

**立法會**  
**Legislative Council**

LC Paper No. CB(1)1641/06-07  
(These minutes have been seen  
by the Administration)

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**Panel on Planning, Lands and Works**

**Minutes of meeting**  
**held on Tuesday, 27 March 2007 at 2:30 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  
Hon Albert HO Chun-yan  
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP  
Dr Hon LUI Ming-wah, SBS, JP  
Hon James TO Kun-sun  
Hon CHAN Kam-lam, SBS, JP  
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, 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 LI Kwok-ying, MH, JP  
Hon Daniel LAM Wai-keung, SBS, JP  
Hon Alan LEONG Kah-kit, SC  
Dr Hon KWOK Ka-ki  
Hon CHEUNG Hok-ming, SBS, JP

**Members attending** : Hon CHAN Yuen-han, JP  
Hon SIN Chung-kai, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon WONG Kwok-hing, MH  
Hon LEUNG Kwok-hung  
Hon KWONG Chi-kin

**Members absent** : Hon Bernard CHAN, GBS, JP  
Hon WONG Yung-kan, JP  
Hon Miriam LAU Kin-ye, GBS, JP  
Hon Timothy FOK Tsun-ting, GBS, JP

**Public officers attending** : **Agenda item IV**

Mr WONG Ming-to  
Principal Assistant Secretary for the Environment,  
Transport and Works (Works) 2

Mr YEUNG Kwok-kuen  
Deputy Head (Port & Land)  
Civil Engineering and Development Department

Ms NG Tze-kwun, Kathy  
Senior Landscape Architect  
Civil Engineering and Development Department

**Agenda item V**

Mr Michael SUEN, GBS, JP  
Secretary for Housing, Planning and Lands

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

Mr MA Lee-tak, JP  
Project Manager (Hong Kong Island & Islands)  
Hong Kong Island and Islands Development Office  
Civil Engineering and Development Department

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

Dr Louis NG  
Assistant Director (Heritage & Museums)  
Leisure and Cultural Services Department

Mr LAM Sair-ling  
Senior Property Services Manager/Eastern & Antiquities  
Architectural Services Department

**Agenda item VI**

Ms Olivia NIP  
Deputy Secretary for Housing, Planning and Lands  
(Planning & Lands) 2

Mr Edward TO  
Principal Assistant Secretary for Housing, Planning and  
Lands (Planning & Lands) 3

Mr CHEUNG Hau-wai  
Director of Buildings

Mr C K AU  
Deputy Director of Buildings

**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

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Action

- I Confirmation of minutes**  
(LC Paper No. CB(1)1185/06-07 -- Minutes of meeting on  
23 January 2007)

The minutes of the meeting held on 23 January 2007 were confirmed.

- II Information papers issued since last meeting**  
(LC Paper No. CB(1)1061/06-07(01) -- Relevant extract from the  
confirmed minutes of the  
meeting between Legislative  
Council Members and  
Kowloon City District Council  
members on 9 November 2006  
relating to the Kai Tak  
development and its  
incompatibility with the  
surrounding areas

- LC Paper No. CB(1)1069/06-07(01) -- Submission dated 14 February 2007 from Central H18 Concern Group relating to an urban renewal project in Central
- LC Paper No. CB(1)1112/06-07(01) -- Referral from the Complaints Division relating to issues on "Passing on of the responsibility for maintenance of public facilities to small property owners" and the Administration's response
- LC Paper No. CB(1)1128/06-07(01) -- Information paper on "103CD -- Drainage improvement in Northern Hong Kong Island -- Hong Kong West drainage tunnel" and "111CD -- Drainage improvement in Tsuen Wan, Kwai Chung and Tsing Yi -- Tsuen Wan drainage tunnel" provided by the Administration
- LC Paper No. CB(1)1168/06-07(01) -- Information paper on "Deletion of posts upon implementation of the Customer Care and Billing System in the Water Supplies Department" provided by the Administration
- LC Paper Nos. CB(1)1172/06-07(01) and (02) -- The 2007-2008 Application List and the relevant press release issued by the Administration
- LC Paper No. CB(1)1186/06-07(01) -- Information paper on "Private certification of building submissions" provided by the Administration
- LC Paper No. CB(1)1191/06-07(01) -- Information paper on "76WC -- Improvement to Hong Kong Central mid-level and high level areas water supply -- remaining works" provided by the Administration)

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

**III Items for discussion at the next meeting**

(LC Paper No. CB(1)1184/06-07(01) -- List of outstanding items for discussion

LC Paper No. CB(1)1184/06-07(02) -- List of follow-up actions

LC Paper No. CB(1)1187/06-07(01) -- Letter dated 13 March 2007 from Prof Hon Patrick LAU Sau-shing requesting the Panel to consider discussing issues relating to amendments to Outline Zoning Plans made by the Town Planning Board to impose development restrictions)

3. Members agreed that the following items would be discussed at the next regular meeting scheduled for 24 April 2007 –

(a) Latest progress of registration and the proposed implementation programme for phased commencement of prohibitions and the expiry of provisional registration applications under the Construction Workers Registration Ordinance; and

(b) Designation of land lots in rural areas for use as container back-up areas and open storage space for containers.

4. In relation to item (b) above, Mr CHEUNG Hok-ming suggested that the Administration should provide information on its plan to designate some 115 hectares of land as container back-up areas and open storage space for containers upon the commissioning of the Hong Kong-Shenzhen Western Corridor.

5. As regards the item on "Amendments to Outline Zoning Plans made by the Town Planning Board to impose development restrictions" proposed by Prof Patrick LAU, Mr Abraham SHEK agreed that the subject should be discussed and requested the Legislative Council Secretariat to provide relevant background information and a legal opinion on whether imposing development restrictions by the Town Planning Board without compensation to the affected title owners would be in breach of Article 105 of the Basic Law.

6. Mr James TIEN pointed out that over the past years, there had been a number of occasions that the Town Planning Board made amendments to Outline Zoning Plans to impose development restrictions. He agreed that the Panel should discuss the subject.

7. Members agreed that the item would be discussed at the regular meeting scheduled for 22 May 2007.

#### **IV Development of Greening Master Plans – Progress Report**

(LC Paper No. CB(1)1184/06-07(03) -- Information paper provided by the Administration)

8. The Principal Assistant Secretary for the Environment, Transport and Works (Works) 2 (PAS/W2) said that the purpose of the Administration's paper was to report the latest position of the development and implementation of Greening Master Plans (GMPs); and consult members on the overall programme for the development and implementation of GMPs for the remaining selected urban areas and the funding application for the development of those GMPs.

9. The Deputy Head (Port & Land), Civil Engineering and Development Department (DH/P&L) delivered a Powerpoint presentation to brief members on the details of the Administration's paper. He informed members that the Administration planned to submit the funding proposal to the Public Works Subcommittee in June 2007 or earlier.

*(Post-meeting note: The presentation materials (LC Paper No. CB(1)1261/06-07(01)) were subsequently issued to members on 28 March 2007.)*

10. The Chairman said that as a Member returned through the District Council functional constituency, he supported the Administration's Enhanced Partnering Approach whereby the Administration would consult District Councils in the development of GMPs so that District Councils could provide input on the characteristics of different districts and suitable locations for greening at an early stage of the project. As this approach involved democratic participation and enabled District Councils to exercise their functions, he welcomed the Administration's adoption of the approach.

11. Mr Daniel LAM expressed support for the proposals in the Administration's paper and asked whether apart from new towns, greening measures would be extended to include walled villages and leisure grounds with little greening in the New Territories. He enquired about the Administration's timeframe for developing GMPs for the New Territories and commented that the Administration should also consult committees responsible for environmental enhancement under the relevant District Councils when developing GMPs for the New Territories.

12. In reply, PAS/W2 said that while there were already landscape master plans in developing new towns, GMPs would be developed and implemented for built-up and densely populated areas in the New Territories after completion of the greening works in selected urban areas. Development of GMPs and implementation of associated greening measures for selected urban areas were expected to be completed by mid-2009 and end of 2011 respectively. Meanwhile, enhanced greening measures for focal areas in the New Territories would be

implemented prior to the development of GMPs for these areas. In this regard, the Environment, Transport and Works Bureau had discussed with relevant Districts Officers and drawn up locations for the enhanced greening measures in districts such as Sha Tin, Tai Po, Fan Ling, Sheung Shui and Tung Chung.

13. While expressing support for the proposals in the Administration's paper, Ir Dr Raymond HO commented that greening measures were insufficient for infrastructure projects implemented in the past and a comprehensive greening concept should be included in planning future infrastructure projects. As for new towns, he pointed out that while greening measures for new towns of the first generation were implemented after infrastructure development, the arrangements for new towns of the second generation had been improved and greening measures were implemented together with infrastructure projects. There should be better greening for existing footbridges to enhance their appearance and increase variations in their outlook.

14. In response, PAS/W2 explained that the Planning Department was continuously improving the planning standards and guidelines to enhance the planning process. The prevailing planning standards and guidelines would be adhered to when planning for new infrastructure projects. For all capital works contracts with an estimated value exceeding \$3 million for greening, the relevant District Councils would be consulted on the related greening works. In addition, permanent planters with irrigation systems would be installed on new footbridges and flyovers in built-up areas where practicable. For existing footbridges, the Environment, Transport and Works Bureau and the Leisure and Cultural Services Department had annual programmes for implementing enhanced greening works where appropriate. These enhanced greening works produced very good results with reasonable costs.

15. Prof Patrick LAU considered that greening for infrastructures such as footbridges and pavements should be enhanced and architects should participate more in the design work during the planning process so as to enhance the appearance of these public facilities. Noting that the presence of underground utility installations such as cables and pipes would pose constraints on greening, he asked whether the Administration would consider constructing centralized ducts to house various types of underground utility installations.

16. In response, PAS/W2 shared the view that underground utility installations would pose a problem for greening especially in old urban districts. In developing GMPs, site investigation would be conducted to ascertain suitable locations for greening. However, some minor discrepancies might be discovered when carrying out greening works on site. Where possible, the Administration would relocate smaller underground utility installations for in-ground planting of trees. Where diversion of underground utility installations was not possible within reasonable time for in-ground planting, the Administration would use planters for greening with climbers dangling around the edges of the planters to soften the appearance of the concrete face. The feasibility of constructing centralized ducts in urban areas

would be dependent on individual site circumstances.

17. Mr CHEUNG Hok-ming was pleased to note that the development of GMPs for selected urban areas could be completed in two and a half years' time instead of four years. He asked whether the Administration had a concrete timeframe for developing and implementing GMPs for the New Territories and whether greening work for urban areas and the New Territories could be carried out simultaneously. In relation to the choice of plant species, he commented that unlike that on the Mainland, greening in Hong Kong was haphazard and lacked a clear identity for each district or street. He asked whether the consultants would be required to identify the most appropriate plant species during the development of GMPs.

18. In reply, PAS/W2 said that the current plan was to develop GMPs for urbanized areas in the New Territories after completing the implementation of GMPs for selected urban areas by end of 2011. However, the Administration would keep the situation under review and if greening work for urban areas could be completed smoothly ahead of schedule, then the development of GMPs for the New Territories could proceed earlier. Resource and manpower constraints in both the Government and the market were the main reasons for the development and implementation of GMPs for selected urban areas and urbanized areas in the New Territories to be undertaken in phases. As regards the choice of plant species, DH(P&L) explained that the choice of appropriate themes and plant species was one of the objectives of developing GMPs. There would be representative themes and appropriate plant species for different areas. Design would be carried out by professional landscape architects and the local community would be consulted on the matter.

19. The Chairman asked whether the development and implementation of GMPs for urban areas and the New Territories could be re-prioritized.

Admin 20. Mr WONG Kwok-hing considered that the Administration should not adopt double standards and residents in urban areas and the New Territories should be treated on a par to benefit from greening measures. He requested the Administration to explain why priority had been accorded to urban areas in implementing GMPs, and to review the timetable for implementing GMPs for the New Territories to see if it could be advanced. He queried whether the implementation of GMPs in Tsim Sha Tsui and Central first was in the interest of developers and urged the Administration to make arrangements for proper weeding along Kwai Chung Viaduct. He considered that the Government should have sufficient financial resources to expedite greening and create more employment opportunities.

21. Mr Abraham SHEK shared the view that greening in Hong Kong should be improved. As the Government had a sizable surplus, there should be adequate financial resources for expediting greening measures. He supported the suggestion of developing and implementing GMPs for urban areas and the New Territories simultaneously, and considered that Legislative Council Members would support funding proposals for developing and implementing GMPs for urban areas and the New Territories if those proposals were in order. He commented that the effect of greening would be better if more greening works were implemented at the same time.

22. Pointing out that greening was much needed for improvement to the environment in Hong Kong, Dr KWOK Ka-ki commented that the progress of developing and implementing GMPs was too slow. He shared the view that given the favourable financial position of the Government, greening works should be expedited and should be carried out simultaneously in the urban areas and the New Territories. He also believed that other Legislative Council Members would support funding proposals for greening.

23. In response, PAS/W2 explained that greening measures had already been incorporated in the development of new towns in the New Territories. Urban areas were developed a long time ago and the greening level was comparatively lower. Due to resource and manpower constraints, it would be more cost-effective to accord higher priority to the implementation of greening measures in urban areas where pedestrian flow was higher. However, the Administration would review the timetable for developing GMPs for urbanized areas in the New Territories. He would relay Mr WONG Kwok-hing's concern on proper weeding along Kwai Chung Viaduct to the department concerned.

#### **V Arrangements for preservation of the Queen's Pier**

- (LC Paper No. CB(1)1184/06-07(04) -- Information paper provided by the Administration
- LC Paper No. CB(1)1185/06-07 -- Minutes of meeting on 23 January 2007
- LC Paper No. CB(1)677/06-07(02) -- Information paper on "Arrangements relating to the reconstruction of old Star Ferry Clock Tower and relocation of Queen's Pier in Central" provided by the Administration
- LC Paper No. CB(1)677/06-07(03) -- Background brief on "Planning arrangements for the Star Ferry Pier and Queen's Pier in Central" prepared by the Legislative Council Secretariat)

24. The Secretary for Housing, Planning and Lands (SHPL) said that in response to the request of the Panel made at the meeting on 23 January 2007, the Administration had held three formal meetings and other informal exchanges with four professional organizations to explore options for the preservation of the Queen's Pier. The recommendations flowed out by various parties so far could be summarized as four preservation options. A reasonable option should be able to preserve the components of the Queen's Pier for proper reprovisioning with minimal risks and acceptable cost and time implications. During the meetings, both the Administration and the professional organizations expressed their views on the preservation options in an open manner. The Administration had analyzed and summarized the technical risks and feasibility; and cost, time and contractual implications of each option. The relevant information had been disseminated to the professional organizations and presented in today's submission to the Panel which was put on the website.

25. The Project Manager (Hong Kong Island & Islands), Hong Kong Island and Islands Development Office of the Civil Engineering and Development Department (PM/CEDD) gave a Powerpoint presentation on the details of the four preservation options, including the technical issues involved and the time and cost implications of each option.

*(Post-meeting note: The presentation materials (LC Paper No. CB(1)1261/06-07(02)) were subsequently issued to members on 28 March 2007.)*

26. Mr LEE Wing-tat commented that the Administration's paper provided detailed explanations on the technical issues involved in the preservation of the Queen's Pier. He hoped that the Administration's current plan to pursue proposal (d) in the paper was for consultation purpose only and not the final decision, and suggested that the Administration should meet interested parties to explain the options to them and hear their views. As regards the preservation costs for various options, the Administration should gauge the views of the public on the financial commitment that they would support for preserving the Queen's Pier. If the main consideration in amending the alignment of Road P2 was the time required for the statutory planning process rather than technical difficulty, the Administration could still put forward the idea for the public's consideration. Noting that proposal (c) involved complicated technical issues and a higher cost, he sought elaboration on the technical feasibility of the option.

27. In response, SHPL said that the Administration had adopted a bottom-up approach in the preservation of the Queen's Pier and would continue in that direction. The Administration had prepared a paper including a summary of the four preservation options and the information had been placed on its website. It would brief relevant parties on the four options if they so requested. The costs for different options were provided for comparison purpose only and the Administration had no intention to overplay the importance of the costs. Apart

from the alignment of Road P2, the Airport Railway Extended Overrun Tunnel (EOT) and the stormwater drainage box culvert at Man Yiu Street were also constraints in preserving the Queen's Pier. For an option to be feasible, all the three constraints had to be overcome. Even if the above three constraints could be overcome, proposal (c) would not be workable because of the presence of some other limitations such as constraints imposed by the physical terrain, lack of space for the required works, and structural form of the Queen's Pier.

28. Dr KWOK Ka-ki commented that the Administration should not have a predetermined conclusion to adopt proposal (d). The public considered that they had a role to play in preserving the Queen's Pier and the Administration should change its mentality to avoid confrontations. The important thing in conservation was to preserve the heritage and the Murray House reconstructed in Stanley was not a genuine heritage. He asked how the Administration would ensure that there would be sufficient time, channels and methods for the public to express their views and that their views would be heard. As regards the high cost and long time delay for proposal (c), he asked how the cost and delay of three and a half years was arrived at and queried whether the Administration was trying to induce and threaten the public into making a choice which was favoured by the Administration. He questioned whether those figures were calculated based on objective data and commented that the Administration should not overplay the preservation costs, bearing in mind that the project costs of the Central-Wan Chai Bypass and Central Reclamation Phase III were some \$20 billion and \$6 billion respectively, much higher than the preservation costs for the Queen's Pier.

29. In reply, SHPL strongly protested against Dr KWOK Ka-ki's unfair allegation that the Administration's estimated cost and time delay for proposal (c) were unfounded figures used to threaten the public. He emphasized that those figures were based on accurate and sound estimations and the Administration did not have any predetermined conclusion of adopting any preservation option. As for consultation, the Administration had consulted the four relevant professional organizations in arriving at the four options and if they had different views on the figures, the Administration would further consider their views. The Administration would brief other interested parties individually on the four options if so requested. PM/CEDD added that the details on the estimated cost and time delay for proposal (c) were given in item (c)(iv) of Attachment A to the Administration's paper (LC Paper No. CB(1)1184/06-07(04)). The time delay was due to factors such as land would have to be reclaimed prior to the rolling of the pier structure and additional EOT advance works. Diaphragm walls or bored piles would be required for the EOT, and in working in the vicinity of the City Hall, use of mechanical plant would be restricted for minimizing the impacts on the performance and rehearsal activities at the City Hall.

30. Mr WONG Kwok-hing asked how the Administration would handle and assimilate different views to enhance the arrangements for preserving the Queen's Pier. In relation to the location for preservation, he queried whether preserving a non-functional pier at a location far away from the waterfront would really serve to retain collective memory of the Queen's Pier, and shared the view that the Queen's Pier would resemble a pavilion under such an arrangement. Apart from professional organizations, he urged the Administration to listen to the views of the general public because they might have some insight on the issue. The location for preservation should be decided through comprehensive consultation.

31. In response, SHPL said that while the Administration would discuss with relevant professional organizations on the arrangements for preserving the Queen's Pier, it would also listen to and consider views from the community. He pointed out that the Administration's original thinking was to re-provision the Queen's Pier at the new waterfront but there were calls for preserving it in-situ. It was a dilemma because in-situ preservation meant that the future Queen's Pier would not be at the new waterfront. Nevertheless, the distance from the Queen's Pier, if it was preserved in-situ, to the new waterfront would only be some 100 metres. The exact location for preservation would be identified in the Central Reclamation Urban Design Study (the Study) which would commence shortly.

32. While agreeing that the Administration should preserve heritage if it was worthy of preservation, Mr CHEUNG Hok-ming pointed out that there should be a conservation fund for compensating parties affected by conservation, such as title owners whose land had been zoned as conservation areas. He commented that in the present case, the Administration had made improvements by providing the views of the professional organizations on different options to facilitate decision-making. The issue could be boiled down to technical feasibility and costs. He considered proposals (a) and (b) technically impractical because of the planned EOT and the topographical constraints involved in underpinning. For proposals (c) and (d), the key considerations were technical feasibility and the public's acceptance of the required costs. The Administration should further explain the technical feasibility of these two options to the public to provide them with a basis for making an informed choice. In order to retain collective memory, the preservation of the Queen's Pier should integrate well with the City Hall and the clock tower of the former Star Ferry Pier.

33. In response, the Permanent Secretary for Housing, Planning and Lands (Planning and Lands) (PSPL) said that the Administration had clearly heard the views of the public on the need to conserve the City Hall, the clock tower of the former Star Ferry Pier and the Queen's Pier as an integrated complex. Through the Study, the most appropriate location and mode for rebuilding the clock tower would be identified taking into account aesthetic considerations. The Study would provide a lot of room for public discussion on the choice of a suitable location and design ideas for preserving the Queen's Pier. In relation to the technical feasibility of rolling the Queen's Pier, PM/CEDD explained that whether rolling would be

successful or not would depend on the structural form of the concerned structure. If the structure was strong and stable with a thick concrete foundation, the success rate would be higher. Internal and external strengthening of the structure using structural steel members would be required. However, the roof of the Queen's Pier was fragile and there were as many as 34 columns. Strengthening the structure of the Queen's Pier by attaching structural steel members to the Queen's Pier by drilling and bolt connections would damage the Queen's Pier structure and affect its structural integrity.

34. Ir Dr Raymond HO appreciated the Administration's hard efforts in formulating the four options and clear explanation on the technical issues. He was associated with two of the professional organizations that the Administration had consulted and they were representative of the industry. Although calls for preservation were made at a late stage, he agreed to the spirit that the Queen's Pier should be preserved as far as possible. He pointed out that rolling was a very complicated engineering task and could be very dangerous if the size of the structure was too large or the structure was not strong enough. He enquired whether the roof of the Queen's Pier was a flat-slab construction and pointed out that it might collapse during rolling if it was an unstable flat-slab construction. He considered that a cost of about \$300 to \$400 million and a three to four months' delay would be acceptable for preserving the Queen's Pier.

35. In response, PM/CEDD said that except for the central pitched roof portion, the other parts of the roof of the Queen's Pier were a flat-slab construction. Tremendous difficulties would be encountered in the rolling option in the synchronization of load transfer for all the 34 columns.

36. Although there was an improvement in how the Administration handled the preservation of the Queen's Pier, Mr Albert CHAN queried whether adopting proposal (d) was the Administration's pre-determined conclusion because that option could meet the requests of some sectors of the community and the cost and time delay would not exceed the Administration's expectation. He considered that the Administration should give some thoughts to the design of the reinstated or reassembled Queen's Pier. The design could be enhanced by adding some historical elements and building a pond underneath the Queen's Pier to enrich the feel of it as a former pier. With a good design, it could become a new attraction in Hong Kong.

37. In reply, PSPL said that building a pond underneath the Queen's Pier might not be appropriate from the perspective of heritage preservation. SHPL added that the former Blake Pier was relocated to Morse Park and it was a precedent of relocating a pier to a location away from the waterfront. The Administration would consider Mr Albert CHAN's suggestion.

38. Appreciating that underground construction works would be affected by in-situ preservation of the Queen's Pier, Prof Patrick LAU asked whether the alignment of Road P2 could be changed so as to preserve the Queen's Pier in-situ. He considered that width of the Edinburgh Place should be maintained so as to preserve its historical value. He commented that consideration could be given to organizing a design competition for this purpose and the Antiquities Advisory Board (AAB) should re-assess the historical value of the Queen's Pier.

39. In reply, SHPL explained that the alignment of Road P2 was irrelevant to proposals (a) and (b) because even if the alignment of Road P2 could be changed, those proposals would still remain impractical due to other constraints. As for proposal (c), the effect of the alignment of Road P2 was minimal because the main considerations were technical and safety issues involved in rolling. The location for preservation in proposal (d) was only a suggestion at this stage, and other locations or in-situ preservation would also be a possibility. As regards the location for preservation of the Queen's Pier, PSPL said that suitable locations for preservation of the Queen's Pier and rebuilding the clock tower of the former Star Ferry Pier would be identified in the Study taking into consideration their relationship with the City Hall. As regards the historical value of the Queen's Pier, the Assistant Director (Heritage & Museums) (AD/H&M) said that AAB would reassess the historical value of the Queen's Pier, and the reassessment would not prescribe the reinstatement arrangements.

40. Mr James TIEN considered that Road P2 was necessary to alleviate traffic congestion in the area. While the Liberal Party agreed that the Queen's Pier should be preserved, it disagreed to the views of some professionals that it should be preserved at all costs. A balance had to be struck and proposal (d) was the most reasonable option. He noted that the Queen's Pier was not the landing place for all Governors of Hong Kong because some of them landed at Blake Pier. Drawing reference from the former canopy design of the West Kowloon Cultural District, he shared the view that implementing options proposed by authoritative figures at all costs might not always be the most appropriate choice. Regarding the location for preservation of the Queen's Pier, the Liberal party conducted a survey from 22 March to 26 March 2007 and among the 966 respondents, 32% considered that the Queen's Pier should be preserved on land near the City Hall, 36% considered that it should be preserved at the new waterfront and 30% had no comments. As the views of the respondents were nearly equally split, the Administration should also consider the views of the public in addition to those of the professionals. The Administration would not be seen as going against the public's views in adopting either choice. The Liberal Party supported adopting proposal (d) by reassembling the Queen's Pier at the new waterfront so as to retain its characteristics and collective memory as a pier.

41. Miss CHAN Yuen-han did not support proposal (d) because dismantling a heritage building/structure and rebuilding the Queen's Pier would destroy the very essence of the heritage and the overall setting and atmosphere of the entire heritage site comprising the Queen's Pier, the Edinburgh Place, the City Hall and the former

Star Ferry Pier. She opined that the Queen's Pier should be kept intact and pointed out that the Queen's Pier was important from the historical point of view as it had been the landing pier for new Governors after their arrival at the Kai Tak Airport and had performed some other civic and political functions since the 1960s. From the economic point of view, preservation of the Queen's Pier could bring about huge returns in tourism in the long term which would outweigh the preservation cost required. The Administration should not be short-sighted in this matter. Drawing reference from Shanghai where developments had to be re-planned in order to preserve a water gate with a history of 2 000 years, she pointed out that worthiness rather than cost and time implications should be the deciding factor in heritage preservation. She urged the Administration not to preclude proposals (a) and (b) at this early stage and to allow more time for different parties to give views on the various preservation options.

42. Mr LEUNG Kwok-hung opined that the present difficulties in maintaining the Queen's Pier intact as a pier at the waterfront was attributable to the poor planning on the part of the Town Planning Board and the Government. He pointed out that the only critical factor in adopting the proposals to preserve the Queen's Pier in-situ was the cost required and an international tendering exercise would be able to identify experts to solve the technical difficulties. All that the Administration needed was the will to preserve the Queen's Pier. He considered that proposal (d) was not a popular choice and the Administration's inclination to adopt it was a political decision.

43. In response, SHPL emphasized that cost and time implications were not the most important considerations of the Administration. Rather, technical feasibility was the most critical factor. Proposals (a) and (b) were technically impractical. For proposal (c), there were technical constraints such as the weight of the Queen's Pier, its fragile structure and the stress created on the structure during rolling. The Administration had already held in-depth discussions with professional organizations on the technical feasibility of various options and Ir Dr Raymond HO had also indicated that he agreed with the Administration's technical analysis of the various options.

44. Mr Alan LEONG commented that there should be sufficient time for concrete bottom-up consultation for preservation of the Queen's Pier and the public should be well informed of the outcome of the preservation options, including the spatial relationship with the City Hall and the clock tower of the former Star Ferry Pier. He enquired about the arrangements for public consultation on the matter and the timeframe for deciding whether and when to dismantle the Queen's Pier. In relation to proposal (c), he enquired about the measures needed to ensure the structural integrity of the roof of the Queen's Pier. As regards proposal (d), he asked how the parts of the Queen's Pier would be handled after they had been dismantled.

45. In response, SHPL pointed out that although the Central reclamation works had nearly reached the final stage, the preservation of the Queen's Pier attracted much attention and the Administration had adopted a prudent approach in handling the issue. However, due to contractual obligations, the Administration would not have unlimited time for making a decision. Many members of the public wanted to expedite the reclamation works to alleviate traffic congestion in the area. If it was agreed that proposal (d) should be adopted, the Administration could have several weeks for further discussing the details with the public. With the policy support from the Panel, the Administration would submit a funding proposal to the Public Works Subcommittee for the necessary preservation works. He emphasized that there was still time for considering the locations for preservation of the Queen's Pier and rebuilding the clock tower and the Study would include public consultation and a recommendation on the most appropriate locations. The decision of adopting proposal (d) at this stage would not limit the choice of the location for preservation of the Queen's Pier.

46. In relation to the high risks involved in proposal (c), PM/CEDD explained that the size of the Queen's Pier and its weight would pose difficulties in rolling. While the size was some 60 metres by 20 metres, the weight of the roof alone was over 500 tonnes and adding the 34 columns, the weight would be over 700 tonnes. There was a high risk of damaging the roof, with a thickness of only 150 millimetres in some portions, during load transfer. As for proposal (d), the parts could not be stored on reclaimed land in Central as suggested by some organizations because the area was a works site. A proper place would be needed for storing the parts and as the preservation works required precise workmanship, preparation work for preservation and reassembly, such as strengthening of the structural parts, would have to be carried out in a factory-like setting.

47. Mr Abraham SHEK considered that the Administration had provided a very good paper with a clear explanation on the four preservation options. Different people had different views and it would be impossible to satisfy all of their demands. The concept of collective memory also varied from person to person. AAB already had a policy on how to preserve heritage and was considering the role of collective memory in heritage preservation. He queried whether society should cease to develop for the sake of heritage preservation and pointed out that a balance had to be struck. The Administration had presented various preservation options with time and cost implications and the society had to bear the cost for the option chosen. Proposal (d) was a practical option and the crux was how to obtain further views on the option and make detailed arrangements to meet public aspirations in preserving the Queen's Pier. Apart from in-situ preservation, preservation of the Queen's Pier at the new waterfront was also a possibility. He urged the Administration to expedite the relevant reclamation and infrastructure works and make an early decision on the preservation of the Queen's Pier.

48. In response, SHPL thanked Mr Abraham SHEK's for his commendations on the Administration's work and said that the Administration had done a lot of

consultation and research work in the preservation of the Queen's Pier, and it would continue its efforts with a view to arriving at a widely-accepted preservation option.

49. Mr LEE Wing-tat considered that there might not be sufficient time for completing bottom-up consultation work to arrive at a consensus if the Administration planned to submit a funding proposal in May 2007 because the public would need some time to digest the details of the preservation options before giving their views. He suggested that the Administration's plan be adjusted.

50. In reply, SHPL said that while the Administration would strive to adhere to its plan as far as possible, it would review its plan if the original target could not be achieved.

51. Dr KWOK Ka-ki considered that it would be too early for the Administration to submit a funding proposal to the Public Works Subcommittee in May 2007 and advised the Administration to allow more time for sufficient discussion. Consideration could be given to inviting the four professional organizations to attend if a special meeting of the Panel was held. The Administration should also ensure that the views of the public would be heard if they had reservations on any of the preservation options. He asked whether AAB had discussed the four preservation options and the possible damage to the Queen's Pier arising from dismantling.

52. In reply, AD/H&M said that AAB had made a recommendation to the Administration in December 2006 on the preservation of the Queen's Pier and the Administration had already adopted AAB's recommendation in putting forward the proposal of dismantling and reassembling the valuable parts of the Queen's Pier. In future, AAB would discuss how to reflect the historical and heritage value of the Queen's Pier when it was reassembled. SHPL added that the Administration would strive to complete the consultation work as soon as possible.

53. The Chairman said that members could review the four preservation options and he hoped that a consensus could be reached when the subject was discussed next time.

## **VI Buildings (Amendment) Bill 2007 – Minor Works Control System**

(LC Paper No. CB(1)1184/06-07(05) -- Information paper provided by the Administration

LC Paper No. CB(1)1184/06-07(06) -- Background brief on "Minor Works Control System" prepared by the Legislative Council Secretariat)

54. Mr Albert CHAN commented that although the current proposal was on the whole better and more mature than the previous one, some concerns and grey

areas raised previously were still not yet fully resolved. For example, the definition of minor works might be too broad, and requiring Class III minor works to be carried out by registered contractors might be too harsh and it would increase the financial burden of the public. He sought clarification on whether the installation of supporting frames for air-conditioners on the ground floor of village houses or squatter huts, which should not pose any safety problems, would be subject to regulation under the Buildings (Amendment) Bill 2007 (the Bill). He disagreed that this type of minor works should be regulated.

55. In response, the Deputy Secretary for Housing, Planning and Lands (Planning & Lands) 2 (DS/P&L2) explained that a working group had been formed with relevant stakeholders to discuss the minor works classification system which was based on the scale and risks of the works. Details concerning the classification of minor works would be stipulated in the regulations to be made under the Bill and those regulations would be subject to vetting by the Legislative Council. The Director of Buildings (DB) clarified that while the installation of supporting frames for air-conditioners on the external wall of multi-storey buildings in urban areas would be subject to regulation, this type of minor works would not be subject to the Buildings Ordinance if carried out on the ground floor of village houses or squatter huts.

56. The Chairman sought clarification on the parties being consulted on the minor works control system. He considered that contractors might support the control system out of business considerations. In response, DS/P&L2 said that in order to address the concerns of the Bills Committee on Buildings (Amendment) Bill 2003, professionals, contractors and frontline workers in the industry had been consulted and a legislative proposal would be put forward for consideration by the Legislative Council.

57. Dr KWOK Ka-ki had reservations because he was worried that although the direction of the policy was appropriate, members might not agree to the details of the minor works control system given that the Administration had not provided the details at this stage. Safety should be an important consideration in classifying minor works, and the Administration had not explained the risk assessments in respect of the proposed classification of minor works. He enquired about the purpose of the certificate of completion for Class III minor works and queried whether there was a genuine need for the certificate. He further asked whether the certificate would be simple for the contractors to prepare and pointed out that the Administration would need substantial manpower to handle and a lot of space to store the certificates.

58. In reply, DS/P&L2 said that according to the current legislation, if the plans of building works were not submitted to the Building Authority for approval, those building works were in fact unauthorized building works. The Administration was seeking the Panel's support of the policy to implement a minor works control system with varying degrees of control based on the scale of the minor works, and the details of the classification system would be vetted by the

Legislative Council. For Class III minor works, if there was no certificate of completion, the Building Authority would not be able to differentiate between legal and illegal minor works. The certificate of completion would serve as a record and it would be as simple as possible.

59. Mr CHAN Kam-lam supported the objective of the legislative proposal to simplify the procedures for carrying out of minor works but considered that there should be a clear definition for various classes of minor works. Otherwise, the general public would be confused and might easily breach the future legislation unknowingly. While the minor works control system could simplify the current procedures, expedite the work flow and reduce manpower requirements of the relevant departments, vigilant surveillance of the quality and safety of minor works was important and should be maintained. There should be clear standards even for Class III minor works because even a single bolt in the supporting frame for an air-conditioner would be critical for safety and a missing bolt might lead to serious consequences. The certificate of completion could facilitate the tracking of the party to be held responsible if accidents occurred. The classification system of registered minor works contractors should also be clear and there should be wide publicity to educate the public in this regard.

60. In response, DS/P&L2 said that there would be wide publicity on the classification systems for minor works and registered minor works contractors. Before the legislation came into effect, detailed technical information would be provided to the professionals and there would be publicity materials for the general public, such as pamphlets providing information on different types of household minor works and minor works for commercial premises. The general public should be able to obtain the necessary information from these publicity materials without the need to look into the provisions of the legislation.

61. Mr LEE Wing-tat shared the view that more attention should be devoted to situations where risks and safety were involved in the minor works. He asked how the Administration could ensure that general household renovation works to be carried out in future would comply with legislative requirements and that registered minor works contractors would be engaged for carrying out such minor works. He also expressed concern on the registration of minor works contractors as quite a number of existing practitioners acquired their skills through apprenticeship under the guidance of a master rather than through a formal educational channel. He further asked how the public could differentiate whether a minor works contractor was registered or not.

62. In reply, DS/P&L2 said that in general household renovation works not involving the structure of the building might be carried out in the building as exempted works under the Buildings Ordinance. DB added that in general household minor works, such as the erection of drying racks and supporting frames for air-conditioners, would be classified as Class III minor works. Alteration works for shops and restaurants would usually fall into Class II minor works. Separate pamphlets on different types of minor works specifically catering

for different target groups would be prepared for publicity to facilitate compliance. There would be hotlines for answering enquiries and samples to demonstrate various classes of minor works. As regards registered minor works contractors, the public could check the name of a minor works contractor against a register to see if the contractor was a registered minor works contractor. To facilitate registration, there would be training and top-up courses for existing practitioners to upgrade their skills and provide them with the necessary knowledge on the technical requirements under the minor works control system. The register would also facilitate the tracking of the responsible contractor when necessary.

63. Mr WONG Kwok-hing expressed concern about the relationship between the requirements of the minor works control system, the provisions of the deeds of mutual covenant and the provisions of the management agreements between owners' corporations and management companies. He pointed out that disputes and litigations might arise because compliance with the requirements of the minor works control system did not necessarily mean compliance with the provisions of the deeds of mutual covenant or management agreements. In introducing the minor works control system, the Administration should address the situation where some minor works authorized under the minor works control system might contravene the provisions of the deeds of mutual covenant or management agreements. He was worried that, if the issue was not properly addressed in the future proposed legislation on the minor works control system, the subsequent enacted legislation would have the unintended effect of legalizing minor works which were in breach of the deeds of mutual covenants. He also enquired about the rationale for introducing the household minor works validation scheme for household minor works.

64. In reply, DS/P&L2 said that flat owners and owners' corporations should already have an understanding on the provisions of the deeds of mutual covenant and management agreements, and the Administration would prepare pamphlets to provide technical support and remind the public to comply with all the necessary requirements before carrying out minor works. As regards the household minor works validation scheme, it would be applicable to existing household minor works which had been carried out without obtaining prior approval and consent from the Building Authority before the introduction of the minor works control system. Validation by building professionals or registered minor works contractors would rationalize these types of minor works, allow owners to retain these features for continued use after ensuring that they could meet the safety requirements and serve as a record of the minor works that had been carried out. The issue was also one of the major concerns of the former Bills Committee on Buildings (Amendment) Bill 2003.

65. Mr James TO pointed out that professionals in the industry might have a collective interest in safety control systems such as licensing schemes and society had to bear the cost of such systems. He queried whether it would be too restrictive to regulate Class III minor works given that "do-it-yourself" household minor works were not uncommon. He further queried whether it would be possible to track the responsible professionals or contractors if the minor works led to accidents and whether these persons would be penalized under such circumstances. He considered that the regulation of Class III minor works might be theoretically feasible but unworkable in reality. While supporting the direction of regulating Classes I and II minor works, he had serious reservations on regulating Class III minor works, and he could only further consider the latter issue after the Administration had provided a clear picture of the types of minor works to be classified as Class III minor works.

66. In reply, DS/P&L2 said that the existing control system was very stringent and costly and the minor works control system would provide simple and effective statutory procedures for carrying out minor works. The details of the three classes of minor works would be specified in the regulations to be made under the Bill. Both the Bill and the regulations would be subject to vetting by the Legislative Council.

67. Ir Dr Raymond HO supported in principle the idea of introducing a minor works control system to simplify the procedures and benefit the public. Rather than increasing participation by professionals, the control system would relieve participation by professionals. It would not be necessary to specify in the legislation the relationship between the requirements of the minor works control system and the provisions of the deeds of mutual covenant and management agreements because they were separate matters, and putting them together in the legislation might cause confusion to the public. The three classes of minor works and the associated procedures and requirements should be clearly defined. However, in trying to specify all the works items under the three classes of minor works, it would still be possible that some items would be omitted. As for signboards, their classification should be clearly specified and classification by size alone might not be adequate. For minor works carried out on external walls, there should be a monitoring mechanism as public safety was involved. Even for household minor works such as supporting frames for air-conditioners, any defect in workmanship could pose a danger. He considered that the legislation should be introduced into the Legislative Council as soon as possible. In relation to consultation, he urged the Administration to thoroughly solicit the views of relevant practitioners on the minor works control system.

68. In reply, DB explained that the erection of signboards would be classified as Class I, II or III minor works depending on their size and method of erection. The classification of minor works would be clearly specified and it would mainly be based on safety considerations and size of the minor works structures. There would be monitoring and enforcement mechanisms, and detailed guidelines would be made available to registered minor works contractors to facilitate compliance.

For Classes II and III minor works, there would be standard plans for the installation of various items and failure to comply with the requirements would lead to prosecution. There would be spot checks especially during the initial period after the introduction of the minor works control system. As it was expected that future minor works would be carried out by existing practitioners in the industry, there would be training and skills enhancements courses for existing practitioners to facilitate them to prepare for registration. The level of costs to be charged by registered minor works contractors would be similar to that at present. As for consultation with the practitioners, consultation through various channels had been conducted. The working group established by the Buildings Department had consulted 22 organizations which constituted the Minor Works Concern Group and 10 meetings had been held to obtain a thorough understanding on their skills and division of labour. Through the press, practitioners had been invited to attend four briefing sessions. The information obtained through these consultation exercises served as useful reference in designing the minor works control system.

69. DS/P&L2 sought the Panel's support for the Administration to proceed with introducing the relevant Bill into the Legislative Council in the current legislative session. In response, the Chairman said that the discussion at this meeting served to enable the Administration to gauge members' views and concerns on the proposal in its present form. In formulating the Bill, the Administration should take heed of members' views and concerns and provide further details on the minor works control system. While members had raised concerns on some aspects, members in general supported the policy direction of the proposal.

70. Ir Dr Raymond HO considered that although some members had raised certain queries, the majority of the members having spoken on the subject supported the introduction of the Bill. The Administration could clarify those queries in the first place and then proceed with introducing the Bill.

## **VII Any other business**

71. In view of time constraints, members agreed that discussion of the item on "Work of the Urban Renewal Authority" would be deferred to a special meeting.

*(Post-meeting note: The item had been scheduled for discussion at the special meeting on 23 April 2007.)*

72. There being no other business, the meeting ended at 6:25 pm.