

立法會
Legislative Council

LC Paper No. CB(2)2073/07-08
(These minutes have been seen by
the Administration)

Ref : CB2/PS/2/06

Panel on Home Affairs

Subcommittee on Heritage Conservation

Minutes of meeting
held on Friday, 22 February 2008, at 10:45 am
in Conference Room A of the Legislative Council Building

- Members present** : Hon CHOY So-yuk, JP (Chairman)
Hon James TO Kun-sun
Hon CHAN Yuen-han, SBS, JP
Hon WONG Yung-kan, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Albert CHAN Wai-yip
Hon LI Kwok-ying, MH, JP
Dr Hon Fernando CHEUNG Chiu-hung
Prof Hon Patrick LAU Sau-shing, SBS, JP
- Member attending** : Dr Hon KWOK Ka-ki
- Members absent** : Hon LAU Wong-fat, GBM, GBS, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon CHEUNG Hok-ming, SBS, JP
Hon TAM Heung-man
- Public Officers attending** : Items II and III
Development Bureau
Mrs Carrie LAM, JP
Secretary for Development

Action

Miss Janet WONG
Deputy Secretary for Development (Works)1

Leisure and Cultural Services Department

Mr Thomas CHOW
Director of Leisure and Cultural Services

Dr Louis NG
Assistant Director (Heritage & Museums)

**Attendance by
invitation** : Item III

Conservancy Association

Mr Peter LI Siu-man
Campaign Manager

Professional Commons

Mr Stanley NG Wing-fai
Strategy Committee Member

Central & Western Concern Group

Ms Katty LAW Ngar-ning
Convenor

Heritage Watch

Mr John BATTEN
Member

SEE Network

Ms Patsy CHENG Man-wah
Director

Individuals

Miss Tanya CHAN
District Councillor of Central & Western District
Council

Action

Ms CHENG Lai-king
District Councillor of Central & Western District
Council

Mr Roger HO Yiu-san

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

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

Ms Anna CHEUNG
Legislative Assistant (2)2

Action

I. Confirmation of minutes

[LC Paper No. CB(2)1112/07-08]

The minutes of the meeting on 13 November 2007 were confirmed.

II. Latest development of the preservation of King Yin Lei

[LC Paper Nos. CB(2)1105/07-08(01)-(02), CB(2)2749/06-07(02) and CB(2)1172/07-08]

2. The Subcommittee deliberated (index of proceedings attached at **Annex**).
3. With the aid of Powerpoint, the Secretary for Development (SDEV) gave a presentation on the Administration's paper on "Preservation of King Yin Lei at 45 Stubbs Road, Hong Kong" [LC Paper No. CB(2)1105/07-08(01)]. SDEV informed members of her intention to declare, in her capacity as the Antiquities Authority, King Yin Lei (including the associated buildings and its garden) (the Building) as a monument under section 3(1) of the Antiquities and Monuments Ordinance (Cap. 53) (the Ordinance) having regard to the professional assessment of the heritage value of the Building and advice offered by experts that the original appearance of King Yin Lei could be restored up to 80% while its heritage value could be basically recovered.
4. SDEV said that members of the Antiquities Advisory Board (AAB), which was consulted on 25 January 2008, unanimously supported the proposed declaration. In accordance with the Ordinance, she would seek the Chief Executive's approval for the declaration of the Building as a monument by notice in the Gazette.

Action

5. Members were briefed on every preservation option that had been considered by the Administration and the proposed option set out in paragraphs 6 to 9 of the Administration's paper. Members noted that the proposed option necessitated non-in-situ land exchange (including drawing up of the new land lease and approval of land premium).

6. Members in general supported the proposed option and welcomed the policy of provision of economic incentives to encourage private owners to preserve historic buildings. In response to members' concern about the guiding principle in implementing this policy, SDEV said that the Administration would adhere to the established procedures of the Lands Department for lease modifications and charging of land premium in handling King Yin Lei as well as any future case involving some form of transfer of development right as a means to help preserve historic buildings under private ownership. The Administration would ensure that any economic incentives to be offered by the Government would have to observe the guiding principles of accountability, transparency and equity.

7. Members noted that once the declared monument of King Yin Lei came under Government ownership, the Administration would consult the public and devise proposals for its revitalisation. Members generally supported the Administration's plan to put King Yin Lei to adaptive re-use and turn it into an attraction for local residents as well as tourists.

III. The original site of the Central School at Hollywood Road (the Site)

[LC Paper Nos. CB(2)1105/07-08(03) and IN06/07-08]

Meeting with deputations and the Administration

8. The Subcommittee received views from eight individual/organizations, which broadly covered the following issues -

- (a) the Administration should seek independent experts' advice before deciding not to preserve the foundations of the Central School in-situ;
- (b) the Site was in the midst of other heritage spots, e.g. Man Mo Temple, Graham Street Market, the Central Police Station & Victoria Prison Compound, etc. A holistic approach should be adopted for the planning of the Site and the heritage resources around with a view to turning the area into a heritage hub of Hong Kong;
- (c) the Administration should put in place proper avenues to gauge residents' and the community's views on heritage conservation projects (including the future use of the Site);

Action

- (d) the views expressed by Central and Western District Council (C&WDC) on the future use of the Site should be fully taken into account in planning for its long-term use, and the Administration should consult C&WDC in the forthcoming public engagement exercise; and
- (e) there was much room for improvements in the existing institutional framework for heritage conservation, such as the potential conflict of roles played by SDEV being also the Antiquities Authority, and a need to enhance the role of AAB by transforming it into a statutory body.

9. SDEV said that in revitalising the Site, the Administration would give due regard to the principles set out in paragraph 17(a) to (f) of the Administration's paper, which were broadly in line with some of the suggestions made by the deputations. She said that the Administration attached great importance to the views of C&WDC on this matter and their major views had been summarised in paragraph 16 of the paper. She stressed that C&WDC was the Administration's important partner in revitalising the Site, and the Development Bureau would attend a meeting of the DC shortly to collect their views and comments. With reference to paragraph 11 of the Administration's paper, Assistant Director (Heritage & Museums) briefed members on the assessment of the Antiquities and Monuments Office (AMO) of the heritage value of the Site and the basis of AMO's view that total in-situ preservation of the foundations of the Central School was not justified.

10. Members welcomed the removal of the Site from the List of Sites for Sale by Application and requested the Administration to consult widely C&WDC, the local residents and any interested parties in drawing up proposals on revitalization of the Site. It was also suggested that workshops or open competitions on how the Site should be revitalized should be organized. Some members supported the suggestion that a holistic approach should be adopted for the planning of the Site and the heritage spots in the vicinity with a view to promoting the area as a heritage hub of Hong Kong. A member suggested that the opportunity should be taken to promote Hollywood Road which was full of local characteristics as an attraction to local residents and tourists.

Admin

11. The Chairman requested the Administration to report to the Subcommittee on the future use of the Site after conclusion of the three-month public engagement exercise in late May 2008.

12. There being no other business, the meeting ended at 1:05 pm.

**Proceedings of the meeting of the
Subcommittee on Heritage Conservation
on Friday, 22 February 2008, at 10:45 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject	Action required
000000 - 000112	Chairman	I. Confirmation of minutes [LC Paper No. CB(2)1112/07-08]	
000113 - 002839	Chairman Admin	II. Latest development of the preservation of King Yin Lei [LC Paper No. CB(2)1172/07-08] PowerPoint presentation and briefing on the Administration's paper by the Secretary for Development (SDEV).	
002840 - 003847	Mr Albert CHAN Admin Chairman	Mr Albert CHAN's expression of support for the direction to provide economic incentives to encourage private owners to preserve historic buildings, and his questions about the implementation details. SDEV's confirmation that the Administration would adhere to the established procedures of the Lands Department (LD) for lease modifications and charging of land premium in handling King Yin Lei and any future case involving some form of transfer of development right as a means to help preserve historic buildings in private ownership. Mr Albert CHAN's enquiry and SDEV's response that the plot ratio and building height allowed at the adjacent site of man-made slope proposed to be granted to the owner of King Yin Lei were the same as those of the zone where King Yin Lei was located.	
003848 - 004429	Ms Emily LAU Admin Chairman	Ms Emily LAU's expression of concurrence with the view that any economic incentives to be offered by the Government would have to observe the guiding principles of accountability, transparency and equity. Ms LAU's enquiry of why the owner of King Yin Lei would be charged land premium. SDEV's explanation that, based on a preliminary assessment made in accordance with the established	

Time marker	Speaker	Subject	Action required
		<p>procedures of LD, the owner would need to pay the premium which was equivalent to the difference in market value between the development permitted under the old lease conditions and that under the new lease conditions.</p>	
004430 - 004904	Mr WONG Yung-kan Admin Chairman	<p>Mr WONG Yung-kan's expression of support for the policy of provision of economic incentives to encourage private owners to preserve historic buildings, and his enquiry of the time frame of the restoration works and opening of King Yin Lei for the public to visit.</p> <p>SDEV's response that the Administration aimed at consulting the public on options of revitalisation of King Yin Lei in the second half of 2008. Antiquities and Monuments Office's advice that, for reference, the past restoration works for heritage of a similar scale had required about 12 months to complete.</p>	
004905 - 005557	Dr KWOK Ka-ki Admin Chairman	<p>Dr KWOK Ka-ki's questions and SDEV's response as follows -</p> <ul style="list-style-type: none"> - the new policy initiative of provision of economic incentives to encourage private owners to preserve historic buildings would be applied when circumstances warranted and King Yin Lei would not be a standalone example; - the established procedures of LD for lease modifications and charging of land premium also included an appeal mechanism to address complaints about relevant matters; and - once the declared monument of King Yin Lei came under Government ownership, the Administration would consult the public and devise proposals for its revitalisation. The guiding principle was to put King Yin Lei to adaptive re-use and turn it into an attraction for local residents as well as tourists. The owner would carry out and fund the restoration works of King Yin Lei under the supervision of AMO, whereas the Administration would bear the cost of revitalization of the building. 	

Time marker	Speaker	Subject	Action required
005558 - 010106	Prof Patrick LAU Admin Chairman	Professor Patrick LAU's suggestion that the Administration should adopt a cost-neutral approach for handling lease modifications and charging of land premium in the case of King Yin Lei. SDEV's reply that such an approach was not preferred as it would involve internal valuation which might be perceived as having a lower degree of transparency.	
010107 - 010637	Chairman Admin	The Chairman's expression of support for the proposed arrangements. She took the opportunity to request the Administration to review the conservation approach for Nga Tsin Wai Village and the Central Police Station Compound to avoid construction of very tall buildings that would overshadow relevant heritage. The Chairman's question and SDEV's reply that the owner had agreed to fund the restoration works on his own initiative.	
010638 - 011147	Chairman Conservancy Association	III. The original site of the Central School at Hollywood Road Presentation of views by representative of Conservancy Association as set out in its submission [LC Paper. No. CB(2)1167/07-08(01)].	
011148 - 011407	Chairman Mr Roger HO Yiu-san	Presentation of views by Mr HO.	
011408 - 011804	Chairman Professional Commons	Presentation of views by a representative of Professional Commons as set out in its submission [LC Paper. No. CB(2)1167/07-08(02)].	
011805 - 012207	Chairman Central & Western Concern Group	Presentation of views by a representative of Central & Western Concern Group.	
012208 - 012555	Heritage Watch Chairman	Presentation of views by a representative of Heritage Watch.	
012556 - 012951	SEE Network Chairman	Presentation of views by a representative of SEE Network as set out in its submission [LC Paper. No. CB(2)1167/07-08(03)].	
012952 - 013302	Miss Tanya CHAN	Presentation of views by Miss CHAN.	
013303 - 013632	Ms CHENG Lai-king	Presentation of views by Ms CHENG.	

Time marker	Speaker	Subject	Action required
013633 - 014407	Chairman Admin	Briefing on the Administration's paper by SDEV and AMO's explanation of the basis of its view that total in-situ preservation of the foundations of the Central School was not justified. [LC Paper. No. CB(2)1105/07-08(03)]	
014408 - 014957	Ms Emily LAU Admin Ms CHENG Lai-king Heritage Watch Professional Commons Chairman	<p>Ms Emily LAU sought the views of the deputations as to what they wanted the Administration to do in the forthcoming three-month public engagement exercise.</p> <p>Deputations suggested the following -</p> <ul style="list-style-type: none"> - consideration should be given to converting the Site into a heritage conservation park; - to open up the Site for visit by interested parties; and - to address concerns about whether there were remnants of the Central School which had yet to be excavated and the Administration should engage independent experts to conduct excavation of the Site. 	
014958 - 015604	Prof Patrick LAU Admin Chairman	<p>Professor Patrick LAU's view that workshops should be organised to invite public views on the planning of the Site and area around with a view to promoting it as a heritage hub of Hong Kong.</p> <p>SDEV's response that the public was welcome to give views and comments during the public engagement exercise, and consideration might be given to organising an open competition on how the Site should be revitalised.</p>	
015605 - 020221	Dr Fernando CHEUNG Admin Professional Commons Central & Western Concern Group Chairman	<p>Dr Fernando CHEUNG's suggestion that the Administration should try to preserve the Site and the heritage resources around as the old colonial City of Victoria ("維多利亞小城區域") in the planning. Deputations' expression of support for this view.</p> <p>SDEV's response that the Administration would explore revitalising the Site with a view to integrating it with the area along and around Hollywood Road under a holistic approach for heritage conservation, in order to create synergy between the Site and other heritage spots in its vicinity.</p>	

Time marker	Speaker	Subject	Action required
020222 - 020832	Miss CHAN Yuen-han Admin Ms CHENG Lai-king SEE Network	Miss CHAN Yuen-han's view that Hollywood Road was full of local characteristics and was worthy of consideration of further enhancement to promote it as a tourist attraction.	
020833 - 021449	Chairman Admin Professional Commons Ms Emily LAU	The Chairman's query on what could be done to preserve the valuable and unique banyan trees growing on the stone wall. Administration's response that the Leisure and Cultural Services Department had collaborated with the Civil Engineering and Development Department (CEDD) in taking measures to ensure that the value of any old tree which might be affected by public works would first be assessed before CEDD would proceed with the works.	Admin to report outcome of public consultation exercise after its conclusion (para. 11 of minutes)

Council Business Division 2
Legislative Council Secretariat
27 May 2008