

立法會
Legislative Council

LC Paper No. CB(1)2321/07-08
(These minutes have been seen
by the Administration)

Ref : CB1/PL/DEV/1

Panel on Development

Minutes of special meeting
held on Saturday, 31 May 2008, at 9:00 am
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
Hon James TO Kun-sun
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon CHOY So-yuk, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon LEE Wing-tat
Hon Daniel LAM Wai-keung, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon CHEUNG Hok-ming, SBS, JP

Member attending : Hon TAM Heung-man

Members absent : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon CHAN Kam-lam, SBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon Albert CHAN Wai-yip
Dr Hon KWOK Ka-ki

Public officers : **Agenda item I**

attending

Mrs Carrie LAM
Secretary for Development

Miss Diane WONG
Principal Assistant Secretary (Planning & Lands)1

Mr Jeff LAM
Assistant Director (Headquarters)
Lands Department

Mr K M MO
Assistant Director/New Buildings 1
Buildings Department

Mr LAU Sing
Assistant Director/Board
Planning Department

Agenda item II

Mrs Carrie LAM
Secretary for Development

Miss Amy YUEN
Principal Assistant Secretary (Planning & Lands)2

Mr Jimmy LEUNG
Deputy Director/Territorial
Planning Department

Mr Peter YUEN
Project Director 1
Architectural Services Department

Mr Tom MING
Executive Secretary (Antiquities & Monuments)
Leisure and Cultural Services Department

**Attendance by
Invitation**

: Agenda item I

Designing Hong Kong Ltd.

Mr Paul ZIMMERMAN
Founding Member

Mr Dominik SEEMANN
Member

The Civic Party

Mr Albert LAI
Vice-chairman

Hong Kong Institute of Real Estate Administrators

Mr Kyran SZE
Vice-President

Individual

Mr LAM Ho-yeung
Yau Tsim Mong District Council Member

Individual

Mr HUNG Chiu-wah
Yau Tsim Mong District Council Member

Individual

Mr CHAN Kai-wai
Sai Kung District Council Member

Democratic Party

Mr KAM Nai-wai
Convenor
Central & Western Caucus

FM Theatre Power

Mr YEUNG Bing-kei
Art Director

Mr FUNG Sai-kuen
Administrative Director

Local Action

Mr CHU Hoi-dick
Member

Individual

Ms LEUNG Po-shan

Individual

Mr TSANG Tak-ping

Individual

Mr SO Chun-chau

The Hong Kong Institute of Surveyors

Dr Lawrence POON
Chairman
General Practice Division

Mr Tony WAN
Honorary Secretary
General Practice Division

The Hong Kong Institute of Architects

Mr K S WONG
Chairman
Board of Local Affairs

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 Provision of public facilities in private developments**
(LC Paper No. CB(1)1681/07-08(05) -- Submission received from The Hong Kong Institution of Engineers on 22 May 2008
LC Paper No. CB(1)1681/07-08(06) -- Submission dated 20 May 2008 from Green Sense

- LC Paper No. CB(1)1273/07-08(04) -- Information paper provided by the Administration
- LC Paper No. CB(1)1681/07-08(07) -- Submission dated 22 May 2008 from Ms Sabrina FUNG Mee-ying, Mr Stanley WONG Ping-pui and Mr Maurice LEE Wai-man
- LC Paper No. CB(1)1681/07-08(08) -- Submission dated 22 May 2008 from Shakespeare 4 All (Hong Kong)
- LC Paper No. CB(1)1681/07-08(09) -- Submission received from Mr LAW Man-lok on 22 May 2008
- LC Paper No. CB(1)1712/07-08(02) -- Submission received from Momentum 107 on 29 May 2008)

The Chairman invited deputations to present their views.

Presentation by deputations

Designing Hong Kong Ltd.

(LC Paper No. CB(1)1134/07-08(01); and LC Paper No. CB(1)1752/07-08(07), issued to members after the meeting on 2 June 2008)

2. Mr Paul ZIMMERMAN, Founding Member, Designing Hong Kong Ltd., delivered his presentation, the details of which were given in the relevant submissions. He said that although the Hong Kong Planning Standards and Guidelines (HKPSG) had set out the criteria for good open space, the open space in many private developments did not meet the criteria. He urged the Administration to pay attention to the design of the open space in the Central waterfront. He considered that streets were genuine public space where the public would be free to do anything as long as the law permitted.

The Civic Party

(LC Paper No. CB(1)1752/07-08(02), tabled and issued to members after the meeting on 2 June 2008)

3. Mr Albert LAI, Vice-chairman, The Civic Party, delivered his presentation, the details of which were given in the relevant submission. He said that the public had no channel to uphold their rights in using public facilities in private developments. He also expressed concern about the legality of the exemptions granted under the Buildings Ordinance and the rights of property owners of private developments containing public facilities.

Hong Kong Institute of Real Estate Administrators

4. Mr Kyran SZE, Vice-President, Hong Kong Institute of Real Estate Administrators, said that if the public was not informed of the availability of the public open space in private developments and regarded the space as private space, or if the space was not easily accessible to the public, that public open space was useless. It would amount to hoarding something one did not really need. The public and the Administration should monitor the use of public open space to ensure that there was no abusive or illegal use, and that the space was not left unused, thus wasting land resources. The Buildings Ordinance should be flexible in matters such as building set-back and individual cases should be considered based on the actual circumstances. The principles for managing public open space should be similar to those for property management.

*Mr LAM Ho-yeung, Yau Tsim Mong District Council Member
(LC Paper No. CB(1)1681/07-08(01))*

5. Mr LAM Ho-yeung, Yau Tsim Mong District Council Member, delivered his presentation, the details of which were given in the relevant submission. He emphasized that land lease conditions were too general to offer sufficient safeguard to the public in using public open space in private developments freely.

*Mr HUNG Chiu-wah, Yau Tsim Mong District Council Member
(LC Paper No. CB(1)1752/07-08(05), issued to members after the meeting on 2 June 2008)*

6. Mr HUNG Chiu-wah, Yau Tsim Mong District Council Member, delivered his presentation, the details of which were given in the relevant submission. He urged the Administration to identify the causes of the problem relating to the provision of public open space in private developments. He added that the actions taken by the Secretary for Development (SDEV) in response to the matter were positive and he believed that she would correctly handle the matter, which was left over by history. While agreeing that developers had provided some public facilities for the benefit of the community, he urged them to provide prospective property purchasers with sufficient information on public facilities in private developments. The arrangement for property owners to bear the management and maintenance responsibilities of those facilities should also be reviewed.

Mr CHAN Kai-wai, Sai Kung District Council Member

7. Mr CHAN Kai-wai, Sai Kung District Council Member, said that inappropriately planned public open space would be a loss for both the public and property owners. The former could not enjoy the space and the latter had to bear insurance, management and maintenance responsibilities. The Administration should investigate whether developers were providing misleading information in sales brochures and, if so, the Consumer Council should step in and take legal actions. The Administration should also clearly define the rights and responsibilities in relation to public open space so as to avoid conflicts in society.

This would prevent Government departments from passing the buck and management companies from being accused of abuse of power. The Administration should be careful in designating public open space in private developments in future.

The Democratic Party

(LC Paper No. CB(1)1752/07-08(04), issued to members after the meeting on 2 June 2008)

8. Mr KAM Nai-wai, Convenor of Central & Western Caucus, The Democratic Party, delivered his presentation, the details of which were given in the relevant submission. He said that the Democratic Party had made a number of suggestions for the Administration's consideration so as to ensure that the public could really enjoy the public facilities and public open space designated for them. He added that the procedures for applying to use public space for specific purposes should be clear and made known to the public, and the results of such applications should be announced. There should be enhanced transparency in the application procedure.

FM Theatre Power

9. Mr YEUNG Bing-kei, Art Director, FM Theatre Power, said that in addition to performances staged in performance venues, street performances were sometimes conducted in public space. By way of a video, he demonstrated some performances conducted at Times Square during which the performers remained static, because only passive activities were allowed at that venue. He was concerned about how different management offices formulated their regulations for using public space provided in private properties because street performers did not have the financial resources to take legal action to fight for their rights. As the street performances conducted in Mong Kok over the past five years did not lead to any problems, he believed that there would be many possibilities for the development of street performance if the community was given more room in this regard.

Local Action

(LC Paper No. CB(1)1756/07-08(01), soft copy of presentation materials issued to members after the meeting on 2 June 2008)

10. Mr CHU Hoi-dick, Member, Local Action, delivered his presentation, the details of which were given in the relevant presentation materials. He said that public space was a much wider concept than open space. For newly planned areas, he queried the need for the Administration to leave the provision of public open space to the hands of private developers. He wondered whether the space occupied by private clubhouses would be considered as open space. A complaint mechanism for using public space in private developments would not be of much help because it would be pointless if the public could only perform certain acts after lodging complaints.

Ms LEUNG Po-shan
(LC Paper No. CB(1)1681/07-08(03))

11. Ms LEUNG Po-shan said that leniency in managing street performance would be conducive to Hong Kong's vibrancy. She hoped that a community consensus could be reached through the efforts of intermediary agencies such as Hong Kong Arts Development Council, District Councils or non-governmental organizations on how to manage street performance. As she and Mr TSANG Tak-ping often produced their artistic work in public space, they had experience and observations on issues relating to public space. She then invited Mr TSANG to share their views on the possibilities of using public space.

Mr TSANG Tak-ping

12. Mr TSANG Tak-ping said that the public space at Times Square was in fact anti-public and it did not encourage interaction. Top-down management of the space hindered communication between artists and the public. Cultural activities organized by the developer were often for advertising purposes. Public space should help achieve social integration and social harmony. Creativity was not limited to artists, many citizens were also very creative. There should be more room for everyone so as to help create a diversified society. Citizens should be encouraged to launch self-initiated creative activities through intermediary organizations. Specific timeslots should be allocated for the public in using public space.

Mr SO Chun-chau
(LC Paper No. CB(1)1681/07-08(04))

13. Mr SO Chun-chau delivered his presentation, the details of which were given in the relevant submission. From his experience in street performance, management offices often abuse the complaints mechanism and the police force. As a free society, Hong Kong was lagging behind other Asian cities in developing street performance. He urged the Administration to forge ahead in this regard. Places where there were street performances could become tourist attractions without the need for using public funds. Street performances conducted at present could help prepare for similar performances in the West Kowloon Cultural District in future.

*The Hong Kong Institute of Surveyors
(LC Paper No. CB(1)1712/07-08(01))*

14. Dr Lawrence POON, Chairman of General Practice Division, The Hong Kong Institute of Surveyors, delivered his presentation, the details of which were given in the relevant submission. He expressed support for the Administration to use various methods to fully utilize valuable land resources for the benefit of the community, and the provision of public facilities in private developments was one of them. Such facilities should meet the needs of the users. The Administration should formulate guidelines on the use of public facilities in private developments.

15. Mr Tony WAN, Honorary Secretary of General Practice Division, The Hong Kong Institute of Surveyors, added that expectation management was important and the Administration should let the public know that use of public facilities in private developments would be regulated and monitored. The Administration could consider the possibility of allowing property owners to buy out the public facilities in their private developments by paying a premium if those facilities had a low public utilization rate due to design problems.

*The Hong Kong Institute of Architects
(LC Paper No. CB(1)1752/07-08(03), issued to members after the meeting on 2 June 2008)*

16. Mr K S WONG, Chairman of Board of Local Affairs, The Hong Kong Institute of Architects, delivered his presentation, the details of which were given in the relevant submission. He said that the existing policy had its merits and necessity for the benefit of the community in view of the high development density in Hong Kong. Nevertheless, there was room for improving the design of the public facilities in private developments. Cities such as Tokyo, New York and London had similar arrangements.

Discussion

17. In response to the views expressed by deputations, SDEV said that at the Panel meeting on 22 April 2008 when the same subject was discussed, she had explained the rationale of the policy on provision of public facilities in private developments. While there was room for improvement in the implementation aspects, the policy had a strong basis and should be retained. She stressed that development projects already implemented were subject to the conditions of the existing land leases or deeds. The Administration had to respect the rule of law and contractual obligations and it could not change the contracts unilaterally or breach the contracts. Except for cases involving deeds of dedication in which the Building Authority granted gross floor area compensation in accordance with the Buildings Ordinance, developers who provided public facilities by way of land lease conditions would not get additional gross floor area. The powers conferred on the Building Authority were diverse. Apart from the power to grant bonus plot ratio/site coverage under Regulation 22 of the Building (Planning) Regulations,

the Building Authority could also grant modifications in respect of the provisions of the Buildings Ordinance under section 42 of the said ordinance on grounds of public interest. The Administration had complied with the law in all previous cases and was not *ultra vires*. There had been no unlawful grant of additional plot ratio and site coverage and no transfer of benefits between Government and developers.

18. As regards protecting the rights of prospective property purchasers to be adequately informed of public facilities in private developments, SDEV said that the Transport and Housing Bureau was taking actions to enhance the disclosure of relevant information in the sales brochures of residential properties. The Administration would follow up with the view that small property owners should not be responsible for the management of public open space in their private developments. For public open space on Government land, the Government might invoke the relevant lease condition for the redelivery of the open space to Government (if there is such provision in the lease) if funding was available for management and the Leisure and Cultural Services Department was willing to take up the management of the space. For public open space on private land, the circumstances would be more complicated because of multiple titles.

19. On upholding the rights of the public in using public facilities in private developments, SDEV pointed out that the Administration had enhanced citizens' access to the relevant information. There were enquiry hotlines and complaints would be followed up. The application procedures for using public space depended on whether the space was located on Government land or private land. For the former, the Lands Department had established procedures to handle applications for using Government land. For the latter, the applications would be handled by the relevant owners concerned. For the outdoor cafes at Cosco Tower and Grand Millennium Plaza, the Lands Department had formally granted approval by way of a waiver upon collection of a waiver fee. The Central and Western District Council expressed support for alfresco dining back in 2003 as a measure to boost the economy. The Administration could cancel the waiver if the Central and Western District Council considered it desirable.

20. SDEV clarified that the standard on the provision of open space in the HKPSG applied to "open space" instead of "public space", and open space included public open space and open space in private developments. The open space could be for active or passive recreational purposes. Citizens had rights in using public open space and public passages, but this did not mean that they could behave in any way as they wished in those facilities. In using public open space and public passages, a balance had to be struck between the interests of the general public and minority groups such as performing bodies and street performers. There were views from arts groups that the existing policy was conducive to providing more informal performance venues. The Administration should not tighten up the existing policy or renounce the provision of public space in private developments in future.

21. Mrs Sophie LEUNG expressed support for street performance and suggested that the Leisure and Cultural Services Department could consider setting up a registration system for street performers. Street performance at public space was conducive to nurturing artistic talents. However, public space did not mean that everyone would be free to do whatever they liked at that place. A balance was needed in managing the space and guidelines on using public space were desirable. She also recalled that the Central and Western District Council had previously expressed support for alfresco dining.

22. Mr LEE Wing-tat said that for the public facilities in Ma Wan Park, the completion date of "Noah's Ark" was long overdue while "Solar Tower" did not even have a commencement date for construction. On the other hand, the relevant developers' residential units on Ma Wan were completed on time. He queried why the Administration did not impose penalty on the developer concerned for the delay in the completion of the Ma Wan Park. He expressed concern about how the Administration could protect the rights of the public and considered that the Administration should disclose the agreement for the Ma Wan Park. In providing public facilities in private developments, the transparency of the negotiation process between the Administration and the developers should be enhanced. Increased transparency would reduce accusations of collusion between Government and developers. The Administration had to handle the issue, otherwise SDEV's saying of upholding the rights of the public would just be empty words.

23. In response, SDEV said that the Ma Wan Park involved the development of public facilities in two phases. To avoid duplication of facilities, the original plan to develop the Ma Wan Park into a theme park with a large number of mechanical rides had been amended due to the subsequent development of the Hong Kong Disneyland. The completion date of the whole project had thus been postponed. There were three facilities in Phase 1 of the amended plan, namely "Nature Garden", "Noah's Ark" and "Solar Tower". "Nature Garden" was already opened for public use free of charge. "Noah's Ark" was expected to be completed before the end of 2008. The Administration had only granted one extension of the completion date of the facilities, i.e. from June 2006 to end of 2008. The construction of "Solar Tower" would depend on the road works on the island. In enforcing the terms of the agreement, the Administration should give due regard to changes in circumstances. It would continue to strive for early completion of the relevant facilities according to the agreement.

24. Ms Miriam LAU said that depending on one's standpoint, an entirely different conclusion could be drawn in respect of public space. The public would feel that they should be able to use the public space as they wished. Owners on the other hand considered that the space was within the premises of their housing estate and they had to bear the management and maintenance costs. Use of public space should not be without any constraints. Any guidelines on using public space should take into account the needs of all parties concerned. She asked how the Administration would implement such guidelines in a way that owners, developers

and the public would find them acceptable. She felt that developers might have grievances because while they did not consider that they would get any benefits from providing those public facilities, they had become the targets of criticisms. She shared Mrs Sophie LEUNG's view that street performance would create vibrancy on the streets, and suggested that The Hong Kong Institute of Architects provide information on the successful experience of overseas places in managing public space.

25. Mr K S WONG, Chairman of Board of Local Affairs, The Hong Kong Institute of Architects, responded that an annual conference involving architects from different places would be held in November 2008. The Hong Kong Institute of Architects could take the opportunity to exchange information on the subject with the architects from other places.

26. SDEV said that while the Administration would seek to formulate guidelines to serve as a reference, she hoped that all parties concerned would adopt an accommodative attitude in this matter. Legal enforcement would depend on what residual powers the Administration had in each case. She would relay members' views on street performance to the Home Affairs Bureau.

27. Mr Albert HO considered that there should be extensive community engagement in formulating the guidelines so that public space could be used freely in a vibrant way. Those responsible for managing public space should not make the space anti-public and there should not be any discrimination in the use of public space. Public space in large private developments would be non-conducive to vibrant street activities because of the constraints imposed by the management offices. He was also worried that through land exchange, some private developments might intrude into natural public space, such as slopes and green areas. This would reduce public open space and increase development density. The Administration should put to a halt the land exchange policy.

28. In response, SDEV agreed that there should be community participation in formulating the guidelines and District Councils would play an important role. Regulations for street management were needed, otherwise various problems might emerge, such as setting up of illegal recycling cages for old clothes or booths for promotion. The Planning Department would look into issues relating to the appropriate size of individual development sites. As regards the land exchange policy, the Administration was facing a dilemma in that members disapproved of the policy under some circumstances but expressed support for the same policy under other circumstances, such as heritage and nature conservation. The crux was to obtain the most benefits for the public in implementing the policy.

29. Mr Alan LEONG said that in relation to the standard on the provision of open space specified in the HKPSG, the Administration should disseminate to the public information on the areas and locations of the existing open space, specifying whether it was public or private and whether it was for active or passive use. The negotiation of land lease conditions between the Government and

developers lacked transparency. The granting of exemptions under the Buildings Ordinance also lacked transparency because the public did not know the criteria used. While agreeing that use of public space was not without qualifications, he asked when the Administration would put forward a proposal on how to handle the problems arising from the provision of public facilities in private developments. Property owners and the public were victims of the policy.

30. In response, SDEV said that the standard on the provision of open space in the HKPSG was a planning standard and it made no distinction between public open space and private open space. According to that standard, the shortage of open space was not much. Some districts even had a surplus of open space. Information on the provision of public open space was provided in papers submitted to the Public Works Subcommittee by the Leisure and Cultural Services Department of the Home Affairs Bureau. Lack of transparency and administrative efficiency were entirely different issues. It would be onerous and impractical if every single administrative matter handled had to be made public. The public should trust that the Administration had been acting in accordance with the law and its powers. The powers of the Building Authority under section 42 of the Buildings Ordinance were subject to various regulations and relevant practice notes were made public. Applications for providing public facilities in private developments would be vetted in accordance with relevant regulations by the Building Committee which comprised representatives from Buildings Department, Planning Department, Lands Department and other departments such as Highways Department or Transport Department would be invited to join the meeting on a need basis. The Administration would adopt a practical and efficient approach in taking forward the matter.

31. Miss TAM Heung-man said that SDEV should handle problems related to public facilities in private developments, such as management mechanism, behaviour of security staff and rights of citizens. She asked how the Administration would tackle unfair arrangements in existing private developments containing public facilities. She referred to a case in which she was expelled brutally by the management office staff of a private mall when conducting a fund-raising activity with volunteers on Government land even though she had applied to the management office and received its approval. She asked how the Administration would protect the rights of the public in using public space in a reasonable, legal and sensible way; and when the Administration would resolve problems relating to the use of public facilities in private developments.

32. In response, SDEV said that if Miss TAM Heung-man considered that she had received unfair treatment when using a public place, she could lodge a complaint and the Administration would investigate and follow up the case. As it would be necessary to consult the stakeholders and draw on collective wisdom, she could not hastily decide on the way forward by herself. The Administration had to be transparent in implementing its policies. She would strive to come up with a concrete proposal at the earliest opportunity.

33. Mr Abraham SHEK said that accusations for collusion between Government and developers should be substantiated by evidence because Hong Kong was under the rule of law. He hoped that the community could reach a consensus on how to enhance the management of public facilities in private developments. The crux was how to solve the problem with an open attitude by all parties concerned. It would be unfair for developers to bear the costs of providing public facilities in private developments but were accused of depriving the public's use of those facilities. If those facilities were not provided by developers, the money and time needed by the Administration to provide such facilities would have been very substantial. The policy was in the interest of the community.

34. Prof Patrick LAU said that how to use urban space was an important issue. Providing public space in private developments for shared use by the public was good for the urban environment because Hong Kong was a high density city. The provision of space was important in urban planning and the Administration should continue to make an effort in reducing development density. He shared the view that developments on large sites would reduce public space. The design and location of public space in private developments were important factors in determining its accessibility and making the space really public. Public space should be on ground level. The public space at Times Square was good and easily accessible and the case was just a management issue. It was common that objectors of an issue would be more likely to voice out their views than supporters. The policy had its merits and the community should make the best use of it. He urged the Administration to conduct research and come up with enhancement measures.

35. Mr James TIEN said that problems would arise if different parties such as security staff and street performers had a different interpretation of public space in private developments. Security staff should have the understanding that the public had a right to use public space in private developments. Street performers and the public on the other hand should understand that using public space in private developments would be subject to more constraints than using public streets. The Administration should conduct research and consultation before formulating the guidelines on using public facilities in private developments.

36. In response, SDEV said that the Development Bureau had announced lists of private developments containing public facilities to enhance transparency. She however agreed that there should be clearer guidelines on the use of public facilities in private developments. She emphasized that public facilities in private developments were not limited to open space, but also included facilities such as elderly centre, nursery and public transport interchange to meet community needs. If such facilities were not provided in private developments under the existing policy, additional costs and demand for space would have to be met by the Administration. As such, the Administration considered that the policy should not be terminated merely because of individual cases involving management issues.

II PWP Item No. 55RE -- A Permanent Planning and Infrastructure Exhibition Gallery at the City Hall Annex

(LC Paper No. CB(1)1645/07-08(01) -- Information paper provided by the Administration)

37. The Deputy Director/Territorial, Planning Department (DD/T) briefed members on the Administration's proposal to construct a permanent Planning and Infrastructure Exhibition Gallery (the Gallery) at the City Hall Annex (LC Paper No. CB(1)1645/07-08(01)). He emphasized that the proposed Gallery could showcase Hong Kong's major planning proposals and infrastructure projects; and would provide a more ideal venue for a variety of exhibitions, meetings, and public consultation forums on planning and infrastructure development proposals.

38. Mr Alan LEONG considered that the Administration should provide more information on its design concepts. Based on the pictures provided in the Administration's paper, he was worried that the design of the proposed Gallery and its windows would be discordant with and destroy the historic atmosphere of the City Hall Complex. Besides, he could not easily visualize the internal layout of the proposed Gallery and its relationship with the City Hall Complex, and asked whether there were three-dimensional models of the whole City Hall Complex. He also asked whether the height of the City Hall Annex would change after completion of the project.

39. In response, DD/T said that upon refurbishment, the height of the City Hall Annex would remain the same. The external concrete wall of the Annex would be replaced by windows. He clarified that glass would be used for the windows to create a feeling of transparency. There would not be any discordance with the City Hall Complex. After completion of the project, the City Hall Annex would become a permanent planning and infrastructure exhibition gallery for public use. There would also be a footbridge connecting the future Central waterfront. As regards models, although the Administration had a three-dimensional model of the proposed Gallery, no such model for the whole City Hall Complex was available.

40. Noting this, Mr Alan LEONG requested the Administration to provide concept plans showing the internal layout and external appearance of the proposed Gallery and its relationship with the City Hall Complex.

41. Mr Abraham SHEK expressed support for the project and considered that the Administration should expedite the project. He hoped that the proposed Gallery would become a showcase of Hong Kong's successful planning and infrastructure development. He considered that the design of the proposed Gallery was good because it created a feeling of openness and it could integrate well with the City Hall Complex. Through the windows of the proposed Gallery, visitors could see the future Central waterfront. He concurred that there should be a picture to show the proposed Gallery together with the whole City Hall Complex. He urged the Administration to ensure that the funding would be sufficient for the

proposed Gallery to reach international standards. There should also be a three-dimensional model of the whole territory of Hong Kong. As a long-term planning, he asked whether the Administration would consider converting the carpark building nearby for future expansion of the proposed Gallery.

42. Mr Daniel LAM also expressed support for the project. He considered that the existing Gallery was not up to international standards and shared the view that the funding should be adequate for the proposed Gallery to be of international standards. The facilities of the proposed Gallery should keep up with the times and be diversified.

43. In response, the Project Director 1, Architectural Services Department said that the Administration would ensure that the funding was sufficient and strive to take forward the project to make it a success. The Administration would consider how best to utilize the carpark building nearby in due course. DD/T added that the proposed Gallery would be compact with diversified and interactive facilities. The Administration had drawn reference from overseas exhibition galleries in designing the proposed Gallery.

44. Prof Patrick LAU said that when he was serving on the Town Planning Board, he highly recommended the construction of a new Gallery. He had felt disappointed when the new Gallery originally proposed at the Tamar site was excised. A new Gallery would attract both Hong Kong citizens and tourists alike. The location of the proposed Gallery under the existing proposal was very good as it was convenient. He considered that the proposed Gallery should be larger so as to house a model of the whole of Hong Kong. It could also be used as an information centre and consultation centre. If future expansion was required, the low block of the City Hall could be considered. He commented that the paper to be submitted to the Public Works Subcommittee should include more pictorial illustrations about the proposed Gallery.

45. In response, SDEV said that members could inform the Administration on what further information they needed before the Public Works Subcommittee considered the proposal. She explained that the construction period of the project was long because it involved alteration of an existing building. Furthermore, during the construction period, the Administration had to avoid affecting the City Hall's noise sensitive operation. Obtaining funding approval within the current legislative session would enable the Administration to secure a venue at the Murray Road Multi-storey Carpark for providing a temporary gallery to maintain services to the public during the construction period.

46. Ms Miriam LAU expressed support for the Administration's proposal in general. As the increase in area of the proposed Gallery was only modest, in the long run, she would support an even larger Gallery. Using the carpark building nearby was a possibility because it was a bird in hand. As regards the facilities in the proposed Gallery, she considered that the design should be flexible so as to make the best use of the available space. She asked why the 150-seat

multi-purpose hall was designated for conducting public engagement activities and whether it was large enough for this purpose. In view of the modest area of the proposed Gallery, she considered that the multi-purpose hall could be designated for other better uses to attract more visitors.

47. In response, DD/T said that the proposed Gallery, with a construction floor area of some 3 980 square metres, was of reasonable size. The multi-purpose hall would have sufficient seating capacity for conducting public engagement activities such as forums and workshops for various planning and infrastructure projects. The multi-purpose hall was designed in a flexible way so that it could be partitioned into several smaller rooms if necessary. Activities requiring a large seating capacity could be conducted at other venues.

III Any other business

48. There being no other business, the meeting ended at 12:20 pm.

Council Business Division 1

Legislative Council Secretariat

26 September 2008