

## **Legislative Council Panel on Home Affairs**

### **Review of Built Heritage Conservation Policy**

#### **Purpose**

The purpose of this paper is to brief Members on the major findings of the first stage public consultation on the Review of Built Heritage Conservation Policy (the review) conducted by Home Affairs Bureau from February to May 2004 and the way forward.

#### **Background**

2. There are inadequacy in the existing legislative and administrative framework, making it difficult for Government to effectively conserve built heritage. The Home Affairs Bureau embarked on a review of the related policy with a view to formulating a holistic approach and effective implementation measures to enhance built heritage conservation work. Since the review involves complicated issues such as cultural value, public interest, private property rights, and planning and land matters etc, the Home Affairs Bureau considered it essential to first seek social consensus before formulating the implementation measures. Accordingly, the review proceeded in two stages, with the first stage focusing on broad policy issues and the second stage on proposed implementation measures.

#### **Public Consultation**

3. On 18 February 2004, the Home Affairs Bureau launched a three-month public consultation exercise on the review. The consultation document sets out key areas of concern with regard to policy objectives, principles and strategies. Specifically, the public was invited to give views on the following three broad questions:

- (a) What should we conserve?
- (b) How do we conserve?
- (c) How much and who should pay?

4. Consultation booklets and leaflets were distributed through various channels. The Home Affairs Bureau attended over 40 consultation briefings/meetings with organizations including the Legislative Council Home Affairs Panel, the 18 District Councils, relevant statutory and advisory boards including the Antiquities Advisory Board, Town Planning Board, Urban Renewal Authority, Hong Kong Tourism Board, Tourism Strategy Group, Land and Building Advisory Committee and Lord Wilson Heritage Trust, conservation groups, professional bodies as well as the academic sector. Two public forums were also held.

5. In addition, a telephone opinion poll was conducted from late April to early May 2004.

### **Summary of Views**

6. At the conclusion of the public consultation exercise on 18 May 2004, more than 500 views were received. In addition, through the telephone opinion poll, over 3,000 people were interviewed. In brief, the public is very supportive of built heritage conservation and considers that more efforts should be devoted by the community at large to this area of work. Below is a summary of the views received:

#### **(A) What should we conserve?**

- (a) Some respondents considered that “built heritage” should be extended to cover intangible heritage such as traditional customs and rituals. Some however suggested that we should not be too ambitious and should first concentrate efforts in dealing with built heritage.

- (b) The vast majority of views opined that built heritage conservation should not be restricted to historical significance and architectural merits, but should include collective memory associated with built structures, areas or places that reflect the traditional ways of lives and cultural or social activities experienced and lived by the common people. The criteria for selection should be expanded to include culture, aesthetic and social factors etc. Apart from culture and heritage values which are of prime importance, economic and environmental improvement considerations should also be given due weight.
- (c) The respondents generally supported the idea of expanding the scope of conservation work from “point” (i.e. individual built heritage) to “line” (i.e. a street) and “surface” (i.e. an area) that possess unique cultural character or reflect traditional way of life of the community.

(B) How do we conserve?

- (a) The majority of views supported the adoption of diverse methods ranging from in situ preservation with strict control on alteration to partial or façade preservation to suit different situations.
- (b) Regarding the conservation of “line” and “surface”, many respondents opined that we need not prohibit redevelopment as long as the conditions required to retain the special characteristics of a designated area to be protected are satisfied. Town planning and development controls are important tools to enhance successful conservation.
- (c) The majority of views considered that conserved built heritage should form a functional part of the community and sustainability is the key to success. Apart from sustaining cultural vitality, adaptive re-use should also seek to enhance social ties and economic gain. Many suggested a flexible approach to adaptive re-use and where it is not feasible to maintain the original use, cultural tourism or commercial uses should also be considered. In putting conserved built heritage to use, public-private partnership should be encouraged. The conserved heritage should, as far as possible, be open to public access.

- (d) Many views supported the setting up of a single heritage authority with the necessary power for heritage conservation as well as related controls on town planning, building and land development. The single authority may remain with the Home Affairs Bureau, or vested in another bureau if deemed more appropriate or be an independent entity with appropriate statutory power.
- (e) Respondents generally opined that public participation and support are important. They requested more efforts be devoted to heritage education and publicity.

(C) How much and who should pay?

- (a) Most respondents opined that since heritage conservation is for the good of the community and future generations, the whole community should contribute and bear the cost collectively. They generally supported the principles that we should conserve but not take over ownership, give due regard to private property rights and maintain suitable balance between conservation need and economic cost.
- (b) A great number of views are in support of the introduction of economic incentives. Transfer of development rights is the method mostly advocated. Other methods mentioned include land exchange and tax incentives.
- (c) Many respondents suggested to set up a heritage trust fund so as to tap resources from community as well as to cultivate the public's sense of belonging and commitment in heritage conservation work.

### **Latest Developments**

7. It is encouraging to see that the community has taken tremendous interest in the public consultation exercise. The views and suggestions received have provided useful information on the various aspects of built heritage conservation of public concern. The Home Affairs Bureau has started to study possible implementation measures in conjunction with relevant bureaux and departments. In particular, we will be examining more closely the following

important issues:

- (a) setting up of a heritage trust fund;
- (b) introduction of appropriate planning tools and economic incentives;
- (c) innovative and sustainable adaptive re-use of conserved built heritage;
- (d) better co-ordination of heritage conservation work;
- (e) formulation of a holistic approach, assessment criteria, different methods of conservation and a strategy on enhancing community participation; and
- (f) strengthening of heritage education and publicity.

### **Way Forward**

8. We are conducting an in-depth analysis on views received and are formulating proposals on implementation measures for further public consultation in 2005. We will continue to listen to views from all sectors and will take these views into account in taking forward the review.

Home Affairs Bureau  
November 2004