

LCQ6: Built heritage conservation policy

Following is a question by the Hon Patrick Lau and a reply by the Secretary for Home Affairs, Dr Patrick Ho, in the Legislative Council today (April 26):

Question:

Regarding the built heritage conservation policy ("heritage policy"), will the Government inform this Council:

- (a) as the public consultation on reviewing the heritage policy was already concluded in May 2004, why the authorities have not yet announced the new heritage policy, and when they plan to announce the new policy;
- (b) whether the new heritage policy will provide guiding principles for urban renewal and town planning exercises; if so, of the relevant details; if not, the reasons for that; and
- (c) of the existing policies and long-term strategies for avoiding discordance between the urban development direction and the heritage policy?

Reply:

Madam President,

My reply is as follows:

- (a) The Government's current heritage conservation policy is to support and promote the conservation of heritage in Hong Kong with regard to the following fundamental principles:
 - i) To conserve but not to take over ownership;
 - ii) Conservation should be based on heritage value, not simply the age of a building;
 - iii) A balance between conservation needs and economic cost should be maintained; and
 - iv) Private property rights should be given due regard.

In 2004, the Home Affairs Bureau (HAB) embarked on a Review of the Built Heritage

Conservation Policy with a view to developing a holistic approach and formulating effective implementation measures to enhance built heritage conservation work. Since the review involves complicated issues such as cultural and heritage value, public interest, private property rights, and planning and land matters etc, we considered it essential to consult the public with a view to building a general consensus before formulating the implementation measures. Accordingly, HAB launched a public consultation exercise from February to May 2004, focusing on broad policy issues including: (a) what should we conserve, (b) how do we conserve, and (c) how much and who should pay. The consultation exercise received positive response from the community with more than 500 views received. We reported the results to the Legislative Council in November 2004. In general, the community recognised the importance of built heritage conservation and called for greater efforts by the whole community on this front.

Taking into account the views collected from the public consultation, we are in the process of formulating the strategy and proposed improvement measures for built heritage conservation. The proposed improvement measures mainly include: innovative and sustainable adaptive re-use of conserved built heritage; better co-ordination of heritage conservation work; formulation of a holistic approach, assessment criteria, different methods of conservation, and strategy on enhancing community participation; strengthening of heritage education and publicity, and introduction of appropriate planning tools and economic incentives to encourage private property owners to conserve built heritage. As the conservation work involves different complex issues, we have to work out a holistic approach that will enable Hong Kong to take a comprehensive view on what, and how many, heritage items to conserve, and see through the whole conservation process from identification of heritage items for conservation to adaptive re-use and management. Since the improvement measures involve land use and town planning, ownership and development rights of private properties, and deployment of public resources, we need considerable time to assess the feasibility of different measures and sort out the implementation details and seek legal advice as necessary. We hope to complete the work as soon as possible on the proposed improvement measures for consultation with the Legislative Council, the concerned parties and the public as appropriate.

(b)&(c) The rapid development of the Hong Kong economy has given rise to increasing public expectation for improved living standard, as well as better town planning and living environment. There are also growing concerns about the impact of the urban renewal process on the historical and cultural ambience of the old districts in Hong Kong and the social network of the local residents. Built heritage conservation, urban renewal and town planning are closely interrelated with each other. At present, we seek to suitably conserve built heritage with historical value during town planning and urban renewal process through a series of legal and administrative procedures.

Town Planning

The Hong Kong Planning Standards and Guidelines (the Guidelines) promulgate the detailed guidelines on heritage conservation for the protection of heritage (monuments, historical buildings, and archaeological sites), landscape, customs and traditions. The Guidelines are reviewed from time to time to keep pace with the community development and public expectation. The Guidelines have an extensive coverage of important issues on built heritage conservation policy and planning work.

Hong Kong is rich in cultural heritage. It is important to rehabilitate and preserve unique cultural heritage as this not only accords with our objective of sustainable development but also facilitates the retention of the historical characteristics of different districts. Heritage conservation also implies respect of local activities, customs and traditions. The concept is to conserve not only individual items but also their wider urban and rural setting. As such, when preparing statutory or non-statutory land-use plans, due consideration is given to heritage conservation aspects by the relevant authorities. For example, according to the Guidelines, the existing declared monuments are covered by appropriate land-use zoning on the relevant statutory town plan. Moreover, they are listed in the Explanatory Statements of the statutory plan and it is necessary to have prior consultation with the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department on any development or rezoning proposals affecting these sites or buildings. As for the graded historical buildings which have the potential for conservation, we would as far as possible encourage the owners or developers to conserve the whole or part of a historical building through the existing town planning mechanism and conditions under land deeds. As a whole, due regard is made to the Government's heritage conservation policy in the context of town planning.

In processing planning proposals made under the Town Planning Ordinance which may affect archaeological/historical sites or buildings or their surroundings, Planning Department will consult AMO. Views and comments of the AMO will be submitted to Town Planning Board for consideration to help ensure that both town planning and heritage conservation issues are duly considered.

Urban Renewal

As regards urban renewal, the Urban Renewal Authority (URA) adopts a holistic and comprehensive approach to renew the old urban districts, which includes the conservation of historical buildings within its project areas. In taking forward its urban renewal projects, the URA will adhere to the heritage conservation policy of the Home Affairs Bureau and works closely with

the concerned bodies and Government departments, including the AMO and the Antiquities Advisory Board (AAB), with a view to preserving the historical buildings within its project areas as far as practicable.

Antiquities Advisory Board

The object of the AAB is to advise the Antiquities Authority, i.e. Secretary for Home Affairs on matters related to heritage and antiquities. Relevant government departments and institutions would consult the AAB for advice when considering development proposals affecting historical buildings and declared monuments. The AAB had, in the past years, discussed and advised on a number of urban development proposals and conceptual plans and made recommendations to the Home Affairs Bureau and relevant institutions to ensure heritage conservation would be properly addressed in those developments.

As we have mentioned in the Review of Built Heritage Conservation Policy in 2004, there are inadequacies in the existing heritage conservation policy. The Antiquities and Monuments Ordinance, for instance, provides for only one form of conservation, i.e. declaring buildings or structures as monuments for protection, which is considered rather inflexible. Besides, insufficient economic incentives are provided by Government to encourage owners of built heritage to take active measures in protecting their buildings. To improve the situation, we are considering a series of improvement measures and strategies. We will consult the Legislative Council, relevant bodies and the public as appropriate on details of the proposed measures and their impacts particularly their financial and economic implications on the community.

Ends/Wednesday, April 26, 2006

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