

立法會
Legislative Council

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(These minutes have been seen
by the Administration)

Ref : CB1/SS/5/13

**Subcommittee on Antiquities and Monuments
(Declaration of Historical Buildings) Notice 2013**

**Minutes of meeting held on
Tuesday, 10 December 2013, at 4:30 pm
in Conference Room 2B of the Legislative Council Complex**

Members present : Hon CHAN Yuen-han, SBS, JP (Chairman)
Hon Cyd HO Sau-lan
Hon CHAN Hak-kan, JP
Hon YIU Si-wing
Hon Charles Peter MOK
Hon CHAN Chi-chuen
Hon SIN Chung-kai, SBS, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP

Member absent : Dr Hon Kenneth CHAN Ka-lok

**Public Officers
attending** : Agenda item II

Ms Vivian KO
Commissioner for Heritage
Development Bureau

Ms Queenie LEE
Assistant Secretary (Heritage Conservation) 3
Development Bureau

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

Clerk in attendance : Mr Anthony CHU
Senior Council Secretary (1)6

Staff in attendance : Miss Kitty CHENG
Assistant Legal Adviser 5

Mr Fred PANG
Council Secretary (1)6

Ms Christina CHIU
Legislative Assistant (1)6

Action

I Election of Chairman

Mr CHAN Hak-kan, the member with the highest precedence in the Council among all members of the Subcommittee present, presided over the election of Chairman of the Subcommittee. He invited nominations for the chairmanship of the Subcommittee.

2. Mr YIU Si-wing nominated Miss CHAN Yuen-han and the nomination was seconded by Mr Charles MOK. Miss CHAN Yuen-han accepted the nomination. There being no other nomination, Miss CHAN Yuen-han was elected Chairman of the Subcommittee. Members agreed that there was no need to elect a Deputy Chairman.

II Meeting with the Administration

(L.N. 186

-- Antiquities and Monuments
(Declaration of Historical
Buildings) Notice 2013

File Ref.: DEVB/CHO/1B/CR141

-- Legislative Council Brief

LC Paper No. LS16/13-14

-- Legal Service Division Report)

3. The Subcommittee deliberated (index of proceedings in the **Appendix**).

4. The Chairman concluded that the Subcommittee had completed the scrutiny of the Antiquities and Monuments (Declaration of Historical Buildings) Notice 2013 ("the Notice").

III Any other business

Legislative timetable

5. The Subcommittee noted that the expiry date of the scrutiny period of the Notice was 18 December 2013 and the deadline for giving notice of amendment to the Notice was 11 December 2013. The Subcommittee agreed that the Chairman should move a motion at the Council meeting of 18 December 2013 to extend the scrutiny period to the Council meeting of 15 January 2014.

6. There being no other business, the meeting ended at 5:28 pm.

Council Business Division 1
Legislative Council Secretariat
11 February 2014

**Proceedings of meeting of the
Subcommittee on Antiquities and Monuments
(Declaration of Historical Buildings) Notice 2013
on Tuesday, 10 December 2013, at 4:30 pm
in Conference Room 2B of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
Agenda Item I – Election of Chairman			
000340 – 000509	Mr CHAN Hak-kan Mr YIU-Si-wing Miss CHAN Yuen-han Mr Charles MOK	Election of Chairman	
Agenda Item II – Meeting with the Administration			
000510 – 000739	Chairman Administration	Briefing by the Administration on the Antiquities and Monuments (Declaration of Historical Buildings) Notice 2013 ("the Notice")(L.N.186 of 2013)	
000740 – 001519	Chairman Administration	<p>The Chairman enquired about the Administration's position on the conservation of Pokfulam Village and its surrounding environment having regard to the fact that the village had been included in the 2014 World Monuments Watch list.</p> <p>The Administration acknowledged the historical and cultural value of Pokfulam Village and the buildings associated with the Old Dairy Farm, and highlighted that the individual historic buildings in Pokfulam Village and those associated with the Old Dairy Farm would continue to be protected under the grading system of the Antiquities Advisory Board ("AAB").</p>	
001520 – 002202	Ms Cyd HO Administration	<p>Ms Cyd HO enquired on --</p> <p>(a) the Administration's plan to protect the heritage buildings/structures adjacent to the Bethanie which had not been included in the monument boundary declared in the Notice; and</p> <p>(b) the measures to protect the Bethanie and the heritage sites/buildings nearby from any physical damage that might be caused by building developments in the vicinity, such as the construction of the International Culinary</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>College ("ICC") of the Vocational Training Council.</p> <p>The Administration advised that --</p> <p>(a) There was a requirement for all new capital works projects involving historic and built heritage to undergo a heritage impact assessment ("HIA"). The proposed development of ICC had taken into account the recommendations of the relevant HIA study.</p> <p>(b) Construction works were to be carried out in accordance with the requirements of the Buildings Ordinance (Cap. 123) and other relevant legislation. The Administration would keep a close watch on the impact of the construction works of ICC.</p> <p>Ms Cyd HO remarked that a mechanism should be put in place to immediately stop any building works that were detrimental to the physical structure of the Bethanie or the aura of the surrounding areas.</p>	
002203 – 002909	Mr YIU Si-wing Administration	<p>Mr YIU Si-wing enquired about –</p> <p>(a) the existing arrangements for the public to access the Bethanie for appreciation of its historical and architectural features;</p> <p>(b) restrictions on alterations works to be carried out in the Bethanie; and</p> <p>(c) responsibilities for the maintenance of the building.</p> <p>The Administration advised that --</p> <p>(a) The current tenant of the Bethanie, i.e. the Hong Kong Academy for Performing Arts ("HKAPA"), had organized guided tours for the building on a regular basis. The Bethanie was also included in "Heritage Fiesta 2013", an annual publicity programme organized by the Commissioner for Heritage's Office of the Development Bureau ("DEVB") for the public</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>to visit and appreciate monuments and historic buildings.</p> <p>(b) HKAPA was responsible for the daily maintenance of the Bethanie but no building works within the Bethanie would be allowed except with the permit granted by the Antiquities Authority under the Antiquities and Monuments Ordinance (Cap. 53).</p>	
002910 – 003435	Ir Dr LO Wai-kwok Administration	<p>Ir Dr LO Wai-kwok enquired about the allocation of responsibilities between the Administration and HKAPA on the maintenance of the building.</p> <p>The Administration replied that while the Administration would provide technical advice on the maintenance of the Bethanie to HKAPA, the maintenance responsibility of the Bethanie was governed by the lease between the Administration and HKAPA.</p>	
003436 – 004735	Chairman Administration Mr CHAN Chi-chuen	<p>The Chairman opined that the Administration should devise a plan to preserve not only the Bethanie, but also other places with heritage value in the larger Pokfulam area, including the Pokfulam Village and the buildings associated with the Old Dairy Farm, in a holistic manner.</p> <p>The Administration responded that --</p> <p>(a) The current protection granted under Cap. 53 focused on buildings or structures by reason of their historical or heritage value.</p> <p>(b) DEVB had invited AAB to assist with a policy review on the conservation of built heritage. Public views would be gauged.</p> <p>(c) The Administration was considering putting the Old Dairy Farm Senior Staff Quarters into the Revitalizing Historic Buildings Through Partnership Scheme.</p> <p>In response to the Chairman's expression of concern about the impact of the construction of ICC, the Administration explained that vibration caused by</p>	

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		<p>the construction works near the Bethanie would be monitored by the Antiquities and Monuments Office ("AMO") for immediate follow-up action if there was any excessive vibration.</p> <p>The Chairman remarked that the Administration should adopt a dot-line-plane approach to heritage conservation.</p> <p>Mr CHAN Chi-chuen proposed that the relevant Panel should hold in-depth discussion on the policy issues related to heritage conservation.</p>	
004736 – 005334	Chairman Administration Mr YIU Si-wing Mr CHAN Chi-chuen	<p>The Chairman enquired how the Administration could ensure that the building works in the vicinity of the Bethanie including the construction of ICC would not adversely affect the structures associated with the Bethanie but not falling within the monument boundary specified in the Notice.</p> <p>The Administration reiterated the requirement for all new capital works projects involving historic or built heritage to undergo HIA, which covered not only statutory historical buildings but also sites or buildings of historic or archaeological significance, and advised that AAB was supportive of the findings of the HIA report in respect of the development of ICC.</p> <p>Mr YIU Si-wing and Mr CHAN Chi-chuen enquired about the mechanism for monitoring and reporting possible threats to the Bethanie and its associated structures caused by building works nearby; and the follow-up actions to be taken by the Administration upon receiving such reports.</p> <p>The Administration explained the measures in place to detect excessive vibration in the Bethanie caused by construction works, and advised that AMO would closely monitor the possible impact of building developments near the Bethanie.</p>	
<u>Examination of the provisions of the Notice</u>			
005335 – 005413	Chairman	<u>Section 1 -- Declaration of historical buildings</u> Members raised no question.	

Time marker	Speaker	Subject(s)	Action required
005414 – 005817	Chairman Mr YIU Si-wing Mr CHAN Chi-chuen Ir Dr LO Wai-kwok	The meeting agreed that it was not necessary to invite relevant organizations to give views on the Notice and to hold a second meeting.	
005818 – 005950	Chairman	The Chairman remarked that the Subcommittee had completed the scrutiny of the Notice. Legislative timetable Closing remarks	

Council Business Division 1
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