

**Legislative Council  
Panel on Development**

**Progress Report on Heritage Conservation Initiatives**

**Follow-up Action to the Meeting on 22 January 2019**

Response to the motion passed by the Panel at the meeting on 22 January 2019 is provided below.

2. In Hong Kong, privately-owned historic buildings, including buildings owned in the name of an individual, a company or an organisation (such as charitable organisation or *Tso Tong*), are private properties protected by law. Private owners have the right to decide how to use, develop and modify (including redevelop or demolish) their properties.

3. The Government's heritage conservation policy aims to strike a proper balance between respect for private property rights and heritage conservation, and offer appropriate economic incentives to encourage private owners to conserve and revitalise their historic buildings. On the premise of respecting private property rights, the Government has put in place a grading system for historic buildings to provide an objective basis for the preservation need of individual historic buildings. The grading system is administrative in nature and assessment is based on six criteria, namely historical interest, architectural merit, group value, social value and local interest, authenticity, and rarity. Buildings with heritage value are classified as Grade 1, 2 or 3 historic buildings. Grade 1 historic buildings are those of outstanding merit, which every effort should be made to preserve if possible; Grade 2 historic buildings are those of special merit, efforts should be made to selectively preserve; and Grade 3 historic buildings are those of some merit, preservation in some form would be desirable and alternative means could be considered if preservation is not practicable. The grading does not affect the ownership, management, usage and development rights of the buildings.

4. In the past few years, the Government successfully preserved a number of privately-owned historic buildings (including total preservation, partial demolition and preservation-cum-development) by devising appropriate economic incentives (e.g. policy support on relaxation of plot ratio and height restriction) with regard to the specific

situation of historic buildings, including their heritage value, development potential and value of the lot where the building is located, space available for planning in the lot, wish of the owner, etc. This arrangement has achieved considerable results. For example, with the Government's support, the Cheung Chau Theatre (Grade 3 historic building) obtained the Town Planning Board's approval to relax the plot ratio and site coverage restriction, to compensate the owner's loss in gross floor area due to the in-situ preservation of the external façade of the building. Besides, we have been discussing "preservation-cum-development" proposal for the Maryknoll House in Stanley (Grade 1 historic building) with the owner since November 2016. In the end, the owner changed its mind and agreed to preserve the entire Maryknoll House *in-situ* whilst pursuing the residential development project. The Town Planning Board is now processing the relevant planning application.

5. These successful cases prove that proactive discussion with private owners accompanied by appropriate economic incentives can effectively encourage private owners to explore mutually acceptable options with the Government, such that historic buildings can be preserved while allowing development at the same time. Pursuing heritage conservation through legislation would infringe private property rights, which contradicts the Government's heritage conservation policy premising on respecting private property rights. We will continue to encourage private owners to preserve historic buildings using "preservation-cum-development" approach.

**Development Bureau**  
**February 2019**