contractor on conserving the clock tower. If the clock tower was not yet broken down, the clock tower and the clock should be placed near the Queen's Pier to preserve the whole complex of building structures including the City Hall. He urged the Administration to work out the arrangements along this direction.

23. In response, PSPL said that the Administration would identify an appropriate location at the new Central waterfront for rebuilding the clock tower. As for the Queen's Pier, the need and plan for its demolition were clearly stated in the Public Works Subcommittee/Finance Committee paper for the CRIII project. Central Pier No. 9, which would take over the existing functions of the Queen's Pier, was near completion for public use. The minutes of the meetings of the Legislative Council and CWDC clearly recorded that the name plaque of the Queen's Pier would be preserved. The Central Reclamation Urban Design Study would examine the best means of achieving it. The concerns raised by Dr YEUNG Sum could also be addressed. PM/CEDD reaffirmed that the Queen's Pier would be affected by the works under CRIII and there would be a new public pier to take up the functions of the Queen's Pier.

24. Miss CHAN Yuen-han pointed out that at the meeting of the Public Works Subcommittee on 5 June 2002, the Administration had advised that the reprovisioned new pier would be just like the then existing Star Ferry Pier. Taking note of this advice, she had stressed that the Star Ferry Pier was a landmark in Hong Kong and the Administration must fulfil its earlier promise that the design of the reprovisioned pier would preserve the special characteristics of the then existing Star Ferry Pier. She considered that the clock tower could have been removed as a whole for relocation, like what had been done for the Murray House and was strongly dissatisfied that the clock tower had been disposed of at a

landfill. At the adjournment motion debate of the Legislative Council on 13 December 2006, she requested the Administration to suspend the demolition works of the Star Ferry Pier for two months so that there could be further discussion. She pointed out that works projects were often suspended due to various factors, and she gathered from professionals familiar with works projects that changes to the relevant project works were feasible and works could be suspended for discussion of preservation options.

25. In response, PSPL said that at the Public Works Subcommittee meeting on 5 June 2002, the Administration had clearly stated that the intention was to recreate the special character of the Star Ferry Pier at the new Central waterfront. The Administration had honoured its commitment and followed the decision reached by adopting the architectural form of the pier building of 1912 recommended by the "Star" Ferry Company, Limited as the design for the new reprovisioned Star Ferry Pier. PM/CEDD added that the rhythmic sounds of the Star Ferry clock had also been preserved. Although the new clock was electronically driven, the rhythmic sounds were produced by mechanical hammering of the clock bells and the sounds were similar to the original ones. The faces, bells and mechanical parts of the old clock had all been preserved. Unlike the Murray House which was a stone structure, the clock tower was a concrete structure which could be rebuilt for housing the old clock, thus preserving the clock tower's original appearance. For this purpose, the Administration had recorded the features of the clock tower by three-dimensional laser scanning.

26. Miss CHAN Yuen-han stated that what she had asked for and the Administration had agreed in 2002 was to preserve the characteristics of the Star Ferry Pier that had just been demolished, not the one built in 1912, as it was the former one which was closely associated with the collective memories of many Hong Kong people. She did not identify with the design of the new Star Ferry Pier and queried why there had been no consultation on its design before construction.

27. Mr LEE Wing-tat considered it regretful that although conservation options had been proposed at the Legislative Council meeting on 13 December 2006, the Administration considered all of them infeasible. He considered that the Administration should provide an explanation, with details such as the extra costs required, extra time needed or technical problems envisaged, on why those options were considered infeasible. One conservation option raised was to remove the clock tower with its structure kept intact and stored it for future reinstatement at an appropriate location. However, the Administration had claimed that the clock tower was linked with the foundation of the pier building and thus the option was infeasible. What had just happened was that the clock tower had been dissected into two blocks during demolition. He considered that the Administration should instruct the contractor to keep the blocks intact and arrange proper storage of them instead of allowing them to be disposed of at a landfill. He commented that the Administration had not been sincere in the discussions with Members.

28. In response, PSETW clarified that the relevant paper of the Public Works Subcommittee stated that the plan was to recreate the clock tower at the Central waterfront, not to conserve it in-situ. As regards the suggestion of storing the dissected clock tower, PM/CEDD reiterated that the quality of the concrete of the clock tower was not good and some parts of the concrete structure had already been damaged during removal of the clock. He pointed out that it was not safe to re-assemble the two dissected parts. If the clock tower was to be rebuilt, a new concrete frame should be constructed. PSETW also emphasized the importance of safety in works projects. By way of illustration, he said that during the planning of the West Rail, there was a suggestion for constructing a noise barrier on a ramp near Mei Foo Sun Chuen in exchange for settling the heated debates on the alignment of the West Rail. The relevant works department pointed out in vain at that time that the suggested works would be unsafe. A fire accident with casualty broke out later in a flat located on that ramp, which was used by fire engines. He hoped that the public would respect the professional views on safety given by works departments.

29. Dr Fernando CHEUNG expressed appreciation of the self initiative of the civil society in the Star Ferry incident. He pointed out that experts had indicated that conserving the clock tower was not infeasible and the actual demolition process had demonstrated this point. The public had voiced out their concerns at an early stage during the planning process, but the Administration did not accept their views in a timely manner. The current situation seemed like that conservation was the responsibility of the citizens and the Administration would only focus on development and the economy. He queried why the Administration did not actively bring up the issue of conservation during the planning process. On behalf of the many professional organizations and conservationists who were willing to pay to acquire and retain the clock tower, he asked the Administration to offer a price for the clock tower. He pointed out that they had even made transportation arrangements and identified a place for placing the clock tower. His understanding was that the clock tower had not yet been broken down and it was still in the Government store. He urged the Administration to listen to the views of the public on withholding the demolition plan for the Queen's Pier and conduct consultation on the conservation of the complex of building structures including the Queen's Pier, Star Ferry Pier, Edinburgh Place and City Hall. He further urged the Administration to review the consultation process in town planning because the response of the public on the present issue revealed that the consultation process was problematic and the Administration had lost grasp of the views of the public.

30. In response, the Director of Planning (D of Plan) said that in the process of revising the relevant Outline Zoning Plan in 1999, recognition had been given to the landmark value of the Star Ferry Pier and its clock tower. It was decided to recreate them at the new Central waterfront and to adopt a historical heritage theme for the design of the external appearance of the new pier. The Director of the Civil Engineering and Development Department (D/CEDD) said that according to the works contract, the demolition of clock tower was done by the

contractor. PSPL said that she did not want to mislead the public and she had to present the facts. Her understanding was that as the demolished clock tower had been disposed of at a public fill bank and possibly already mixed with other construction wastes. The clock tower could not therefore be restored. She urged Members not to pin any hopes on the possibility of restoring the original clock tower.

31. Ms Audrey EU said that she could not understand why the Administration had issued a permit within 24 hours for demolition of the clock tower despite the many discussions held and motions passed by the Legislative Council. She enquired about the time needed by the Administration to identify a location for rebuilding the clock tower. She agreed to the idea suggested by Heritage Hong Kong that there should be a watch list for heritage, such as buildings and sites, considered worthy of conservation by the public, and asked whether the Administration would consider including heritage assessment as one of the necessary requirements during the planning process. She agreed to the view that consultation documents for previous consultations were hard to understand even for professionals and asked how the Administration would improve the consultation process for future heritage conservation during the planning process so that the public could understand the information and participate in the process.

32. In response, D of Plan said that the Central Reclamation Urban Design Study would be conducted in the first quarter of 2007 and there would be wide public consultation, including discussions with various stakeholders in identifying the most appropriate location at the new Central waterfront for rebuilding the clock tower before a decision was made. As regards how heritage conservation would be regarded in planning, PSPL pointed out that a whole chapter in the Hong Kong Planning Standards and Guidelines was specifically devoted to it. Heritage conservation touched upon a wide range of policy issues and the Home Affairs Bureau would take the lead in such discussions including the drawing up of a territory-wide preservation list for heritage buildings and sites. A policy on heritage conservation had to be formulated first and planning would be carried out accordingly. As regards the consultation process, PSETW said that depending on the importance of a project, three-dimensional plans or models could be prepared to facilitate the public in understanding the project during the consultation process.

33. Mr LEUNG Kwok-hung considered that the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) should be invoked to investigate into the incident. Otherwise, the truth could not be revealed and future recurrence of similar incidents could not be prevented. The demand for conservation of the Star Ferry Pier, which was only 49 years old, reflected that too many heritage buildings had been demolished in the past. Heritage conservation should not be at the mercy of any particular official or magnate. The important point was what the Administration would do when the public considered that a particular heritage should be conserved. Drawing reference from Vienna in Austria where an abattoir planned to be demolished was preserved and converted into a performance venue in response to the demand of the public, he considered that the Administration

lacked transparency and destroyed history through technical bureaucracy and administrative bureaucracy. Instead of using technical excuses to respond to administrative matters and vice versa, the Administration should have a vision in heritage conservation and should not blame the public for not raising their concerns earlier. The Administration was incapable and lacked public support, and quashing the university students who participated in the protests would not bring any desirable outcome.

34. Mr Alan LEONG enquired about the reasons for the Environmental Protection Department to have approved on 15 December 2006 an application for a permit for carrying out overnight demolition works within the same day of making the application, and asked who decided to make the application. He further asked whether it was a normal practice to grant approval within the same day of making such an application and whether there were any precedents. He also asked who decided to dissect the clock tower into two parts for loading onto a barge and who decided to break down the two intact parts of the clock tower for disposal at a public fill bank. He sought an explanation on why the clock tower was not broken down in-situ like other parts of the pier building, and enquired the whereabouts of the clock tower.

35. In response, PM/CEDD said that as stated in the application form, the application for a permit to demolish the clock tower without interruption was made on safety reasons. D/CEDD added that the contractor decided to make the application based on the need of the works procedure. It was not the only case where such kind of approval was granted and there were precedents. PSETW pointed out that in urgent situations such as carrying out traffic diversion works, similar applications would be made and it was not an unusual situation. As regards reports in some newspapers that approval by the Executive Council was required, he clarified that the Director of Environmental Protection had the authority. He further explained that the clock tower did not have a foundation on solid ground. Rather, it was built on top of the pier building, which in turn was supported by piles. Works for removing the parts of the clock had already affected the fragile structure of the clock tower. PM/CEDD further elaborated that the arrangements for demolition were based on the need to complete the works within the shortest time for safety reasons. After discussion with the contractor, the clock tower was dissected into two parts in-situ. The circumstances for demolition of the clock tower were different from those for demolition of the pier building. While the structure of the clock tower had been damaged during the removal of the faces and chimes of the clock, there was no such problem for the demolition of the pier building in-situ. He pointed out that the dissected parts of the clock tower were not intact. Rather, they were partly damaged and incomplete. As they were the property of the contractor, they had been disposed of at a public fill bank for use as filling materials as usual.

36. Prof Patrick LAU asked whether the demolition arrangements were proposed by the contractor. He sought clarification on the condition of the clock and pointed out that as long as the parts of the clock were preserved, the clock could be handled by any method in future. He further enquired whether the parts of the clock could be re-assembled. As regards the new waterfront plaza, he asked whether any design competition would be organized so that there would be competition entries to facilitate public consultation and public participation. In this way, professionals would also have an opportunity to share and explain their ideas to the public. He solicited the views of HKIA in this regard. He urged the Administration to be forward-looking by providing an opportunity for architects and engineers to remedy the situation resulting from demolition of the clock tower.

37. In response, PM/CEDD reaffirmed that the demolition arrangements were made after discussion with the contractor based on safety reasons. As regards the dismantled clock, PSPL said that according to Mr WRIGHT who had inspected the clock, the clock was in good condition and it might be possible to re-assemble the parts of the clock. The Administration would liaise with the "Star" Ferry Company, Limited for proper preservation of the clock. Prof Patrick LAU's idea of organizing a design competition would be considered in the Central Reclamation Urban Design Study.

38. Mr Vincent NG, Vice President of HKIA, said that HKIA had all along considered it a desirable practice to organize planning or architectural design competitions and it would support Prof Patrick LAU's idea. However, this should not mean that HKIA had accepted the way the whole matter had been handled by the authorities concerned.

39. Dr YEUNG Sum said that the Democratic Party hoped that the clock tower had not yet been broken down, and would still urge the Administration to discuss with the contractor to preserve the clock tower so that it could be placed at the new waterfront together with the Queen's Pier to be preserved in-situ. He further said that it would be a severe blow to the Administration's credibility if it was subsequently revealed that it was the Administration who had told the contractor to demolish the clock tower. He added that in light of the present state of development of the Star Ferry Pier incident, the Democratic Party found it hard to support the funding proposal for the consultants' design fees and site investigation for the Central Kowloon Route to be discussed at the Public Works Subcommittee on 19 December 2006.

40. Dr KWOK Ka-ki clarified for Miss CHAN Yuen-han that at the Public Works Subcommittee on 12 April 2000, what the Administration had promised in response to Miss CHAN's enquiry was that the clock tower would be re-provisioned and the new pier would be decorated so that it would resemble the Star Ferry Pier existing at that time, not the pier in 1912. He criticized the Administration for using a lie to cover up another lie.

41. Dr KWOK Ka-ki intended to move a motion. However, due to a lack of quorum, the motion could not be dealt with.

II Any other business

42. There being no other business, the meeting ended at 7:55 pm.

Council Business Division 1
Legislative Council Secretariat
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