

**Extract from the minutes of meeting of the  
Panel on Home Affairs held on 22 March 2004**

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**V. Review of built heritage conservation policy**  
[LC Paper No. CB(2)1734/03-04(03) and (04)]

18. Principal Assistant Secretary for Home Affairs (Culture) 2 gave a PowerPoint presentation on the consultation document on the captioned review.

19. Mr MA Fung-kwok expressed disappointment at the consultation document which failed to provide details of potential heritage items identified for protection and conservation costs involved. Mr MA considered it a waste of time for the Government to consult the public merely on broad policy issues, as he believed that the large majority of Hong Kong people were clearly in support of heritage conservation. Mr MA considered that further delay in the conservation work would cost Hong Kong many valuable historical buildings in the midst of rapid urbanisation.

20. Deputy Secretary for Home Affairs (Special Duties) (DSHA(SD)) responded that the Administration was reviewing the current policy of heritage conservation as there were inadequacies in the existing system. For instance, the Antiquities and Monuments Ordinance, (Cap. 53) (the Ordinance) had made it difficult, if not impossible, to conserve a whole street or neighbourhood in order to retain its unique character and setting. Under the Ordinance, each and every building, structure, place or site declared as a monument had to meet the historical significance criterion. The emphasis was on "point" (i.e. a building), rather than "line" (i.e. a street) or "surface" (i.e. an area). DSHA(SD) explained that the Administration needed to know the majority views of the community on the broad policy issues as set out in the consultation document in order to propose policy changes. DSHA(SD) added that the consultation period would last for three months until 18 May 2004. Proposals on implementation measures would form the subject of another consultation exercise anticipated to be launched early next year.

21. Mr MA Fung-kwok pointed out that while no one would oppose heritage conservation, the key issue was the costs involved. Mr MA said that the Administration should therefore provide detailed information on the potential heritage items identified and the conservation costs, including any transfer of development rights required and what forms of incentives would be used to induce owners' co-operation.

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22. DSHA(SD) said that the Administration could not assume that the community already had a consensus, as past experience had shown that some heritage conservation work had not been an easy task due to oppositions met. DSHA(SD) further said the Administration had to know the views of the community on fundamental principles, such as whether heritage items which did not meet the strict criteria of historical significance/architectural merit but formed part of the community's collective memory should be conserved, before it could formulate a holistic approach to guide the direction of conservation work. He added that the Administration had received many valuable views from the public since launching the consultation exercise.

23. Ms Cyd HO also expressed doubt as to whether the present consultation exercise could achieve any meaningful purpose since the Administration had not provided any options or concrete details, such as costs, for consideration by the public. Ms HO queried whether the Administration itself had already reached a consensus regarding heritage conservation as it might conflict with other Government policies such as that of urban redevelopment.

24. DSHA(SD) said that the present consultation exercise was a useful one, as there had not previously been any open, systematic discussion on heritage conservation, particularly on the need to conserve a street or an area. DSHA(SD) pointed out that the consultation document had been endorsed by the Executive Council (ExCo) before it was issued. In the future, once ExCo endorsed a new policy on built heritage conservation for adoption, all Government bureaux and departments would have to comply with the new policy.

25. Ms Cyd HO suggested that the Administration should immediately release concrete details on costs and compensations, including the transfer of development rights, in order to make the current consultation exercise more fruitful. DSHA(SD) responded that the Administration had in fact received many views and suggestions in that regard during the current consultation. He added that the Administration would consider any proposals received relating to implementation measures and the transfer of development rights, and include them in the second stage of consultation exercise.

26. Mr WONG Sing-chi declared interest as an executive member of the Hong Kong Council of the Church of Christ in China, which was the owner of the Hoh Fuk Tong Centre. Mr WONG asked whether the owner of a historical property declared as a monument under the current policy would be entitled to receive compensations in the future, if such compensations were made available to owners under the new policy. DSHA(SD) said that before the implementation of any new policy, heritage conservation work would continue to be carried out in accordance with the existing Ordinance.

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27. Miss CHAN Yuen-han expressed dissatisfaction with the Administration's timetable for conducting the review and urged the Administration to release concrete proposals on implementation measures for public consultation around May or June 2004. Miss CHAN said that the Government should play a more proactive role in fostering heritage conservation which was important not only from the cultural point of view but also in helping to promote tourism. Miss CHAN also considered that the Administration had to first reach a consensus within the Government on the policy of heritage conservation in order to avoid any future disputes.

28. DSHA(SD) said that after conclusion of the public consultation exercise in mid-May 2004, HAB would study the views collected and formulate implementation measures. It would need some time to conduct an internal consultation with other relevant bureaux in the Government on the proposed built heritage conservation policy and relevant implementation measures. HAB hoped to launch another public consultation exercise on the proposals early next year. DSHA(SD) reiterated that all Government bureaux and departments would have to follow the built heritage conservation policy after it had been formulated and endorsed by ExCo.

29. Miss CHAN Yuen-han said that proposals relating to the transfer of development rights were controversial and urged the Administration to reach a consensus on the issue as early as possible. Miss CHAN urged the Administration to put in place interim measures to conserve and prevent demolition of historical properties from now on until the completion of the current review and implementation of the new policy. DSHA(SD) said that the Administration had been striving to conserve heritage items and it would maintain its efforts in this regard.

30. Ms Emily LAU proposed to include this item for discussion at the meeting scheduled for 11 June 2004. She hoped that the Administration could then brief the Panel on the outcome of the consultation exercise and proposals on implementation measures. DSHA(SD) explained that it would not be possible for proposals on implementation measures to be ready for discussion by June or July 2004, as the Administration would need some time to conduct an internal consultation after conclusion of the present consultation. DSHA(SD) said that the Administration planned to release the proposals on implementation measures for public consultation early next year.

31. In response to the Chairman, DSHA(SD) agreed to provide a progress report on the review of built heritage conservation policy for discussion by the Panel at its meeting in June or July 2004.

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