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**Panel on Planning, Lands and Works and
Subcommittee on Heritage Conservation**

**Minutes of joint meeting
held on Tuesday, 24 July 2007 at 2:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Members of the Panel on Planning, Lands and Works

- * Hon LAU Wong-fat, GBM, GBS, JP (Chairman)
- * Prof Hon Patrick LAU Sau-shing, SBS, JP (Deputy Chairman)
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 Bernard CHAN, GBS, JP
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon WONG Yung-kan, SBS, JP
Hon Miriam LAU Kin-yee, GBS, JP
- * Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Albert CHAN Wai-yip
Hon LEE Wing-tat
- * Hon LI Kwok-ying, MH, JP
- * Hon Daniel LAM Wai-keung, SBS, JP

Members of the Subcommittee on Heritage Conservation

- # Hon CHOY So-yuk, JP (Chairman)
Hon Emily LAU Wai-hing, JP
Dr Hon Fernando CHEUNG Chiu-hung

(* Also members of the Subcommittee on Heritage Conservation

Also a member of the Panel on Planning, Lands and Works)

Members attending : Hon CHAN Yuen-han, SBS, JP
Dr Hon YEUNG Sum, JP
Hon WONG Kwok-hing, MH

Members absent : Members of the Panel on Planning, Lands and Works

Hon James TIEN Pei-chun, GBS, JP
Hon Vincent FANG Kang, JP
Hon Alan LEONG Kah-kit, SC
Dr Hon KWOK Ka-ki
* Hon CHEUNG Hok-ming, SBS, JP

Members of the Subcommittee on Heritage Conservation

Hon TAM Heung-man

(* Also a member of the Subcommittee on Heritage Conservation)

Public officers attending : Agenda item II

Mrs Carrie LAM, JP
Secretary for Development

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

Miss Ophelia WONG Yuen-sheung
Deputy Director of Planning/District

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

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

Staff in attendance : Ms Pauline NG
Assistant Secretary General 1

Mr WONG Siu-yee
Senior Council Secretary (1)7

Miss Clara LO
Legislative Assistant (1)3

Action

I Election of Chairman

Mr LAU Wong-fat was elected Chairman of the joint meeting.

II Implementation details for the preservation of the Queen's Pier

(LC Paper No. CB(1)2151/06-07(01) -- Information paper on "Implementation details for the preservation of Queen's Pier" provided by the Administration

LC Paper No. CB(2)2263/06-07(02) -- Background brief on preservation of the Queen's Pier prepared by the Legislative Council Secretariat)

2. The Secretary for Development (SDEV) said that under the terms of the Central Reclamation Phase III (CRIII) works contract, the Administration was required to hand over the site occupied by the Queen's Pier to the contractor on 23 February 2007. There was already a delay of over 5 months. This would affect the overall progress of the CRIII works and could give rise to contractual claims. The Administration had implemented mitigation measures to reduce the undesirable effects. She emphasized that the Administration would update its heritage conservation policy, allocate additional resources for heritage conservation and engage in wider and deeper communications with the community. One of the objectives of establishing the Development Bureau was to strike a balance between development and conservation. CRIII works had to proceed and the preservation of the Queen's Pier had been carefully considered. There would be comprehensive consultation under the Urban Design Study for the New Central Harbourfront (the Study) to identify the reassembly location. She hoped that the public forum to be held on 29 July 2007 would enable the Administration to demonstrate its sincerity in engaging the public in taking forward the work to balance development and conservation, and, as put forward by the Chief Executive in his election platform.

3. The Project Manager (Hong Kong Island and Islands), Civil Engineering and Development Department (PM/CEDD) delivered a PowerPoint presentation to brief members on the implementation details for preserving the Queen's Pier, including the preparatory work, preservation method, storage arrangement, strengthening of the preserved parts, reassembly of the pier and implementation programme.

(Post-meeting note: The soft copy of the presentation materials (LC Paper No. CB(1)2198/06-07(01)) was subsequently issued to members on 25 July 2007.)

4. Dr YEUNG Sum asked how the Administration would ensure that the concrete of the Queen's Pier could be preserved and how the Administration would be accountable if the concrete was damaged.

5. Mr James TO asked whether the preserved columns would provide support for the reassembled Queen's Pier. He was worried that they would be damaged when being strengthened and asked how this could be avoided. He further asked whether the Administration would conduct any laboratory testing on the concrete, and whether new concrete would be used to connect the reassembled parts. He also enquired whether the Administration would halt the dismantling works if the concrete was found to be unsuitable for dismantling.

6. Expressing a similar concern, Prof Patrick LAU asked whether the Administration would assess the condition of the concrete to ensure that reassembly of the Queen's Pier was feasible.

7. In response, PM/CEDD said that the Administration would preserve the Queen's Pier by carefully saw-cutting its structure. As many parts were quite thin, saw-cutting would be an appropriate method. The Administration would first conduct a condition survey. The successful reassembly of the Queen's Pier would not depend on the condition of the concrete. The concrete of the original structure would not be relied upon for providing structural strength to the reassembled Queen's Pier. All the preserved parts would be strengthened. The columns would be strengthened by structural steel column inserts and a concrete and steel composite flat roof would be constructed. As the columns had a diameter of about 450 mm, the Administration's assessment was that it should be viable to drill 150 mm diameter holes through the columns for placement of structural steel column inserts for strengthening the columns without damaging the outer parts of the columns. The appearance of the Queen's Pier would be maintained but the preserved parts would no longer be load-bearing structural elements after reassembly.

8. Ir Dr Raymond HO said that as the concrete and steel bars used to build the Queen's Pier were of a lower standard compared to present-day materials and they had weakened over time, he was concerned on their durability after reassembly and urged the Administration to avoid collapse of the Pier during

saw-cutting. He also expressed concern on the safety of the reassembled Queen's Pier and commented that consideration could be given to using new concrete and steel bars in the reassembly process because what was important was to maintain the appearance of the Queen's Pier. He asked whether other parts, such as metal wares which might have become rusty, would be replaced. Instead of repeating earlier discussions on the subject, the present meeting should focus on how to dismantle and preserve the parts of the Queen's Pier without causing damage as far as possible. He pointed out that professional organizations did not have a unanimous view on how to preserve the Queen's Pier and the public also had different views. The Queen's Pier should be preserved, but not necessarily in-situ. It had been relocated in the past and being a Grade I historical building did not imply that it could not be reassembled at another location.

9. Mrs Sophie LEUNG said that as the Queen's Pier was not constructed with a conservation perspective at that time, whether it was a good idea to reassemble the Queen's Pier using the original concrete parts should be considered taking into account the concern about the quality and durability of the original concrete as raised by Ir Dr Raymond HO. She urged the Administration to make a careful assessment in this regard.

10. In response, PM/CEDD said that as the concrete structure was aged, the Administration would carefully saw-cut the preserved parts to minimize damage. As regards the safety of the reassembled Queen's Pier, the columns would be strengthened by coring through them and providing structural steel column inserts for connecting with the flat roof and the foundation. The flat roof would be constructed in the form of a concrete and steel composite structure. The pitched roof would be strengthened and connected with the flat roof. There would not be any problems in the stability of the structure of the reassembled Queen's Pier. The preserved parts would be used as far as practicable, with refurbishment if necessary, so as to maintain the appearance and size of the Queen's Pier.

11. Dr YEUNG Sum said that the Democratic Party had all along been urging the Administration to reassemble the Queen's Pier in-situ. The Antiquities Advisory Board (AAB) rated it as a Grade I historical building, but regrettably the Administration had not yet made any pledge on in-situ reassembly. He supported AAB's decision but found it regrettable that the former Secretary for Home Affairs had not declared the Queen's Pier as a monument. As it would take about four months to complete the dismantling works, he asked whether the Administration would announce in-situ reassembly of the Queen's Pier by then. It would be undesirable if the location for reassembly still remained undecided after dismantling works had been completed, and this was why the Democratic Party had objected to the funding proposal for preservation of the Queen's Pier.

12. In response, SDEV said that preservation of the retainable parts had to commence as early as possible. Stage 1 Public Engagement of the Study had been conducted. Physical models for different options would be made to facilitate further public engagement activities. The Study was scheduled for completion by the end of 2007 but if the public needed more time for expressing their views, the completion date of the Study could be extended. It was expected that a final decision on the reassembly location would not yet be available upon completion of the 4-month preservation works. As the parts would be preserved carefully, extending the completion date of the Study would not affect future reassembly work.

13. Mr LEE Wing-tat was disappointed because the Administration had failed to meet the public's aspirations for a new conservation policy. The preservation of the Queen's Pier should have been an opportunity for the Administration to implement the progressive view on development by changing its past development approach which emphasized commercial developments and road infrastructure, but the way that the Administration had handled the case did not reflect any new thinking. He queried whether and when the Administration would really strike a balance between development and conservation needs and change its mentality. Vowing grand ideas without making efforts to implement them would only give an impression that the Administration was dishonest. He envisaged that conservation activists would use peaceful ways to protect the Queen's Pier, and was worried that erection of hoardings and dismantling of the Queen's Pier might lead to a clash, like what had happened in the Star Ferry Pier incident.

14. In response, SDEV said that continuity in public policies was needed and the Administration was sincere in identifying preservation options when conflicts between development and conservation were unavoidable, as demonstrated by its detailed proposal on the preservation of the Queen's Pier. Neither development nor conservation should be taken as absolute or always at loggerheads and the Administration's work was to strike the balance. There were historical factors and urgency to continue with the works under CRIII and the public supported the works so as to alleviate traffic congestion in the area. The experience gained in the past five months would serve as enlightenment and useful reference for implementation of development and conservation work in future.

15. Miss CHOY So-yuk commented that it might be impossible to halt the dismantling of the Queen's Pier after funding approval had been given. She asked whether the Administration would take on board the suggestion made by the Subcommittee on Heritage Conservation of the Panel on Home Affairs to request the Consultants for the Study to refine the options or provide additional options for reassembling the Queen's Pier before consulting the public on those options. In this connection, she asked when the consultation on those options would end. She also expressed concern on how the Queen's Pier would be reassembled and sought clarification on which parts would be preserved and who would decide the preservation procedures and methods.

16. In response, SDEV clarified that the public consultation under the Study was divided into stages with Stage 1 Public Engagement ending in June 2007. The target date for completing the Study by the end of 2007 was not a definite deadline and the Administration should have the flexibility to allow more time for receiving further views on the various options if necessary. The Deputy Director of Planning/District further explained that public engagement would still continue after June 2007 and the scope of the Study was not limited to identifying locations for rebuilding the clock tower of the old Star Ferry Pier and reassembling the Queen's Pier. The refinement of the design framework for the new Central harbourfront as a whole was the objective. The Consultants were drawing up design briefs for the key sites covered by the Study. There would be different options under the two ideas of in-situ reassembly and reassembly at the waterfront. The Administration would produce physical models to demonstrate the different options. Public views would be further assimilated and adjustments would be made to the proposals if necessary before finalization. The completion date of the Study might then be extended beyond the end of 2007 under such circumstances. As regards the parts of the Queen's Pier to be preserved, PM/CEDD said that in addition to the parts of the above-ground structure, the landing steps of the Queen's Pier would also be preserved. All preserved parts would be strengthened for future reassembly.

17. Ms Emily LAU urged the Administration to reach out to the community, especially in handling controversial issues. She referred to Local Action's views that the Administration was beautifying the dismantling and re-provisioning works as conservation works, that the Administration had no conservation policy, no undertaking and no sincerity in conservation, and that the Administration would only conserve when conservation would not affect the interests of developers. As these views were contrary to what SDEV had said about the Administration's commitment in conservation, she asked how SDEV would interpret such views. Noting that some architects, professionals and organizations like the Conservancy Association also objected to dismantling the Queen's Pier, she asked whether there was still room for negotiation. She hoped that the participation of SDEV in the public forum on 29 July 2007 would be conducive to the preservation of the Queen's Pier.

18. In response, SDEV said that it would be impossible to satisfy the request not to dismantle and relocate the Queen's Pier. She was surprised at the view that the Administration had not yet explained the reasons for dismantling the Queen's Pier because the Administration had already explained the reasons repeatedly over the past months on various occasions. If Local Action and other activists were still unconvinced by the Administration on the need and urgency, both sides should need reflection. She believed that members could see from the Administration's papers that the Administration had made its best efforts in providing an explanation. The Administration had consulted and discussed with various professional organizations and not all members of the public were opposed to the Administration's proposal. It should not be concluded that the Administration was opposing to the mainstream views of society in the present case. Having different

views on an issue was normal in a democratic society. As regards the meeting with Local Action, she had no objections to the date, venue and scope of discussion proposed by Local Action.

19. Mr Albert CHAN said that he wondered whether changing the name of the Queen's Pier would be the best method to settle the matter if de-colonization was the Administration's political agenda. Making reference to the five queries raised by Local Action, he requested the Administration to provide a written response to Local Action's queries if there was insufficient time at the meeting. If the Administration provoked public rage in handling the matter, a local conservation movement might become a local political movement. He would wish to see such a change because Hong Kong people had been too submissive in enduring the Administration's acts, and he considered such a conservation movement a political awakening. He asked when the Administration would evict people from the Queen's Pier and whether SDEV would be sincere in her dialogue with Local Action.

(Post-meeting note: The submission from Local Action received after the meeting (LC Paper No. CB(1)2209/06-07(01)) was subsequently issued to members on 30 July 2007.)

20. In response, SDEV said that most of the queries raised by Local Action had been explained by the Administration in the past. She could however respond to Local Action's queries again. In agreeing to attend the public forum to be organized by Local Action, she had indicated her stance that keeping the Queen's Pier intact ("不遷不拆") would be impossible. There was nevertheless much room for dialogue, and a wider perspective should be adopted because the community would encounter other situations involving conflicts between development and conservation in future. All parties concerned should try to narrow mutual differences and widen the common ground so as to strike the right balance for Hong Kong to continue to develop. There was no conflict between her agreeing to attend the public forum and the erection of hoardings at the Queen's Pier to prepare for the preservation works. The plan was to erect the hoardings by the end of July 2007, but the exact timing would depend on the peaceful settlement of the incident. She hoped that the protestors could leave voluntarily because it would be a great help to the planned works. Although she was not optimistic at the moment, she hoped that this could be achieved after further communication.

21. Prof Patrick LAU queried why the Administration did not make any pledge on the "in-situ" principle in preserving the Queen's Pier because its social and historical values were based on the fact that it was part of the complex comprising the City Hall, Edinburgh Place and Queen's Pier. As regards the Administration's claim that the reclamation works had been delayed, he noted that some areas within the reclamation limits had yet to be reclaimed and queried why the contractor did not reclaim those areas first.

22. In response, SDEV pointed out that in-situ reassembly would be one of the options for consideration and the complex would be maintained under this option. No pledge could be made on the reassembly location at present because another view that the Queen's Pier should be reassembled at the waterfront had been raised during the Study. AAB had adopted a new mechanism with emphases on social and historical values in rating the Queen's Pier. As the rating of the Queen's Pier was not solely dependent on its being part of the complex, its status as a Grade I historical building would not necessarily be affected if it was reassembled at another location. In relation to reclamation works, PM/CEDD explained that dredging for other areas had already been completed and there was a need to carry out dredging near the Queen's Pier. The preservation of the Queen's Pier should be completed as soon as possible so as to allow the closing of the seawalls, save at the outfall of stormwater drainage culvert, to retain the fill materials for the reclamation.

23. Dr Fernando CHEUNG considered it regrettable that the conflict over the conservation of the Queen's Pier remained unresolved, but he was glad that the awareness of the public and the group of young activists in the value of the Queen's Pier was high. He urged the Administration to pledge not to use force under all circumstances. Taking into account the value of the complex, preserving the Queen's Pier was already a facet level consideration in the point-line-facet approach in conservation. However, the Administration claimed that there were different views on the location for reassembly and further consultation was required. He queried whether there was any significant disagreement among the public in this regard and considered that consultation should be based on premises such as in-situ preservation and the significance of the public space. It was unreasonable to conduct consultation without such premises. The Administration was misleading the public because among the options proposed in the Study, only one involved in-situ reassembly. He asked whether the rating of the Queen's Pier as a Grade I historical building would change the planning process at present and in future, and queried the meaning of the grading system if no changes would be made. He further asked whether there would be better coordination between the grading system and the planning process to avoid conflicts in future.

24. In response, SDEV assured members that the Administration would not take the initiative to forcibly evict people from the Queen's Pier unless responsible officers were being attacked, because it was not the Administration's usual practice. The best scenario for the public and all parties concerned would be for the protestors to leave peacefully after mutual communication, and she hoped that members would support the Administration to use the most peaceful and reasonable means in handling the matter. As regards the location for reassembly of the Queen's Pier, there were two mainstream ideas at present. In relation to conservation and planning, a wider perspective should be adopted so that the two could proceed in a concerted manner. With development and related conservation issues placed under the portfolio of the Development Bureau and having the Town Planning Board and AAB as important partners, she was confident that there would be good coordination on conservation and development matters.

25. Miss CHAN Yuen-han commented that it was good for SDEV to reach out to the community by attending the public forum because communication was conducive to resolving conflicts. She noted from some media reports that although the Administration would not consider in-situ preservation, Local Action still hoped that mutual differences could be narrowed through the public forum. As the spatial relationship among the City Hall, Edinburgh Place and Queen's Pier could be maintained, it would be acceptable to reassemble the Queen's Pier in-situ. However, it would be an entirely different matter to reassemble it at the waterfront. She urged the Administration to consider preserving the Queen's Pier in-situ by adopting the suggestion of constructing an artificial lake which would be connected with the harbour, and hoped that a consensus on reassembling the Queen's Pier in-situ could be reached at the public forum. She asked whether the Administration would allow some leeway in the matter.

26. In response, SDEV clarified that what was unacceptable was the request to keep the Queen's Pier intact. She had never stated that in-situ reassembly of the Queen's Pier was unacceptable.

27. Mrs Sophie LEUNG said that the Liberal Party was not in favour of in-situ reassembly of the Queen's Pier because it would then resemble a pavilion. Noting the public's sentiments towards the Queen's Pier and its values, she hoped that it would reappear in future. From her contact with owners of small and medium enterprises, she noticed that many of them held the view that it would be strange to reassemble the Queen's Pier at an inland location. In preserving the Queen's Pier, the Administration should also take into account the silent majority who had not expressed their views. The Administration's work in recording the details of the Queen's Pier, labelling the preserved parts and storing them carefully was commendable. The younger generation could draw reference from conservation of ancient Chinese buildings in which buildings were dismantled into pieces for maintenance and then reassembled in-situ or at other better locations. Such a method had also been adopted for preserving part of Angkor Wat. She also suggested that the future conservation policy should incorporate the conservation concept right from the start when a building was constructed.

28. Mr Bernard CHAN shared the view that rather than repeating earlier discussions, the present meeting should have proceeded to another stage of discussion. He was one of the 12 AAB members who had voted for rating the Queen's Pier as a Grade I historical building. However, he and several other AAB members who had so voted did not do so based on the premise of in-situ preservation. They made their decisions based on historical and other factors and his own decision was based solely on the historical value of the Queen's Pier. He shared the view that compromises had to be made in the process of development. AAB's decision was not meant to instruct the Administration on how to preserve a building, but merely an assessment of its values. How to preserve the Queen's Pier should be the work of the Administration. He urged the Administration to identify various possible preservation methods to preserve the Queen's Pier as far as

possible. The presence of dissenting views was natural and positive and it would be impossible to satisfy every person. In response to comments he received during overseas visits that Hong Kong was slow in implementing works projects when compared with other places like Singapore and Shanghai, he had given the explanation that it was a merit in Hong Kong for the Administration to listen to different views. He urged the Administration to conduct public engagement earlier in future so that different views could be expressed at an early stage.

29. As the roof of the Queen's Pier would be saw-cut into six large pieces and transported by sea to Lantau for storage, Mr CHAN Kam-lam asked how the two pitched roof segments, given their huge size, would be transported on land for reassembly if the future reassembly location was not at the waterfront. He expressed concern on whether the road infrastructure could accommodate the size of those pieces.

30. In response, PM/CEDD explained that the preserved parts would be strengthened before transporting to the reassembly location. With proper strengthening work, it would be possible to lift the pitched roof segments by cranes onto delivery trucks for transportation on land. As there was no land access to the storage site on Lantau, the preserved parts would be transported back to Central by sea first and they could then be transported to the reassembly location using delivery trucks if the location was not at the waterfront.

31. Noting the Administration's explanation, Mr CHAN Kam-lam commented that taking into consideration of the transportation arrangements, it would be most desirable to adopt a practical approach and reassemble the Queen's Pier at the waterfront so that its name and its function as a pier could be maintained.

32. Mr James TO said that as a legal requirement, he declared that the opinions that he and other Members of the Democratic Party expressed would not constitute prejudice to them or constitute consent to any matters of the Administration in possible legal proceedings, judicial reviews or any other proceedings in future. Although the progress in preparing for a judicial review was unsatisfactory and some difficulties were encountered, he would continue to seek advice on the matter. As regards where to reassemble the Queen's Pier, many Members had indicated that in-situ reassembly was the bottom-line. However, the Administration claimed that views were diverse and there were suggestions for reassembly at the waterfront. He asked whether there were other engineering factors to consider, in addition to public views as claimed by the Administration, in not adopting in-situ reassembly. He urged the Administration to promise that the Queen's Pier would be reassembled in-situ unless public views were in sharp contrast with those of Members and strongly in favour of reassembling the Queen's Pier at the waterfront. He asked whether the Administration would give an indication of its stance on the issue.

33. In response, SDEV said that in-situ reassembly was the bottom-line for some people only; several Members had also expressed the view that it would be more desirable and practical to reassemble the Queen's Pier at the waterfront. Public views should be considered in the light of technical facts. Some preservation options were infeasible, and some were feasible but a price had to be paid. When models for different reassembly options had been prepared and members of the public were given a comparison of the pros and cons of various options, the views gathered under such circumstances would be more meaningful.

34. Ms Miriam LAU said that the Liberal Party hoped that the parts of the Queen's Pier could be preserved properly and reassembled at an appropriate location at the waterfront so that the reassembled Queen's Pier could maintain its function as a pier and would not resemble a pavilion. What was important was to take the matter forward and repeated discussions would not be conducive in this regard. She believed that this was also the wish of the public at large.

III Any other business

35. There being no other business, the meeting ended at 4:00 pm.